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10/21/03
Date

2003 SENATE INDUSTRY, BUSINESS AND LABOR

SB 2274

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2274

Senate Industry, Business and Labor Committee

Conference Committee

Hearing Date 1-28-03

Tape Number	Side A	Side B	Meter #
1	XXXXX		0-970 0
Committee Clerk Signature <i>Lisa Ann Berkorn</i>			

Minutes: Chairman Mutch opened the hearing on SB 2274. All Senator present. SB 2274 relates to the duties of the director of the department of the department of commerce division of economic development and finance.

Testimony in support of SB 2274

Senator Richard Brown introduced the bill. He states that is a "housekeeping" bill. He then introduced Linda Butts, Director of the Economic Development and Finance Division of the North Dakota Department of Commerce. Linda states that the bill would clarify the duties of her position. See testimony and attached chart. She then presented a hand out of a proposed amendment from Sen. Brown.

Senator Mutch: Could you explain the chart on the third page?

Linda Butts: There was a Deputy of Commerce, however, there is not anymore.

Senator Heitkamp: Where are we at with FTE's (full time employees)?

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Senate Industry, Business and Labor Committee

Bill/Resolution Number 2274

Hearing Date 1-28-03

Linda Butts: The merging of the department of Commerce caused a reduction in work force.

Since the last session there has been a couple of temporary employees added.

Senator Heltkamp: How many additional temporary employees will be added this session?

Linda Butts: There will be one more full time employee added.

Senator Espegard: The first part of the bill reads that the Director of Commerce Division, who is that?

Linda Butts: That would be me.

Senator Espegard: Okay who is the Chief Executive Officer of the Corp.

Linda Butts: What we would like to do with this legislation is give the Director of Commerce Division the power to appoint the Chief Executive Officer of the Corp.

Senator Espegard: Prior to this, what was the arrangement?

Linda Butts: This was the same arrangement, it wasn't until I was reading through the policy that I noticed this error, thus making this a housekeeping bill.

Senator Krebsbach: So what we are trying to do now if fix a mistake that should have been done when the organization was set up?

Linda Butts: That is correct.

No further questions from the committee.

Hearing closed.

Senator Espegard Moved to adopt the amendment. Senator Krebsbach seconded.

Roll Call Vote: 7 Yes. 0 No. 0 Absent.

Senator Espegard moved a DO PASS AS AMENDED. Senator Krebsbach seconded.

Roll Call Vote: 6 yes. 0 no. 1 absent.

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Senate Industry, Business and Labor Committee
Bill/Resolution Number 2274
Hearing Date 1-28-03

It was later decided by the Legislative Council that the amendment was not necessary. The committee decided to change it to a DO PASS.

Carrier: Senator Krebsbach.

No amendments.

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FISCAL NOTE
 Requested by Legislative Council
 01/22/2003

Bill/Resolution No.: SB 2274

1A. **State fiscal effect:** Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. **County, city, and school district fiscal effect:** Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. **Narrative:** Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

No fiscal impact is expected.


3. **State fiscal effect detail:** For information shown under state fiscal effect in 1A, please:

A. **Revenues:** Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

B. **Expenditures:** Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

C. **Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	Paul Govig	Agency:	North Dakota Dept. of Commerce
Phone Number:	328-4499	Date Prepared:	01/22/2003


 Operator's Signature 10/21/03
Date

Date: 1-28-03
Roll Call Vote #: 2

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2274

Senate IBL Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS AS AMENDED

Motion Made By Espegard Seconded By Krebsbach

7-
6-
2-
3-

Senators	Yes	No	Senators	Yes	No
Sen. Duane Mutch, Chairman	✓		Sen. Michael Every 5	✓	
Sen. Jerry Klein, Vice Chairman	✓		Sen. Joel Heitkamp 4		
Sen. Duaine Espegard	✓				
Sen. Karen Krebsbach	✓				
Sen. Dave Nething	✓				

Total (Yes) 6 No 0

Absent 1

Floor Assignment DO PASS - Krebsbach

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

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Operator's Signature Deanna Wall Date 1/21/03

REPORT OF STANDING COMMITTEE (410)
January 28, 2003 2:36 p.m.

