

2015 HOUSE POLITICAL SUBDIVISIONS

HCR 3055

2015 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Prairie Room, State Capitol

HCR 3055
3/5/2015
24377

- Subcommittee
 Conference Committee

Ammonda Muscha

Explanation or reason for introduction of bill/resolution:

Directing Legislative Management to study the feasibility and possible benefits of allowing members of the Legislative Assembly and other state employees to receive by electronic means all information regarding pay and benefits and other information shared by the employer and to study the availability of recycling options in all state buildings.

Minutes:

Chairman Klemin: Opened hearing on HCR 3055

Representative Oversen: The study is looking at electronic communication options for our payroll and benefits information. I am sure some of you noticed monthly you have received statements in the mail claiming what reimbursement you received that month, the amount you will receive a copy of the statement where the reimbursement voucher form. I had recently asked our HR person Lori Zeigler about this and she indicated it is not currently an option to receive that just electronically. I thought we could look into that and I did learn that all state employees currently receive that information. Considering the amount of paper that is sent out monthly to state employees and legislators it is a significant amount. I had a conversation with someone from OMB and he indicated that they are moving towards making that all electronically available but they are not quite there yet. The second half is looking at recycling options in our state buildings. We have a regular big garbage in the house minority office and it fills up about every week.

Representative Kelsh: I move a do pass and placement on the consent calendar

Representative Zubke: Second

A Roll Call Vote Was Taken: Yes 13, No 0, Absent 1 (Strinden)

Motion Carries

Representative Zubke will carry this bill

**2015 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HCR 3055**

House Political Subdivisions Committee

- Subcommittee Conference Committee

Amendment LC# or Description: _____

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Other Actions: Reconsider consent calendar

Motion Made By Kelsh Seconded By Zubke

Representative	Yes	No	Representative	Yes	No
Chairman Lawrence R. Klemin	X		Rep. Pamela Anderson	X	
Vice Chair Patrick R. Hatlestad	X		Rep. Jerry Kelsh	X	
Rep. Thomas Beadle	X		Rep. Kylie Oversen	X	
Rep. Rich S. Becker	X		Rep. Marie Strinden		
Rep. Matthew M. Klein	X				
Rep. Kim Koppelman	X				
Rep. William E. Kretschmar	X				
Rep. Andrew G. Maragos	X				
Rep. Nathan Toman	X				
Rep. Denton Zubke	X				

Total (Yes) 13 No 0

Absent 1 (Strinden)

Floor Assignment Zubke

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

motion carried

REPORT OF STANDING COMMITTEE

HCR 3055: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3055 was placed on the Tenth order on the calendar.

2015 SENATE POLITICAL SUBDIVISIONS

HCR 3055

2015 SENATE STANDING COMMITTEE MINUTES

Political Subdivisions Committee
Red River Room, State Capitol

HCR 3055
4/2/2015
Job Number 25744

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A concurrent resolution directing the Legislative Management to study the feasibility and possible benefits of allowing members of the Legislative Assembly and other state employees to receive by electronic means all information regarding pay and benefits and other information shared by the employer and to study the availability of recycling options in all state buildings

Minutes:

Written testimony # 1 Sherry Neas email to Senator Burckhard

Chairman Burckhard opened the hearing on HCR 3055. All senators were present.

Kylie Oversen introduced HCR 3055. I don't have written testimony and will explain where this study came from. This came from Lori Ziegler at the Legislative Council, when a few of us had checked the box on our orientation packet saying we wanted to receive our information electronically and still kept getting this monthly statements outlining what our reimbursement was for that month. Lori indicated that the option to receive that portion of your information is not currently available only electronically even though we all have access to the people soft portal. I looked at just to the Legislators and I thought of that and how many of us are receiving one, two or three sheets of paper a month, and that adds to thousands of pieces of paper per year. But then some felt that is the case for all state employees that they don't receive that information electronically. Maybe we ought to consider looking at that and then also talk to Lori about recycling availability and she indicated that in her office she only has a tiny little box for recycling. I know on the House side we put a curbside size recycling bin in our office and we fill that to the top every week. So I know that there is certainly a lack of availability for recycling across our state building so I thought we ought to look at that and see if there's a way we can improve that. I would only note that there was confusion over this in the House with other resolutions where it says, we are directing Legislation Management to study. Legislative Council has clarified that is still considered a "shall consider" because the resolution and not a bill. It will go into the larger pot of possible studies.

