

2015 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1199

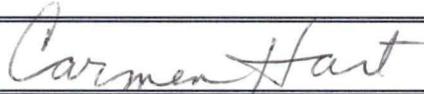
2015 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Fort Union, State Capitol

HB 1199
1/22/2015
22420

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to housing reimbursement for members of the legislative assembly; and to declare an emergency

Minutes:

Attachments 1-2

Chairman Kasper opened the hearing on HB 1199.

Rep. Ben Hanson appeared in support. Attachment #1-2. (:07-1:33)

Rep. Steiner I notice they have 25 no votes on that floor vote. What was some of the argument that was given?

Rep. Hanson That did not have a lot of questions on the floor. I think we went immediately to a vote on that one.

Rep. M. Johnson Following the organizational session in December doesn't mean you're paid in December. Right?

Rep. Hanson No, it does not. You are paid at the beginning of each month. You are looking at basically 3 draws before you get one reimbursement. It just makes it financially easier.

No opposition.

The hearing was closed.

Rep. Seibel made a motion for a DO PASS.

Rep. B. Koppelman seconded the motion.

Chairman Kasper This is just a timing issue.

Rep. Louser If I recall, the brief discussion on the floor happened at the same time we were discussing timely housing increase and the salary bill for legislators. There was some sentiment to not increase pay to legislators including vouchers or pay up front before the money was used. That was the discussion two years ago.

A roll call vote was taken. 14 Yeas, 0 Nays, 0 Absent.

Rep. Steiner will carry the bill.

Date: 1-22-15
 Roll Call Vote #: 1

**2015 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1199**

House Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Seibel Seconded By Koppelman

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper	X		Rep. Bill Amerman	X	
Vice Chair Karen Rohr	X		Rep. Gail Mooney	X	
Rep. Jason Dockter	X		Rep. Mary Schneider	X	
Rep. Mary C. Johnson	X		Rep. Kris Wallman	X	
Rep. Karen Karls	X				
Rep. Ben Koppelman	X				
Rep. Vernon Laning	X				
Rep. Scott Louser	X				
Rep. Jay Seibel	X				
Rep. Vicky Steiner	X				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Steiner

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

REPORT OF STANDING COMMITTEE

HB 1199: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)
recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
HB 1199 was placed on the Eleventh order on the calendar.

2015 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1199

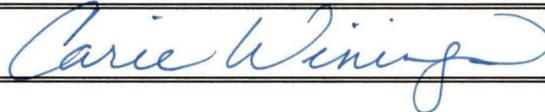
2015 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Missouri River Room, State Capitol

HB 1199
3/13/2015
Job # 24814

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act to amend and reenact subsection 4 of section 54-03-20 of the North Dakota Century Code, relating to housing reimbursement for members of the legislative assembly; and to declare an emergency.

Minutes:

No Attachments

Chairman Dever: Opened the hearing in HB 1199.

Representative Hanson, District 16: Testified as sponsor and in support of the bill. The bill simply changes the payment schedule for housing reimbursement for the legislature. It only affects the legislature from being paid in the rears to being paid up front. The thought process being that some of us come to Bismarck and pay a deposit, pay the first month's rent, and by the time we get reimbursed we are already paying the second months' rent. So we are down three before we get one back. It is exact same amount of money being spent at the end of the day. There is not an extra cost or administrative change. Last session it was stated that it could just be done already but now we were told this year that they cannot do that and in order to do that we would have to pass legislation to change that in Century Code.

(2:45) Senator Flakoll: Was there discussion on the House side that there is no submission and approval language in here?

Representative Hanson: There was absolutely no discussion on that one way or the other.

Chairman Dever: The expectation would be that would be part of the process.

Representative Hanson: The expectation would be the exact same process that it is now.

Chairman Dever: What is the reference in section 26 of Article 11 of the Constitution?

Representative Hanson: The specific reference in that article is that we cannot be reimbursed for housing unless that housing cost has been incurred by us which it would not have yet if we get paid up front.

Chairman Dever: So your landlord expects payment up front. If the landlord allowed for payment at the end of the month instead of the beginning of the month you would have to wait until you got that.

Representative Hanson: That is correct, but as that is unusual, I would assume it would not happen.

Chairman Dever: (Reads from Section 26 for the North Dakota Constitution.) It seems unnecessary except possibly to make it clear that your expenses are not.

Representative Hanson: I would have thought that we could do this but legislative council has said that we cannot. It is mostly about crossing off the word "following" on line 8 I think more than anything. Legislative council said that the rest had to be included in order to clarify.

Senator Nelson: This only deals with housing, correct? Are you going to put in two vouchers? One for your mileage at the end of the month and one for you housing at the beginning of the month?

Representative Hanson: That is correct. I would believe that the fuel reimbursement would be at the end of the month. It seemed like it would make it easier.

Senator Nelson: I am paying rent at both locations each month. So there is even more going out at the beginning of every month. For the young professionals I can see where that would be a problem to put out that kind of money.

Chairman Dever: There were no others present to testify on the bill. Closed the hearing on HB 1199.

Committee Discussion: The committee discussed the need for the bill and if it was necessary. Some on the committee felt that it is a lot of money out of the pockets of the legislators that it affects. It was pointed out that it would really be used the first month for the most part.

