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10-16-03  
Date

2003 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2108

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10-16-03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2108

Senate Government and Veterans Affairs Committee

Conference Committee

Hearing Date 01/10/03

Tape Number	Side A	Side B	Meter #
Tape 1	x		Tape Failed
Tape 1		x	1475-15680
Committee Clerk Signature <i>Luca Alexon</i>			

Minutes:

**Senator Karen Krebsbach, Chairman:** Call SB 2108 to order. All senators present.

Begin testimony for SB 2108. **Virginia Rivinius from the Central Personnel Division in for Laurie Steriotti Hammeren to testify. (Testimony Attached)**

**Senator Krebsbach:** Questions?

**Senator Nelson:** For clarification, you want to keep it as is but if you run out of people you want to be able to hold a special election, correct?

**V. Rivinius:** Yes

**Chris Runge from NDPEA :** I would just like to state for the record that we are in favor of SB 2108.

**Senator Dever:** How is the election conducted?

**C. Runge:** Ballots are sent through agencies and votes are cast and then there is a public counting. It is a low budget process.

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Page 2  
Senate Government and Veterans Affairs Committee  
Bill/Resolution Number SB 2108  
Hearing Date 01/10/03

**Senator Nelson:** Do employers get to vote for both classified and unclassified or just where they belong?

**C. Runge:** Just where they belong.

**Senator Krebsbach:** Is there any further testimony in favor, neutral, or in opposition to SB 2108?

**Senator Krebsbach:** this closes SB 2108.

*Tape 1 Side B Meter # 1475*

Further discussion on SB 2108

Motion made for Do Pass by Senator Nelson

2nd motion made by Senator Wardner

**6 Yes, 0 No, 0 Absent and not voting.**

**Carrier: Senator Nelson**

**Senator Krebsbach:** This closes SB 2108.

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REPORT OF STANDING COMMITTEE (410)  
January 10, 2003 11:34 a.m.

Module No: SR-04-0427  
Carrier: Nelson  
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2108: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)  
recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2108  
was placed on the Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-04-0427

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2003 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2108

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10-16-03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2108

House Government and Veterans Affairs Committee

Conference Committee

Hearing Date 2-27-03

Tape Number	Side A	Side B	Meter #
1	x		23.4-28.0

Committee Clerk Signature *Joseph R. Breda*

Minutes: Chairman Klein: called the hearing to order. All committee members were present.

Laurie Steriotti Hammeren, SPHR, Director: appeared in favor of SB 2108, and provided a statement (SEE ATTACHED TESTIMONY).

Representative Sitte: this really raises the issue what is the employee turnover, what percentage of state employees?

Laurie Steriotti Hammeren: it varies by agency, but it averages about 8%.

Representative Winrich: made a DO PASS motion on SB 2108.

Representative Tieman: SECOND the motion.

VOTE: 13-YES 0-NO 1-ABSENT (KASPER).

Motion carried.

Representative Williams: will carry the bill to the floor.

Meeting adjourned.

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*10-16-03*  
Date



Date: 2-27-03

Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTE  
SENATE BILL/RESOLUTION NO. SB 2108

House GOVERNMENT AND VETERANS AFFAIRS Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken DO PASS

Motion Made By Rep. Winrich Seconded By Rep. Tieman

Representatives	Yes	No	Representatives	Yes	No
Chairman M.M. Klein	X		B. Amerman	X	
Vice Chairman B.B. Grande	X		L. Potter	X	
W.R. Devlin	X		C. Williams	X	
C.B. Haas	X		L. Winrich	X	
J. Kasper	-A-	-			
L.R. Klemm	X				
L. Meier	X				
M. Sitte	X				
W.W. Tieman	X				
R.H. Wikenheiser	X				

Total (Yes) 13 No 0

Absent 1 (Rep. Kasper)

Floor Assignment Rep. Williams

If the vote is on an amendment, briefly indicate intent:

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10-16-03  
Date

**REPORT OF STANDING COMMITTEE (410)**  
February 27, 2003 9:56 a.m.

**Module No: HR-35-3555**  
**Carrier: Williams**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SB 2108: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)**  
recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2108  
was placed on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-35-3555

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2003 TESTIMONY

SB 2108

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10-16-03

Date

**TESTIMONY BEFORE THE GOVERNMENT AND VETERANS AFFAIRS  
COMMITTEE REGARDING FILLING STATE EMPLOYEES  
COMPENSATION COMMISSION VACANCIES - SB 2108**

**JANUARY 10, 2003  
CENTRAL PERSONNEL DIVISION  
LAURIE STERIOTI HAMMEREN, SPHR, DIRECTOR**

*same given to House*

Chairman Krebsbach and members of the Government and Veterans Affairs Committee, I am Laurie Sterioti Hammeren, Director of the Central Personnel Division. I am here to discuss Senate Bill 2108, a Bill to amend the method used to fill state employee compensation commission vacancies.

The State Employee Compensation Commission (SECC) is based on NDCC 54-06-25. Paragraph 2 provides that there are 4 members of the legislative assembly appointed by the chairman of the legislative council, and four state employees are elected members; 3 must be members of the classified service and one must be a member of the non-classified service.