Sherry Neas Office of Management and Budget. I am the Director of Central Services Division so my section is central duplicating and also state procurement office. I just wanted to let you know that the Office of Management and Budget has been studying recycling.

The fact is this we didn't have any vendors that did state wide recycling in the past. There are certainly other previous legislative sessions where certain recycling initiatives and we have a state-wide trash contract right now. The last time we bid that we did try to get recycling and there just weren't vendors that had it available. In recent years, and even months, there have been more vendors that are tackling recycling. If you just look at the City of Bismarck, we only got curbside recycling within the last year. There will be an effort by OMB to establish a recycling contract that would be available to government entities, Higher Education, political subs. The big thing with recycling is just having a vendor that does the recycling.

Chairman Burckhard Could you spell your last name? **Sherry Neas**. This is something that OMB is looking at.

Chairman Burckhard Sherry is part of the challenge is the fact that because we all are in favor of recycling, but is the challenge of transporting the recycling to a market with the cost of transportation these days, is that part of the challenge?

Sherry Neas That certainly has been a challenge in the past. There was a time when Bismarck had more recycling, and then when it became not cost effective for the vendor, they dropped like glass as certain types. Then more recently it has been made more available again. So it is a tough market for the vendors. If we can establish a state contract if the industry exists and it's getting there. I guess the one thing to think about is that when you think about all public buildings, state, county, city, and some of the very rural areas they may not have a vendor. That is where one has to be very practical about whether you would make a jurisdiction transport its recycling somewhere to a city or whether they would be enough for a vendor to go to that city. It is just something to think about. It doesn't talk about mandating it, but again, you have to think about how the industry works. I think that realistically very soon most of the major cities in North Dakota will have recycling.

Senator Judy Lee I am a big recycler and I am a big believer in recycling. I can't imagine having a state contract. Why wouldn't we enable I am wondering why a political subdivision could just do their own thing? I have recycling in my community even better than Fargo, because we have a contract with someone out of West Fargo who provides that service. So, I can't imagine that we couldn't see in the metropolitan areas as these vendors become available, enable them to do whatever it takes the city and the county can choose to work together if they want to, but they don't have to. I mean why would we think we have to have a state contract for trash recycling when it is such a totally locally provided service as far as the ability to do it. As you just said, I understand all that part. We can't make people in Hettinger do it if that's not available to there.

Sherry Neas When we talk about making a state wide contract, we have no ability to mandate that political subs use our contracts. We just make them available. You know the fact is that there are state agencies in every city. So, our first trash contract is just for the Bismarck/Mandan area and so it pretty much if we are able to get contracts to meet the needs of the state agencies and it works out or is convenient and cost effective for local jurisdiction to use it, then they certainly could.

Senator Judy Lee Why are you're talking Mr. Chairman and Ms. Neas when you're talking about a state contract? Are you saying that the state facilities that are in like the regional Human Service Centers for example that are in or whoever the state offices are, of an sort, Human Services, that they would be able to make their arrangements with whoever the local vendor is that takes care of the recycling in that community. If you're in Carrington and you work for Garrison Diversion office wouldn't we enable that state office that is in Carrington, to figure out whether or not the local community has a recycling opportunity available? Explain to me when you're talking about a state contract how far you see the state contract spreading? I am not trying to be naive here, I am trying to understand. I just figure you're talking about Bismarck when this came up and here you are talking about a state contract I am seeing you looking at the whole state.

