

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1371

2007 HOUSE POLITICAL SUBDIVISIONS

HB 1371

# 2007 HOUSE STANDING COMMITTEE MINUTES

Bill No. HB 1371

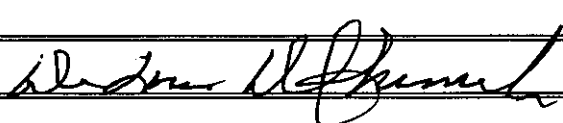
House Political Subdivisions Committee

Check here for Conference Committee

Hearing Date: February 1, 2007

Recorder Job Number: 2564, 2610

Committee Clerk Signature



Minutes:

**Chairman Herbel** opened the hearing on HB 1371.

**Rep. Vig:** Spoke as sponsor of the bill. Allows per diem compensation for job development authority boards of directors that would be helpful to get people to serve on the boards.

**Rep. Steve Zaiser:** How many of those enabling authorities have per diems now?

**Rep. Vig:** I do not know for sure. Other people will be here to answer that.

**Terry Traynor:** Most appointed boards have this language in there. (see testimony #1).

It is an optional authority and would help these counties get the membership they need for their job development authority

**Chairman Herbel** Would they get paid by both boards?

**Terry Traynor:** Yes, under this they would. Sounds like they meet quarterly.

**Rep. Steve Zaiser** Spoke about an individual served on several boards and made a lot of money. How would the current bill be amended as to how many boards you could be on and how many per diems you could get. What are your feelings regarding that?

**Terry Traynor:** I understand where you are coming from that. In a small community it is an issue getting people to serve on boards and sometimes it is those that are willing to stand up and take the responsibility and whether you are on three or five boards it is three or five times

the number of meeting and I think it is justification for getting a per diem and it is only authorized by the county commissioners and they are elected.

Opposition: None

Hearing closed.

Chairman Herbel reopened the hearing on HB 1371. Job #2610

Do Pass Motion Made By Rep. Steve Zaiser Seconded by Rep. Louis Pinkerton

Vote 11 Yes 0 No 3 Absent Carrier: Rep. Kari Conrad

Hearing closed.

Date: 2-1-07  
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB1371

House Political Subdivisions Committee

Check here for Conference Committee

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

Action Taken No Pass

Motion Made By Rep. Zaiser Seconded By Rep. Pinkerton

Representatives	Yes	No	Representatives	Yes	No
Rep. Gil Herbel-Chairman	✓		Rep. Kari Conrad	✓	
Rep. Dwight Wrangham-V. Chair	✓		Rep. Chris Griffin	✓	
Rep. Donald Dietrich	✓		Rep. Lee Kaldor	✓	
Rep. Patrick Hatlestad	✓		Rep. Louis Pinkerton	✓	
Rep. Nancy Johnson	—		Rep. Steve Zaiser	✓	
Rep. Lawrence Klemin	✓				
Rep. Kim Koppelman	—				
Rep. William Kretschmar	✓				
Rep. Vonnie Pietsch	—				

Total (Yes) 11 No 0

Absent 3

Floor Assignment Rep. Conrad

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

**REPORT OF STANDING COMMITTEE**

**HB 1371: Political Subdivisions Committee (Rep. Herbel, Chairman) recommends DO PASS (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1371 was placed on the Eleventh order on the calendar.**

2007 SENATE POLITICAL SUBDIVISIONS

HB 1371

# 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. **HB 1371**

Senate Political Subdivisions Committee

Check here for Conference Committee

Hearing Date: **March 1, 2007**

Recorder Job Number: **4156**

Committee Clerk Signature

*Shirley Borg*

Minutes:

**Chairman Cook** called the Political Subdivisions to Order. All members present.

**Chairman Cook** opened the hearing on HB 1371 relating to per diem compensation for members of job development authority boards of directors.

**Representative Ben Vig**, District 23, Aneta, ND introduced and testified in support of HB 1371. The County Commissioners and Association of County Commissioner approached him to help out and introduce this bill that allows a per diem to be paid to the Job Development Authority members that attend their meeting. In many of our rural counties it can be tough to find people to volunteer and find people to attend these meetings. Several other counties meetings allow this per diem but Job Development Authority does not. This bill would help clean up statute and help out some of the rural counties as well.