Module No: SR-16-1220
Carrier: Krebsbach
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2274: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends
DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2274 was placed
on the Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-16-1220

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2003 HOUSE INDUSTRY, BUSINESS AND LABOR

SB 2274

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2274

House Industry, Business and Labor Committee

Conference Committee

Hearing Date March 12, 2003

Tape Number	Side A	Side B	Meter #
2		x	0.0-10.1

Committee Clerk Signature *Judith Hammer*

Minutes: Chairman Keiser opened the hearing on SB 2274.

Linda Butts, Director of Economic Development and Finance Division of the North Dakota Department of Commerce, substituted for Senator Brown, District 27, to introduce the legislation and to testify in support of SB 2274. (See attached) Ostensibly, this bill is merely housekeeping legislation. There is no longer a Deputy Director at EDF but the responsibilities of that FTE were moved to create the position of Commissioner of Commerce. The manager of the development fund is the CEO in practice.

As there was no one else present to testify either in support of or in opposition to SB 2274, the hearing was closed.

Rep. Severson moved a Do Pass.

Rep. Ruby seconded the motion.

The results of the roll call vote was: 12-0-2.

Rep. Ruby will carry this bill on the floor.

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12/21/03
Date

Date: 3/12/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2274

House INDUSTRY BUSINESS & LABOR Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Severson Seconded By Ruby

Representatives	Yes	No	Representatives	Yes	No
Chairman Keiser	✓		Boe	✓	
Vice-Chair Severson	✓		Ekstrom		
Dosch	✓		Thorpe	✓	
Froseth	✓		Zaiser	✓	
Johnson	✓				
Kasper	✓				
Klein	✓				
Nottestad	✓				
Ruby	✓				
Tieman	✓				

Total (Yes) 12 No 0

Absent 2

Floor Assignment Ruby

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

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10/21/03
Date

REPORT OF STANDING COMMITTEE (410)
March 12, 2003 4:44 p.m.

Module No: HR-44-4619
Carrier: Ruby
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2274: Industry, Business and Labor Committee (Rep. Kelsor, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2274 was placed on the Fourteenth order on the calendar.

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2003 TESTIMONY

SB 2274

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10/21/03
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Senate Industry Business and Labor
Tuesday January 28, 2003
SB 2274

Chairman Mutch, members of the committee, my name is Linda Butts. I am the director of the Economic Development and Finance Division of the North Dakota Department of Commerce.

This bill has been presented at the request of the North Dakota Department of Commerce to clarify certain duties within the division. As it currently stands, the position of deputy director of Economic Development and Finance is vacant. The director has assumed the role of manager of the finance office and the manager of the Development Fund has assumed the role of CEO of the Development Fund.

We have requested this bill be introduced to authorize the changes we have made internally with the vacancy of the position of deputy director.

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Recommended Amendment to SB 2274

In order to clarify the language in this bill relating to the appointment of the development fund executive officer by the Director of ED&F the following addition to Section 1 of the bill (lines 9 and 10 on Page 1) is suggested:

- 9 executive officer of the development fund corporation. The board of directors shall
- 10 determine minimum qualifications of all other staff positions.

