

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2097

2007 SENATE INDUSTRY, BUSINESS AND LABOR

SB 2097

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. **SB 2097**

Senate Industry, Business and Labor Committee

Check here for Conference Committee

Hearing Date: **January 10, 2007**

Recorder Job Number: **#896**

Committee Clerk Signature

Minutes:

Kathy Roll – Financial Administrator, Office AGeneral *In Favor*

TESTIMONY #1

S Hacker: these are for attorney's fees?

K Roll: for Fire Marshal Services

S Klein: when send out fire marshalls to look at boilers and various businesses

K Roll: any entity that was insured by the fire or tornado fund.

S Klein: This is giving you an opportunity to raise those fees to collect more money?

K Roll: Yes

S Hacker: Is this for the sake of the carrier politically on the bill?

K Roll: We provide investigative for school districts, inspect schools, university sytems, not the capitol, all the state buildlings as well as the subdivisions. Work with the department's engineer.

S Andrus: Attorney General operating fund a revolving fund?

K Roll: It is a fund we can deposit money into but we have to have appropriations for administration.

S Potter: Fiscal note, what am I missing?

K Roll: the fiscal \$124,820 in revenue to our agency and \$124,820 in expenditures in insurance.

S Wanzek: Raising the cap for the limits, the actual charges to the individual entity that is set by rule?

S Roll: We are required to provide fire investigation, if their district needs to get involved with that. Fees are rate-setter set per hour, and those rates don't change per biennium. What would happen here, we were unable to bill those charges for them that were applicable.

S Wanzek: So we're authorizing more money to be generated?

S Roll: You're allowing us to collect more. There is a limit to actually what we can collect

S Wanzek: Why do we have a limit if it's based on an hourly rate? If you're doing the service and it's required.

S Potter: These fees are not paid by the fire and tornado fund, they are paid by the state agency. Who's paying the fee?

S Roll: Insurance pays the fee when they collect the fee.

Q?

S Roll: We were able to budget from the fire and tornado fund, federal government didn't like that [6:27 on tape], felt they shouldn't have to pay for it in that manner

Q? Favor? Opposition?

FISCAL NOTE HANDED OUT

Senator Wanzek made a motion for a **Do Pass**. Second by **Senator Behm**

Roll call vote: 7-0-0 Passed. Floor carrier **Senator Heitkamp**

S Heitcamp: Why are we? You're going to pay what you're going to pay.

FISCAL NOTE
Requested by Legislative Council
12/28/2006

Bill/Resolution No.: SB 2097

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.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues		\$124,820		\$0		\$0
Expenditures		\$124,820		\$0		\$0
Appropriations		\$0		\$0		\$0

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

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

Due to significant staff shortages and the PeopleSoft conversion, we were unable to review and bill some 2003-05 biennium Fire Marshal billings. Since the unbilled amount and the estimated Fire Marshal services revenues will exceed limits for this biennium, additional authority is required.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

See sections 1a and 2a.

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.*

The Fire Marshal revenues for service provided will be increased by \$124,820.

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.*

The Insurance Department pays for the Fire Marshal services from the Fire and Tornado and Petroleum Release Compensation funds.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

As discussed with an Insurance Department representative, additional appropriation authority is not required.

Name:	Kathy Roll	Agency:	Office of Attorney General
Phone Number:	328-3622	Date Prepared:	12/29/2006

Date: 1-10-06

Roll Call Vote : _____

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2097

Senate INDUSTRY BUSINESS & LABOR Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken do pass

Motion Made By Wanzek Seconded By ~~Hacker~~ Boehm

Senators	Yes	No	Senators	Yes	No
Chairman Jerry Klein	✓		Senator Behm, Arthur	✓	
Senator Hacker, Nick VC	✓		Senator Heitkamp, Joel	✓	
Senator Andrist, John	✓		Senator Potter, Tracy	✓	
Senator Wanzek, Terry	✓				

Total Yes 7 No 0 -

Absent _____

Floor Assignment potter

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

REPORT OF STANDING COMMITTEE (410)
January 11, 2007 2:33 p.m.

Module No: SR-07-0485
Carrier: Potter
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2097: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2097 was placed on the Eleventh order on the calendar.

2007 SENATE APPROPRIATIONS

SB 2097

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2097

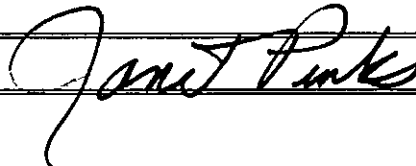
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 01/23/07

Recorder Job Number: 1665

Committee Clerk Signature



Minutes:

Chairman Holmberg opened the hearing on SB 2097, 01/23/07 with roll call.

Kathy Roll, Financial Administrator, Office of Attorney General, presented written testimony in support of SB 2097 relating to the Fire Marshal revenue collections and an increase in expenditures for the Insurance Department's Fire and Tornado and Petroleum Release Compensation funds.

Questions were raised as to who benefits from this appropriation and what is the result did we not investigate some fires. The responses were that currently the Fire and Tornado fund pays for all services with the cities and counties putting into the fund. Payment for services comes from the Insurance Department. All fires were investigated, this bill allows for the billings.

