2019 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1486

2019 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Fort Union Room, State Capitol

HB 1486
2/7/2019
32388

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to designating central standard time as the official standard time for North Dakota

Minutes: Attachment 1

Vice Chair Steiner opened the hearing on HB 1486.

Rep. Jim Kasper appeared in support. This bill establishes that the entire state of ND will move to central time. In my business endeavors I travel the entire state. As we have seen the oil activity really pick up in the last 8 or 10 years, we have much more business which is western ND to western ND, Williston to Dickinson. You could have the same company with employees in Williston and Dickinson and have two different time zones.

Rep. Hoverson: Are there other compelling reasons why they don't want to change from mountain time?

Chairman Kasper: One of the arguments raised by a lot of people is that they had votes out there to stay on mountain time.

Rep. Laning: Is there any basis for going to mountain time instead of central time for the entire state?

Chairman Kasper: It would be a large interrupter for a large part of the state of ND which has been on central time for a long time.

Rep. Laning: This does not interrupt daylight savings time?

Chairman Kasper: We would keep daylight saving.

Rep. Karls: How about if we go to central standard daylight savings time and do it permanently?

Chairman Kasper: I would have you consider this bill the way it is.

Rep. Schauer: What is the problem here, and will this fix the problem in your opinion?

Chairman Kasper: I think the problem is in western North Dakota with the disruption of business to business between the central time zone in the Williston area and the mountain time zone as you go further south.

Rep. C. Johnson: With the theory of making all the state on mountain time, wouldn't that be attractive to people in Grand Forks and Fargo, because it would draw business from Minnesota as those stores close and have an extra hour of business to do in North Dakota?

Rep. Kasper: In the eastern part of ND we deal a lot more going east for business which is central time, so I would not be in favor of that.

Vice Chair Steiner: If this were to pass when would it start?

Chairman Kasper: Either July 1 or August 1, whenever our other bills go into effect.

Rep. Laning: My understanding in the past has been changing time zones had to have the clearance of a federal agency as well. Would this apply?

Chairman Kasper: Legislative management did not bring that problem up at all. We could check with legislative council if it does.

Dennis Murphy, Bismarck, appeared in support. I would still like to see statewide time all over the state. I think daylight saving time would be better, because we would be in sync with the rest of the country for eight months of the year and out of sync for four months. (12:26)

Brady Pelton, ND Petroleum Council, appeared in support of a unified time zone which is central time zone. Our companies are primarily based in western ND, an area that spans two time zones. For those companies relying on the other offices, contractors, etc. in an opposite time zone, the boundary between central and mountain time can be problematic. It has the net effect of decreasing the productive work day by four hours.

Rep. Hoverson: Wouldn't you have similar issues with the state line?

Mr. Pelton: There would be some problems with that, but it is a far more standardized way of doing business in allowing those companies that are within ND to operate under the central time zone.

Rep. Rohr: Does it matter daylight or central?

Mr. Pelton: I didn't focus on daylight because it isn't the focus of this bill.

Opposition:

Senator Dale Patten, District 39, appeared in opposition. From the many emails and phone calls I received, one was in favor and the rest were opposed. I know the energy industry is

huge in our area and covers a significant part of our district. Many of these companies are both national or international companies. They are familiar and capable of dealing with time zone change differences. The tradition and the history of the mountain time zone is an important thing for our communities.

Rep. Kasper: How many of the contacts you had were from businesses and how many from individual citizens?

Senator Patten: A lot of farming and ranching community. There were business owners in the Bowman and Belfield area.

Rep. Kasper: Not too many from out of state?

Senator Patten: No.

Rep. Schauer: Is the pushback this is just us? This is our tradition. Is that pretty much it?

Senator Patten: The tradition is a big part of it. In McKenzie County we have both the mountain and central time zone, so some families would operate on central during the school year and mountain during the rest of the year.

Rep. Schauer: Weigh out the confusion with the tradition, and what do you come up with?

Senator Patten: The ones that live there are not confused. They are very comfortable with their ability to handle the time change.

Frank Tomac, Sioux County, District 31, appeared in opposition. I am opposed to children going to school in the dark. My children went to school in the mountain time zone, so they went to school in the daylight. There isn't any representation on the sponsorship of this bill from the mountain time zone, not even part of the district. That should throw a huge red flag to you right there. Half of Sioux County is in central and the other half is in mountain. Years ago it was tried to go to one time zone, and I opposed it. At that time, I found out that you have to go through a public process with the US Dept. of Transportation for getting put into a different time zone.

Rep. Kasper: You are not quite correct. If the state would change the time zone, then we would petition and get the approval from the federal government.