Sherry Neas That is the kind of thing that OMB researches. Right now our contract has multiple vendors and so if you are a jurisdiction in the Bismarck/Mandan area you can use one of the vendors. There is a lot of flexibility in our current state contract. (Ex. Cited 9:48-10:02) You use standard terms and conditions so not every agency has to negotiate their own terms and conditions so we save a lot of time on that legal review of the contract. Plus we've consolidated volume so we should have a deeper discount on the pricing. Each agency does its own participation addendum with the contractor to determine how many dumpsters they want, what size, how frequently they want to be picked up so we understand that trash recycling is very unique to the needs of the jurisdiction. We are mandated by statute to develop state wide contracts for goods and services of common use and so that is one area that we have been looking at. We don't have the details worked out either because the industry is just evolving so that recycling is becoming more available.

Chairman Burckhard closed the hearing on HCR 3055.

Committee Discussion

Senator Judy Lee I am a huge supporter of recycling but honest to goodness does that sound like the most complicated process to put you dump stuff out by the curb you have ever heard. I realize that OMB has to do what we require to be done, but, I live in a community that has a ton of recycling, including with businesses and the city contract is worked out to include that business need along with it. Each business doesn't work out an agreement with a different vendor or have to have a separate agreement from the city for a residential pick-up. I mean in the city limits or the whole area served by the people who handle waste and refuse. The recycling is a part of that. So, I would hope that a part of this study is enabling OMB to do something simpler than this extremely complicated process that I just heard which Ms. Neas explained and I understand they have to do it that way. But, it seems a little convoluted to me and maybe we can make that a little more streamlined, and permit those. We can require that the state entity wherever they are, deal with their local waste management facilities, small w and m because that is a company too, to figure out how they can arrange for recycling without having to have a whole state RFP process.

Senator Anderson You used to have a huge recycling operation in Minot that was provided a lot of jobs for people with disabilities. Is that still operating?

Chairman Burckhard It is still operating. It is a private thing and you bring you're recycling stuff there. I know we personally use it a lot. I don't know how and again I think the transportation expense is huge. So they don't take very many things. But, yes we do have a recycling it is called Calex, now in Minot.

Senator Anderson My scout troop used to be in the recycling business bigtime, and I did explore markets at that time quite a bit and I can remember some cities had recycling programs like we heard including Fargo, and they've picked up glass, paper, and newspaper, and all these other things. I remember contacting the person in Fargo about what they did with this stuff after they got it. The answer was that if there is not a good market for it, we haul it to the landfill. But they didn't want people to quit the incentive for recycle. They wanted them to keep bringing it because they hoped that someday there would be a market for it.

Senator Bekkedahl We are not as fortunate as Senator Lee in that my community does not have any private entities providing any of these services. We have no recycling in our community. The service is provided currently by the city and we are probably one of the last ones in the state that still do that. I don't know. But we do have paper recycling that is managed by the Opportunity Foundation which is a disabled community service group. We actually subsidize, it costs the city money to do it and we only do paper and cardboard recycling. So we actually subsidized that on an annual basis to try and keep that going. I think that is an area where the state government agencies in our community could now be bringing to that and I don't know if they do it. So, maybe if this study is there and it says use it if it's available and they could participate it would be a good thing. But, I would like at some point to know that there's enough business in North Dakota where we would have more state wide vendors. I don't know about them yet though, so a study might be good.

Senator Anderson It might be a mistake to mix recycling with electronic communications with employees here, but I don't see a big problem. I know that if we get it electronically we don't waste the paper. But, it seems to me like now I signed up and I get notices electronically about when they deposit money into my bank account. But then I also get the paper. I am wondering why that is? So I think it is a good idea to do the study and figure out why we are doing both when we've already said well I want my electronically and my deposit goes like electronically, then several days later, I get a paper in the mail that says they put this into the bank for me. I already got the email message saying that it was put into the bank for me.

Senator Grabinger My only question probably goes to Ms. Meas. Anyway, are we already doing the study, is that what I am understood your testimony is that your already doing a study on recycling for the state?