**Chairman Cook:** Is the problem out there that you have counties that can not find people to serve on your Job Development Authorities.

**Representative Vig:** It can be difficult. If there is a per diem it might help them out to find people to serve.

**Senator Hacker:** Why was forty five dollars chosen.



**Representative Vig:** It was my understanding that it was the same as many other entities within other counties.

**Terry Traynor,** Association of Counties testified in support of HB 1371. (Attachment #1)

Forty five dollars was picked because that is what counties are allowed to pay. State Law for a long time has allowed counties to pay social service board members, library board and weed boards.

**Senator Olafson:** Do you think in actual practice this is going to force counties to have to pay it, almost as a requirement to keep their people happy?

**Terry Traynor:** I think that is the tendency.

**Senator Warner:** Where does the money come from to pay this? Does it come from the general funds of county or from the granting money the JDA has.

**Terry Traynor:** The creation of JDA allows for the levying of a specific dedicated mill levy for that and that is where the money would come from.

**Chairman Cook:** Compensation is looked at as a reward or something for your efforts. I would think that there are certain public services and JDA's are one of them, that the reward you are taking property tax money for the interest of improving your community and I guess what I am hearing that the reward from doing this and making your community a more successful community is not enough of a reward to get people to volunteer and want to be activity servicing on a JDA.

**Terry Traynor:** I think sometimes with local boards, particularly those that have served a long time get to feel like there is very little appreciation. This is a recognition that, yes the community does appreciate what they do.

**Chairman Cook:** If we pass this what will get better?

**Terry Traynor** : I think that what we will see is a broader participation, particularly in the rural areas, where this is coming from.

No further testimony in favor, against or neutral on HB 1371.

**Chairman Cook** closed the hearing on HB 1371.

**Senator Warner** moved to amend HB 1371 to decrease the amount to twenty five dollars per day and to delete the language on line 20 following the comma in addition to any salary a member of the board receives from any other source.

**Senator Hacker** seconded the motion.

Voice Vote: All members in favor

**Senator Olafson**: Could we withhold action to this motion, could I have a chance to talk to my people, to get their feeling on this.

**Chairman Cook**: We will hold this until next week.

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1371

Senate Political Subdivisions Committee

Check here for Conference Committee

Hearing Date: March 8, 2007

Recorder Job Number: 4666

Committee Clerk Signature

*Shirley Borg*

Minutes:

**Chairman Cook** called the committee to order. All members present

**Chairman Cook** asked for discussion on HB 1371. We have an amendment to decrease the amount of pay to twenty five dollars per day and delete the language on line 20 following the comma in addition to any salary a member of the board receives from any other source.

**Senator Warner** moved a Do Pass as amended.

**Senator Anderson** seconded the motion.

Discussion:

**Chairman Cook:** I tend to think that if people who serve on this board need to be compensated they should not serve on it.

**Senator Anderson:** I tend to want to vote in favor of it because I think they should be given the opportunity to if they want to.

**Olafson:** It is optional for counties to do this but if one county is doing it and the neighboring people are hearing that the people are getting paid, the other JDA's will want the same. The expense is considerable. I got an E-mail from the JDA director back home and it can run into a lot of money which could otherwise be used to carry out their work. That is one of their concerns.

Roll Call: Yes 2 No 2 Absent 1 Motion failed

**Senator Anderson** moved a Do Not Pass

**Senator Olafson** seconded the motion.

Discussion:

Roll call vote: Yes 5 No 0 Absent 0

Carrier: **Senator Olafson**

Date: 2-1-07  
Roll Call Vote #: 1

**2007 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
BILL/RESOLUTION NO. HB 1371

Senate Political Subdivisions Committee

Check here for Conference Committee

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

Action Taken Amendment adopted

Motion Made By Senator Warner Seconded By Senator Anderson

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman			Senator Arden C. Anderson		
Senator Curtis Olafson, ViceChair			Senator John M. Warner		
Senator Nicholas P. Hacker					