(10:50)Senator Flakoll: Moved a Do Pass.

Senator Davison: Seconded.

Chairman Dever: Asked if there was any further discussion.

Senator Flakoll: With some of the work that we do we have to pay for things in advance and we are reimbursed for that and I think this is in keeping with that.

Chairman Dever: If you pay a full month's rent for April and we get out of here on the 20th instead of the 30th would you landlord likely refund that portion of the month?

Senator Nelson: If you take the daily rate and take it times the number of days that you were here that even if you are paying the whole \$1569 that you probably have it pretty well covered.

Chairman Dever: I think it is set at 70% so when you hit 21 days on a 30 day month at the daily rate it would be most of it.

A Roll Call Vote Was Taken: 7 yeas, 0 nays, 0 absent.

Motion Carried.

Senator Dever will carry the bill.

3/13

Date:
Roll Call Vote #: 1

2015 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1199

Senate Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: _____

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
Other Actions: Reconsider _____

Motion Made By Flakoll Seconded By Davison

Senators	Yes	No	Senators	Yes	No
Chairman Dever	✓		Senator Marcellais	✓	
Vice Chairman Poolman	✓		Senator Nelson	✓	
Senator Cook	✓				
Senator Davison	✓				
Senator Flakoll	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Dever

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

REPORT OF STANDING COMMITTEE

HB 1199: Government and Veterans Affairs Committee (Sen. Dever, Chairman)
recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
HB 1199 was placed on the Fourteenth order on the calendar.

2015 TESTIMONY

HB 1199

#1
1199
1-22-15

HB 1199 Testimony; Rep. Ben Hanson

House Committee on Government and Veteran's Affairs:

January 9th, 2015 testimony in regards to HB 1199; A BILL for an Act to amend and reenact subsection 4 of section 54 -03 -20 of the North Dakota Century Code, relating to housing reimbursement for members of the legislative assembly; and to declare an emergency.

Mr. Chair, committee members, for the record my name is Ben Hanson and I am a representative from District 16 in Fargo and West Fargo. I stand before you today to testify in favor HB 1199.

HB 1199 aims to do exactly what this bill language did in 2013: Revise Section 54 of Century Code to allow legislators to be reimbursed for housing upfront instead of always in arrears. Currently, as committee members know, when serving in legislative session members are entitled to a housing allowance that is paid after the first of the month of the first month of that session.

In 2013 the House passed HB 1337 69-25. Upon its hearing in the Senate, Legislative Council informed the Senators that this was already an option. Now, this year, we have been told that it is not possible. So I would offer this bill again as I felt it was a good idea before, the House apparently concurred and I think we should try it again.

#2 1199 1-22-15

P. 1

militia; and no other organized body of armed men shall be permitted to perform military duty in this state except the army of the United States, without the proclamation of the governor of the state.

Section 19. All militia officers shall be appointed or elected in such a manner as the legislative assembly shall provide.

Section 20. The commissioned officers of the militia shall be commissioned by the governor, and no commissioned officer shall be removed from office except by sentence of court-martial, pursuant to law.

Section 21. The militia forces shall in all cases, except treason, felony or breach of the peace, be privileged from arrest during their attendance at musters, parades and elections of officers, and in going to and returning from the same.

Section 22. The right of the debtor to enjoy the comforts and necessities of life shall be recognized by wholesome laws, exempting from forced sale to all heads of families a homestead, the value of which shall be limited and defined by law; and a reasonable amount of personal property; the kind and value shall be fixed by law. This section shall not be construed to prevent liens against the homestead for labor done and materials furnished in the improvement thereof, in such manner as may be prescribed by law.

Section 23. The real and personal property of any woman in this state, acquired before marriage, and all property to which she may, after marriage become in any manner rightfully entitled, shall be her separate property, and shall not be liable for the debts of her husband.

Section 24. The labor of children under twelve years of age, shall be prohibited in mines, factories and workshops in this state.

Section 25. The legislative assembly shall not authorize any game of chance, lottery, or gift enterprises, under any pretense, or for any purpose whatever. However, the legislative assembly shall authorize the state of North Dakota to join a multi-state lottery for the benefit of the state of North Dakota, and, the legislative assembly may authorize by law bona fide nonprofit veterans', charitable, educational, religious, or fraternal organizations, civic and service clubs, or such other public-spirited organizations as it may recognize, to conduct games of chance when the entire net proceeds of such games of chance are to be devoted to educational, charitable, patriotic, fraternal, religious, or other public-spirited uses.

Section 26. The legislative, executive, and judicial branches are coequal branches of government. Elected members and officials of each branch shall receive as compensation for their services only such amounts as may be specifically set by law. Payment for necessary expenses shall not exceed those allowed for other state employees.

Section 27. Hunting, trapping, and fishing and the taking of game and fish are a valued part of our heritage and will be forever preserved for the people and managed by law and regulation for the public good.

Section 28. Marriage consists only of the legal union between a man and a woman. No other domestic union, however denominated, may be recognized as a marriage or given the same or substantially equivalent legal effect.

Section 29. The right of farmers and ranchers to engage in modern farming and ranching practices shall be forever guaranteed in this state. No law shall be enacted which abridges the