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ROLL NUMBER

DESCRIPTION

2317

2005 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2317

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2317

**Senate Government and Veterans Affairs**

Conference Committee

*January 28, 05*  
Hearing Date 28, 2005

Tape Number	Side A	Side B	Meter #
1	x		2,768-5622
Committee Clerk Signature <i>Shane Davis</i>			

**Chairman Krebsbach** opens hearing on 2317

Relating to the establishment of a service center in the state capitol

(meter #2768)

**Senator John Warner** - See written testimony- would like to testify on both SB2317 and

SB2318

**Senator Syverson** - Asked if he had any information on who wrote the Fargo Forum editorial

that was referenced.

**Senator Warner** - Did not know.

**Senator Krebsbach** - Asked where the ranking came from so we could see where we're falling short. She would be interested in knowing if the measures presented would further increase our ranking.

**Senator Lee** - Would like to know how they measure lobbyist influence. She does not see this as the same as interpreting what laws are on the books that regulate lobbyists.

**Senator Warner**- Would like to bring the information about the level they are spending for intelligence and for conveying their ideas to one place so the public can see. Large group lobbyist may have an advantage over citizen groups that come off the street and are intimidated by the process.

**Senator Brown** - Current fee is \$20, now want to increase it another \$25. There are some very small groups that can not afford this. Wonders if it is fair to them to double the fee.

**Senator Warner** - Have looked to registering them by organization instead of individually. Not convinced a fee is even necessary, if they could get a commitment to establish a center, there may be a small initial cost, but not an on going cost. It would be a fee per service..

**Senator Krebsbach** - Asked if the lobbyists have asked for a kiosk and if this couldn't be handled through the legislative committee.

**Senator Nelson** - Thinks the visitor's kiosk could hold a fax machine and copier. On bill #2218 if you are requiring a hard copy picture shouldn't you also allow digital. Thinks it would be helpful to have picture ID's.

**Senator Syverson** - Said it was indicated there are 600 lobbyists. He does not see that many so feels that a picture would be cumbersome.

**Senato Brown** - Feels the same way about the fee.

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Senate Government and Veterans Affairs Committee

Bill/Resolution Number 2317

Hearing Date January 28, 2005

**Senator Warner** - Said he believes that most people who register do show up. It would also be very useful for the lobbyists to have a web site with links to their e-mail address. Would also be useful to legislators.

**Rod St. Aubyn** - Lobbyist for Blue Cross Blue Shield - Believes there are some advantages to having an area where you can work, but does have concerns that every lobbyist has to pay the \$25 fee. Some people come to testify for one bill and it seems unreasonable to him that they should pay a fee to use a service center they will never use.

**Mary Feist** - Sec of States Office - Told there is 542 lobbyists, possibly representing 900 entities.

SB 2317 says it would be the entities we would be charging not the lobbyists.

**Senator Krebsbach** - Asked if she knows how many are active really active throughout the session.

**Feist** - In the off sessions, about 260-270. Of those numbers about 400 are represented entities.

(meter #5596)

Closed the hearing on **SB2317**

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2317

**Senate Government and Veterans Affairs**

Conference Committee

Hearing Date February 10, 2005

Tape Number	Side A	Side B	Meter #
1		x	3388-3560
Committee Clerk Signature <i>Diane Davis</i>			

**Chairman Krebsbach** opens committee work on 2317

**Relating to the establishment of a service center in the state capitol**

**Senator Brown** - moved to do not pass

**Senator Lee** - seconded

**Senator Krebsbach** will carry

(meter #3560)

**FISCAL NOTE**  
 Requested by Legislative Council  
 01/19/2005

Bill/Resolution No.: SB 2317

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.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

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

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

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

No fiscal impact.

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.*

<b>Name:</b>	Linda Belisle	<b>Agency:</b>	OMB
<b>Phone Number:</b>	328-4904	<b>Date Prepared:</b>	01/21/2005

Date: 2  
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2317

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

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

Action Taken Do Not Pass

Motion Made By Senator Brown Seconded By Senator Lee

Senators	Yes	No	Senators	Yes	No
Karen K. Krebsbach, Chairman	X		Carolyn Nelson	X	
Richard L. Brown, Vice Chairman	X				
Judy Lee	X				
John O. Syverson	X				

Total (Yes) 5 No 0

Absent 0

Floor Assignment Senator Krebsbach

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

**REPORT OF STANDING COMMITTEE (410)**  
February 10, 2005 4:15 p.m.

**Module No: SR-27-2485**  
**Carrier: Krebsbach**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SB 2317: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)**  
recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
SB 2317 was placed on the Eleventh order on the calendar.