The current method of filling a vacancy on the SECC is to place the person with the next highest vote total from the previous election in the vacant position. Senate Bill 2108 amends this method to include allowing the chairman of the commission to call a special election if the next available vote getters are no longer available to serve on the commission.

Because of the current wording of NDCC 54-06-25, the SECC has only two members (instead of four) serving classified and unclassified state employees. There were no available vote getters to replace the members who have resigned:

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*10-16-03*  
Date

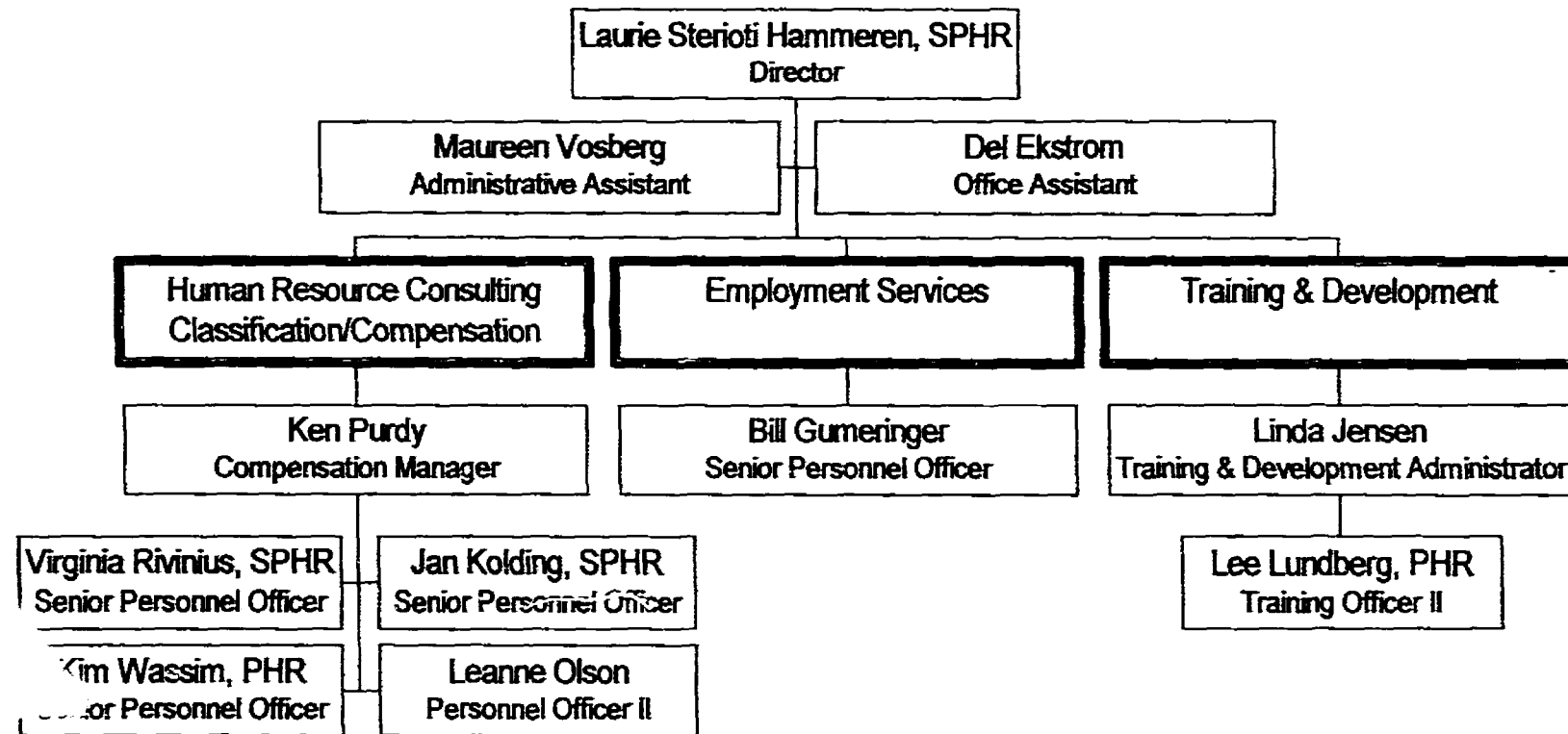
- Sharon Heap, elected in 1999, resigned from state employment shortly after her election.
  - Barb Schaan, the next highest vote getter, replaced Sharon Heap and then later resigned from state employment.
  - The next two highest vote getters were no longer eligible to serve on the commission due to the August 1999 statute change removing all university system employees from the classified service.
  - The last vote getter was no longer available because he left state employment.
- Mike Sandal, unclassified employee elected in 2001, left state government in 2002. He was the only person on the ballot so there was no next highest vote getter to replace him.

Central Personnel was advised by the Attorney General's Office that the statute expressly provides replacement by the person with the next highest vote total in the previous election, and that it would not be advisable to use a different election to fill the position.

Please provide a do pass for Senate Bill 2108 so that state employees may be adequately represented through special elections, if necessary, on the SECC when vacancies occur.

This concludes my formal testimony. I am available to answer your questions.

# Central Personnel Division



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