Total Yes 5 No —

Absent 0

Floor Assignment \_\_\_\_\_

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

Date: ~~3-7-07~~ 3-8-07  
Roll Call Vote #: 2

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1371

Senate Political Subdivisions Committee

Check here for Conference Committee

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

Action Taken Do Pass as Amended

Motion Made By Senator Warner Seconded By Senator Anderson

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman		X	Senator Arden C. Anderson	X	
Senator Curtis Olafson, ViceChair		X	Senator John M. Warner	X	
Senator Nicholas P. Hacker					

Total Yes 2 No 2

Absent 1

Floor Assignment X

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

Date: 3-8-07  
Roll Call Vote #: 3

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1371

Senate Political Subdivisions Committee

Check here for Conference Committee

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

Action Taken Do Not Pass as Amed.

Motion Made By Senator Anderson Seconded By Senator Olafson

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman	X		Senator Arden C. Anderson	X	
Senator Curtis Olafson, ViceChair	X		Senator John M. Warner	X	
Senator Nicholas P. Hacker	X				

Total Yes 5 No 0

Absent 0

Floor Assignment Senator Olafson

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

**REPORT OF STANDING COMMITTEE**

**HB 1371: Political Subdivisions Committee (Sen. Cook, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1371 was placed on the Sixth order on the calendar.

Page 1, line 19, replace "forty-five" with "twenty-five"

Page 1, line 20, remove ", in addition to"

Page 1, line 21, remove "any salary a member of the board receives from any other source"

Renumber accordingly



2007 TESTIMONY

HB 1371

#1

**TESTIMONY TO THE  
HOUSE POLITICAL SUBDIVISION COMMITTEE**

Prepared February 1, 2007 by  
Terry Traynor, Assistant Director  
North Dakota Association of Counties

*Same  
given to  
Senate*

**CONCERNING HOUSE BILL 1371**

Chairman Herbel and members of the House Political Subdivisions committee, thank you for the opportunity to testify in support of HB1371.

While the board of county commissioners can determine to pay a per diem to those serving on most appointed boards, this is currently not permitted by statute for members of the County Job Development Authority Board. Unlike members of social service boards, library boards, weed boards, and water boards; the county cannot choose to pay (other than mileage costs) those that serve on the JDA Board. Last session we addressed this same issue for county planning and zoning boards, and for housing authority boards, but neglected to address this one.

As the responsibilities of this body are so important to the economic future of our rural communities, but can be extremely time-consuming, it can be difficult to meet the fairly extensive membership requirements of the statute (back page). The counties feel that the option to provide a reasonable per diem would be helpful and is certainly appropriate.

This bill simply takes the same permissive language used for social service board per diem and inserts it into the Job Development Authority statute. It would allow County Commissions of this State the option to provide a per diem up to the same limit (\$45/day) of the other appointed boards.

Our Association urges a DO PASS recommendation on HB1371.

**11-11.1-01. Job development authority - Board of directors' members qualifications.**

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2. If the authority is created, a board of directors of not fewer than ten nor more than twenty members must be appointed by the county commissioners and must consist of representatives from the following groups, as they may exist:

- a. Two members from the county commission.
- b. One member from the city council or commission of each city within the county which has a population of five hundred or more.
- c. One member selected from among the city governments of the remaining cities of the county.
- d. If a majority of the townships in the county are organized townships, two members selected from the township governments of the organized townships in the county.
- e. The remaining members must be selected from a list of candidates from the following fields:
  - (1) A representative of the local job service office nearest the county seat.
  - (2) A member of the local airport authority.
  - (3) A member of a local institution of higher education.
  - (4) A member from among the school boards of the county.
  - (5) A member from a local industrial development organization.
  - (6) A member of the regional planning council serving the county.
  - (7) A member of the legislative assembly representing a district within the county.
  - (8) Members at large from the county.

3. The county commissioners shall make appointments to the board from a slate of candidates submitted by the chambers of commerce within the county. If no chamber of commerce exists in the county, the nominations may be submitted by any civic or patriotic organization within the county. If names submitted are unacceptable, the county commission may request additional nominees. The members must be appointed without regard to political affiliation and upon their fitness to serve as members by reason of character, experience, and training. All members of the board who do not reside in the area subject to taxation under section 11-11.1-04 are nonvoting members of the board.