Senator Tallackson moved a DO PASS, Senator Krebsbach seconded. No discussion. A roll call vote was taken resulting in 13 yes, 0 no and 1 absent. Senator Potter will carry the bill.

The hearing on SB 2097 closed.

Date: 1/23/07
Roll Call Vote #: 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2097

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Tallackson Seconded By Krebsbach

Senators	Yes	No	Senators	Yes	No
Senator Ray Holmberg, Chrm	✓		Senator Aaron Krauter	✓	
Senator Bill Bowman, V Chrm			Senator Elroy N. Lindaas	✓	
Senator Tony Grindberg, V Chrm	✓		Senator Tim Mathern	✓	
Senator Randel Christmann	✓		Senator Larry J. Robinson	✓	
Senator Tom Fischer	✓		Senator Tom Seymour	✓	
Senator Ralph L. Kilzer	✓		Senator Harvey Tallackson	✓	
Senator Karen K. Krebsbach	✓				
Senator Rich Wardner	✓				

Total (Yes) 13 No —

Absent 1

Floor Assignment Senator Potter

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

REPORT OF STANDING COMMITTEE (410)
January 23, 2007 9:00 a.m.

Module No: SR-15-1003
Carrier: Potter
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2097: Appropriations Committee (Sen. Holmberg, Chairman) recommends DO PASS
(13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2097 was placed on the
Eleventh order on the calendar.

2007 HOUSE INDUSTRY, BUSINESS AND LABOR

SB 2097

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2097

House Industry, Business and Labor Committee

Check here for Conference Committee

Hearing Date: February 12, 2007

Recorder Job Number: 3396

Committee Clerk Signature

Stephanie N Thomas

Minutes:

Chair Keiser opened the hearing on SB 2097, relating to state fire marshal fees.

Kathy Roll, Office of the Attorney General: Support SB 2097. See written testimony #1.

Rep. Keiser: Where do the dollars come from again? Who pays into this fund?

Kathy: They are entirely funded by crude paid by state entities, including state agencies.

Rep. Keiser: For the Fire and Tornado Fund we're going to assess \$116,920 more to the cities and counties.

Kathy: These are for premiums that are already paid, and for work we've already done nationally that would qualify finding these.

Rep. Keiser: So, you are just going to transfer it in the general fund? What fund are they being transferred from?

Kathy: From the Fire and Tornado Fund, and the Petroleum Competition Fund.

Rep. Keiser: This also has an emergency clause, do you need it?

Kathy: Yes.

Rep. Nottestad: I would move a do pass on SB 2097.

Rep. Zaiser: Second.

Roll call vote was taken. 14 Yeas, 0 Nays, 0 Absent, Carrier: Rep. Zaiser.

Date: 2-12-07
Roll Call Vote #: _____

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2097

House Industry Business & Labor Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DO Pass

Motion Made By Rep. Nottestad Seconded By Rep. Zaiser

Representatives	Yes	No	Representatives	Yes	No
Chairman Keiser	X		Rep. Amerman	X	
Vice Chairman Johnson	X		Rep. Boe	X	
Rep. Clark	X		Rep. Gruchalla	X	
Rep. Dietrich	X		Rep. Thorpe	X	
Rep. Dosch	X		Rep. Zaiser	X	
Rep. Kasper	X				
Rep. Nottestad	X				
Rep. Ruby	X				
Rep. Vigasaa	X				

Total Yes 14 No 0

Absent 0

Floor Assignment Rep. Zaiser

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

REPORT OF STANDING COMMITTEE

SB 2097: Industry, Business and Labor Committee (Rep. Kelser, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2097 was placed on the Fourteenth order on the calendar.

2007 TESTIMONY

SB 2097

2097
#1

2007 SENATE BILL NO. 2097
INCREASE 2005-07 FIRE MARSHAL COLLECTION LIMITS
INDUSTRY, BUSINESS & LABOR COMMITTEE
KATHY ROLL, FINANCIAL ADMINISTRATOR
OFFICE OF ATTORNEY GENERAL

2007 Senate Bill No. 2097 provides for an increase in Office of Attorney General Fire Marshal revenue collections and an increase in expenditures for the Insurance Department's Fire and Tornado and Petroleum Release Compensation funds for the 2005-07 biennium. During the 2003-05 biennium, the new PeopleSoft financial software was implemented. We also experienced significant Finance staff turnover in this period. During the time we implemented PeopleSoft products, including billings and accounts receivable (which most state agencies did not need to implement), the Finance staff was at only a 50% staffing level. As a result, we were unable to review some charges and bill for \$124,820 in Fire Marshal services provided to the Insurance Department during the 2003-05 biennium.

For the 2005-07 biennium, the Finance staffing level returned to 100%. We were able to review and bill all 2003-05 biennium Fire Marshal services. 2005 House Bill No. 1003 has two sections which set the Fire Marshal services collection limits for Fire and Tornado and Petroleum Release Compensation funds. Since the 2003-05 biennium services have been billed and collected, these limits need to be increased by \$124,820 to be able to continue to bill for Fire Marshal services provided during the 2005-07 biennium. The Insurance Department has been made aware of this bill and its impact.

*Some given
to Senate
Appropriations
and to House IB&L*

#1
2097