Sherry Neas Not a formal study. But we certainly are doing the research to see about whether it's available and deterring a little bit from the recycling we actually have a state wide contract for electronic recycling. So, you can't just throw away laptops and monitors and stuff like that, so we had done a RFP process and ended up with a contract with electronic recycler and so we have the capability right now for to arrange for a local jurisdiction to do like an e-waste. We have schools that bring truck loads so e-waste we got

a source of supply like that could be made available because it's cost effective for them to come to North Dakota when they can fill a truck. So, we collect some here, but we could collect it state-wide and so OMB is already researching it. We definitely want to and enjoy being participating in any kind of study because we establish the contractual vehicle that enables them to use it. It makes it easier if we establish the source of supply.

Senator Judy Lee Did I understand Ms. Meas correctly to say that the reason that Senator Anderson and I and others are getting a paper confirmation along with our electronic notification of payment is because statute requires that it be paper?

Sherry Neas I actually would like to research that because as a state employee I don't get any paper about my pay stub. So it makes me wonder if there is something different. There are things like OMB, we are people soft. So I would be very glad to do some research on that and find out because when I just think about what I am personally receiving at home, I get some printouts from PERS, about my annual statement. We get notice from PERS about newsletters and things like that, but I am not getting anything about payment and benefits.

Senator Judy Lee Well exactly, I think the only thing I get is the monthly statement that really is redundant to the information we get through the People Soft notification as well. Maybe it this is coming through Ms. Ziegler in Legislative Council but I just had this inspired idea rather than studying, whether or not how Senator Anderson and I, can get our non-duplicated information just electronically, why don't we suggest an amendment to the OMB budget bill that says that they don't have to send us a paper copy and then we don't have to study it. Now we can't do that in a resolution, but we can talk to the folks upstairs and say, it seems like a good idea. So if there was a chance you might be able to find out whether or not it's required, that would be very helpful.

Sherry Neas I would be very glad to do some research on this and see and even if there is something different about Legislative Council, then state employees cause if we're all using People Soft, it's the same People Soft system, so if that's alright I can certainly get back to you.

Chairman Burckhard Can you get back to us by Monday?

Sherry Neas I will see what I can get done today. I won't be back until Tuesday. I can delegate also. (Written testimony #1)

Senator Anderson I also get occasional reimbursements and expenses from the Health Department and the same thing happens there so it's not unique to the Legislative Council.

Senator Grabinger I was just wondering if OMB should be included in this resolution some place? They do work this with OMB.

Senator Bekkedahl I would move a do pass on 3055.

2nd **Senator Anderson**

Roll call vote: 6-0-0

Carrier: **Senator Anderson**

REPORT OF STANDING COMMITTEE

HCR 3055: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3055 was placed on the Fourteenth order on the calendar.

2015 TESTIMONY

HCR 3055

HCR 3055
4.2.15
#1

Ziegler, Lori L.

From: Neas, Sherry L.
Sent: Thursday, April 02, 2015 4:03 PM
To: Burckhard, Randall A.
Cc: Ziegler, Lori L.; Larshus, Jeff L.
Subject: HCR 3055 - Information from OMB

Senator Burckhard,

Here is the additional information you requested in the HCR 3055 hearing this morning. I spoke with Lori Ziegler of Legislative Council and Jeff Larshus of OMB Accounting – Fiscal Division.

1. Payroll. PeopleSoft does have an option to suppress the printing of Pay Advices.
 - a. OMB does not print pay advices state employees, unless an individual requests an exemption to receive a paper advice. State employees log on to PeopleSoft to see their pay advices.
 - b. Members of Legislative Assembly are set up in PeopleSoft to receive a paper advice. The option to receive a paper advice could be suppressed upon request by individual legislators. Some legislators do ask to suppress the paper advice.

2. Travel Reimbursement and Stipends. State employees receive an email notice of the advices for travel reimbursement and stipends. PeopleSoft is currently set up to print paper advices for travel reimbursements and stipends paid. OMB attaches the printed advice to the travel reimbursement request, and does not provide a copy to state employee. Some agencies may provide employees with a paper advice. OMB plans to eliminate printing the paper advice in 2015. OMB anticipates that there will still be an option to print a paper advice, if needed.

Jeff Larshus, OMB Accounting – Fiscal Division is the point of contact if you have any additional questions. Jeff can be reached at 701-328-4902.

Respectfully,
Sherry

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