**2005 TESTIMONY**

SB 2317

Senate Bill 2317 & 2318  
Testimony of  
Senator John Warner  
28 January 2005

Chairman, Members of the Committee,

Both of the bills that I bring before you today, SB 2317 and its companion 2318 are modest attempts to bring transparency to the lobbying process. All of us in this room know the importance of lobbyists to the political process, we have developed personal friendships with lobbyists and we rely on them for ideas and information. These two bills plus others that you will hear this morning are intended to make the process more understandable to the public and more useful to legislators.

SB 2317 would ask the Legislative Council to create a citizen's service center, either a stand alone kiosk or another space near the bill room where ordinary citizens AND lobbyists can assemble testimony, receive e-mail, send a fax, make a phone call, and photocopy testimony. The bill calls for an assessment required from lobbyists to pay for the initial cost of the center or any furniture that may be required. As this project has advanced it has been questioned whether an assessment would even be required as most of these would be fee for service. I leave it to the discession of the committee whether the fee should be removed.

SB 2318 very simply would add a photo requirement to the registration process and allow that the Secretary of State could publish those photographs as part of his website should the technology support that addition.

I would like to quote from today's Fargo Forum editorial "More transparency among lobbyists conforms nicely with North Dakota's tradition of open government. After all, lobbyists don't descend on Bismarck every other year because they like the weather. They are stalking the halls of the Capitol and treating legislators to nightly buffets and other goodies because they have specific agendas that might or might not be in the best interests of the people of the state. It's not too much to require ask lobbyists to be as visible as possible. It's not too much to require they report frequently how much they spend and how they spend it."

In closing, I would like to quote again from today's Forum editorial. The proposed changes in the state's lobbying reporting requirements come in the context of a national ranking which gave north Dakota failing grade in lobbyist disclosure. The Center for Public Integrity, a Washington, D. D. organization that reports on lobbying influence, ranked North Dakota 44<sup>th</sup> of 48 States. The state can do better, given its long-standing commitment to open government. (these bills are) a modest first step.



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# Forum editorial: Lobbyist measures make sense

## The Forum Published Friday, January 28, 2005

There are nearly four times as many lobbyists as there are legislators at the North Dakota Capitol during a legislative session. Bills to better identify them and what they do are good ideas.

Sen. April Fairfield, D-Eldridge, and Sen. John Warner, D-Ryder, have introduced measures which would require lobbyists to submit photos for a directory and report occasions when they spend more than \$25. Lobbyists already must register with the Secretary of State, wear a name badge and report lobbying expenditures of more than \$50.

Furthermore, Fairfield's bill would require lobbyists to file disclosure reports every three months instead of once a year.

None of those requirements is unreasonable, although quarterly reporting might be an unnecessary burden on lobbyists and the Secretary of State's office.

But more transparency among lobbyists conforms nicely with North Dakota's tradition of open government. After all, lobbyists don't descend on Bismarck every other year because they like the weather. They are stalking the halls of the Capitol and treating legislators to nightly buffets and other goodies because they have specific agendas that might or might not be in the best interests of the people of the state. It's not too much to ask lobbyists to be as visible as possible. It's not too much to require they report frequently how much they spend and how they spend it.

Of the more than 600 lobbyists who register for the session, many are advocates for in-state public interest groups or small businesses. Others, however, are highly paid representatives of corporations and organizations that are bigger than state government. Agri-business, energy companies and their allies, the railroads and the insurance industry are among those special interests with enormous clout at the Legislature because of skilled lobbyists and huge lobbying budgets.

(In the way of full disclosure, the North Dakota Newspaper Association -

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The Forum is a member - employs veteran lobbyist, Bismarck attorney Jack McDonald, who is a highly visible and effective spokesman for the state's daily and weekly newspapers.)

The proposed changes in the state's lobbying reporting requirements come in the context of a national ranking which gave North Dakota a failing grade in lobbyist disclosure. The Center for Public Integrity, a Washington, D.C., organization that reports on lobbying influence, ranked North Dakota 44th of 48 states.

The state can do better, given its long-standing commitment to open government. The legislation introduced by Sen. Fairfield and Sen. Warner is a modest first step.

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