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10/21/03
Date

Department of Commerce



Lee Peterson
Commissioner

Division Overview
January 2003

Community Services
Paul Govig
Director

Economic Development
& Finance
Linda Butts
Director

Tourism
Sara Otte Coleman
Director

Workforce
Development
Jim Hirsch
Director

Administrative Services

LaVonne Stair
Office Manager

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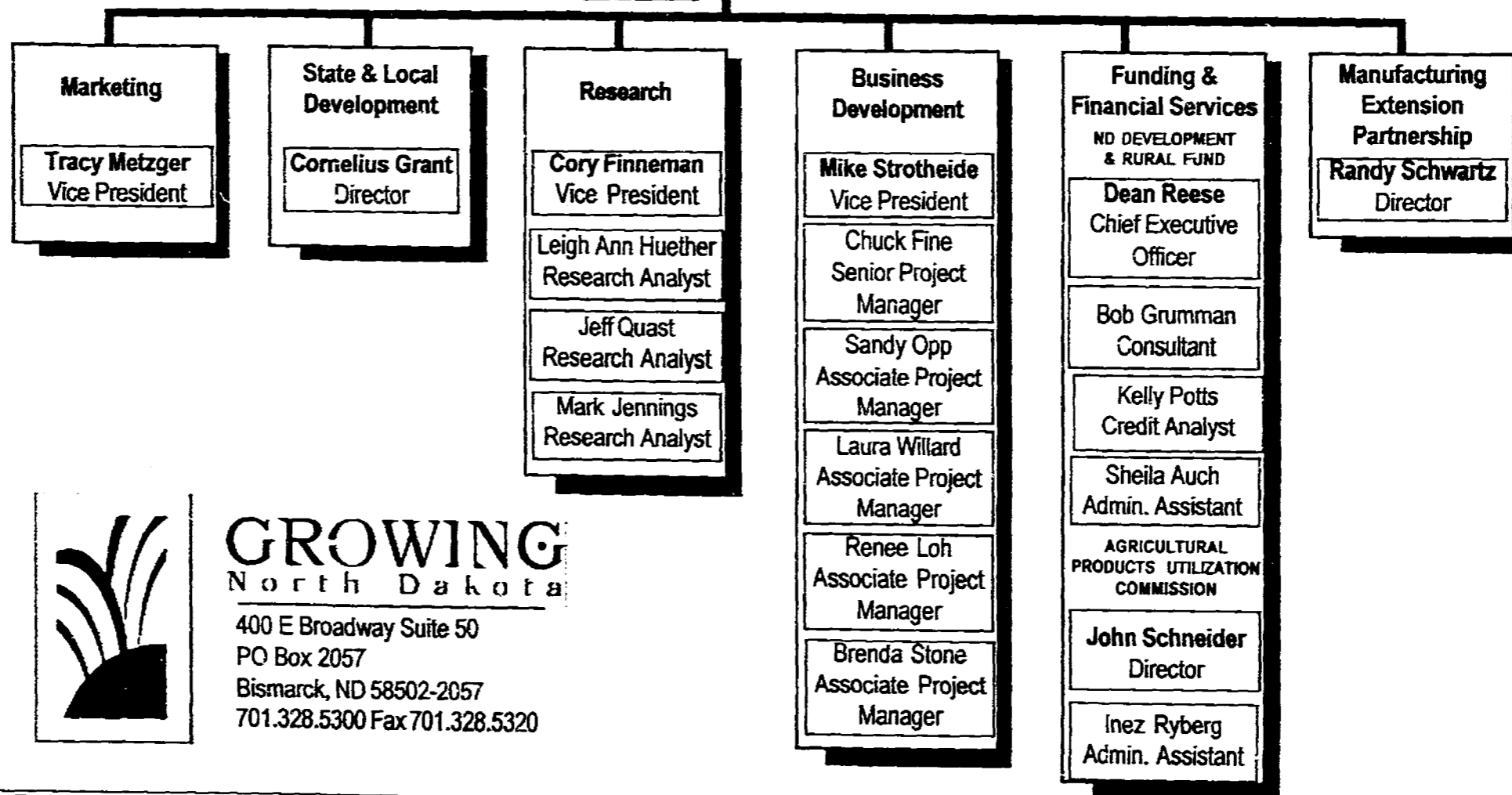
Department of Commerce Economic Development & Finance Division

Organizational Chart

Linda Butts
Division Director

In addition to the staff members listed below, ED&F contracts with the Small Business Development Centers and the Center for Technology & Business.

Cyrena Weeks
Executive Assistant



GROWING
North Dakota

400 E Broadway Suite 50
PO Box 2057
Bismarck, ND 58502-2057
701.328.5300 Fax 701.328.5320

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Linda Butts

12/21/03
Date

A1

**Linda Butts Testimony
Senate Bill 2274
March 12, 2003, 2 p.m.
Peace Garden Room**

Mr. Chairman, member of the committee, my name is Linda Butts, director of the Economic Development and Finance Division of the North Dakota Department of Commerce.

This legislation has been introduced to put into statute the reality of how the Director of EDF relates to the Finance Office.

Current Fact Pattern of how the Finance Office and director of EDF relate

- EDF no longer has a deputy director
- That FTE was moved to create the position of Commission of Commerce
- The CEO of the Development Fund is the manager of the fund. This position is responsible for investments, contracts, and other transactions of the corporation.

This legislation moves the former responsibilities from the deputy to the director of EDF.

Mr. Chairman that concludes my testimony.

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Linda Butts
Operator's Signature

12/21/03
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