Rep. Rohr: Are you representing the people from your neck of the woods?

Mr. Tomac: I would like to think I was representing all of southwest ND, because of the communication I have had with a lot of people out there.

Rep. Keith Kempenich appeared in opposition. He handed out Attachment 1. Beach does a lot of business with Montana. About half of Bowman's business comes from Montana and South Dakota. We like to be unique. Medora always liked that time zone difference. People work around it. Looking at the map (Attachment 1), Chicago is a sweet spot for central time. Denver is a sweet spot for mountain time. The western part of the state is more lined up with

Denver than we are with Minneapolis. A lot of this has been railroad manipulation over the years.

Vice Chair Steiner closed the hearing.

2019 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Fort Union Room, State Capitol

HB 1486
2/14/2019
32777

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to designating central standard time as the official standard time for North Dakota

Minutes:

Chairman Kasper opened the meeting on HB 1486. He reviewed what this bill does.

Rep. Schneider made a motion for a DO PASS.

Rep. Louser seconded the motion.

Rep. Schauer: I will not support this. It makes sense business wise. This is part of who those people are, and they figure out the time all the time.

Rep. Rohr: I have to resist the motion, because that was my constituent from St. Anthony, ND.

Rep. Hoverson: This is business versus the people, and I am going with the people this time.

Chairman Kasper: The business are the people.

Vice Chair Steiner: I, too, am going to resist. When you make a major change like that, it needs to come from the people who are impacted. To have it come from Fargo is going to be very problematic for me.

Rep. Louser: If it is coming from people outside the time zone, it is because they are visiting a time zone, and it is a tourism bill, so I would vote yes.

A roll call vote was taken. 7-7, 0 absent.

Rep. Schneider: I think we should think about it one more day.

Chairman Kasper: We will carry it over until tomorrow morning.

2019 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Fort Union Room, State Capitol

HB 1486
2/15/2019
32860

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to designating central standard time as the official standard time for North Dakota

Minutes: Attachment 1

Chairman Kasper: Attachment 1. If this bill were to pass, the US Department of Transportation must approve it. The Marathon Company sent an email and stated how difficult it is with the multiple time zones in western North Dakota when they are doing business in the oil patch.

Rep. P. Anderson: I am going to go with big oil on this. **I move for a DO PASS.**

Rep. Vetter seconded the motion.

Vice Chair Steiner: I think this is an issue for those people to decide, and for it to come out of Fargo, I think will be the wrong message.

Chairman Kasper: The cosponsors are not all from Fargo.

Rep. Schauer: Whatever decision the committee makes, we would walk out as one and not point the finger at Fargo or West Fargo.

Rep. Johnston: In the spirit of reconciliation with some on our committee, I am going with a do pass on this.

Rep. Hoverson: I do not see any mountain time zone people on the bill. I am going no.

Rep. Schneider: We are one people, and we shouldn't be divided.

Rep. B. Koppelman: I spent some time hunting out in western North Dakota and in mountain time, and there aren't any mountains out there any way, so I think central time is alright.

A roll call vote was taken. 8-6, 0 absent. Rep. P. Anderson will carry the bill.

Date: 2-14-19
Roll Call Vote #: 1

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1486

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 Rep Schneider Seconded By Rep. Louser

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper	X		Rep. Pamela Anderson	X	
Vice Chair Vicky Steiner		X	Rep. Mary Schneider	X	
Rep. Jeff Hoverson		X			
Rep. Craig Johnson		X			
Rep. Daniel Johnston	X				
Rep. Karen Karls		X			
Rep. Ben Koppelman	X				
Rep. Vernon Laning		X			
Rep. Scott Louser	X				
Rep. Karen Rohr		X			
Rep. Austen Schauer		X			
Rep. Steve Vetter	X				

Total (Yes) 7 No 7

Absent 0

Floor Assignment _____

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

Date: 2-15-19
Roll Call Vote #: 1

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1486

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 Rep. P. Anderson Seconded By Rep. Vetter

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper	X		Rep. Pamela Anderson	X	
Vice Chair Vicky Steiner		X	Rep. Mary Schneider	X	
Rep. Jeff Hoverson		X			
Rep. Craig Johnson	X				
Rep. Daniel Johnston	X				
Rep. Karen Karls		X			
Rep. Ben Koppelman	X				
Rep. Vernon Laning		X			
Rep. Scott Louser	X				
Rep. Karen Rohr		X			
Rep. Austen Schauer		X			
Rep. Steve Vetter	X				

Total (Yes) 8 No 6

Absent 0

Floor Assignment Rep. P. Anderson

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

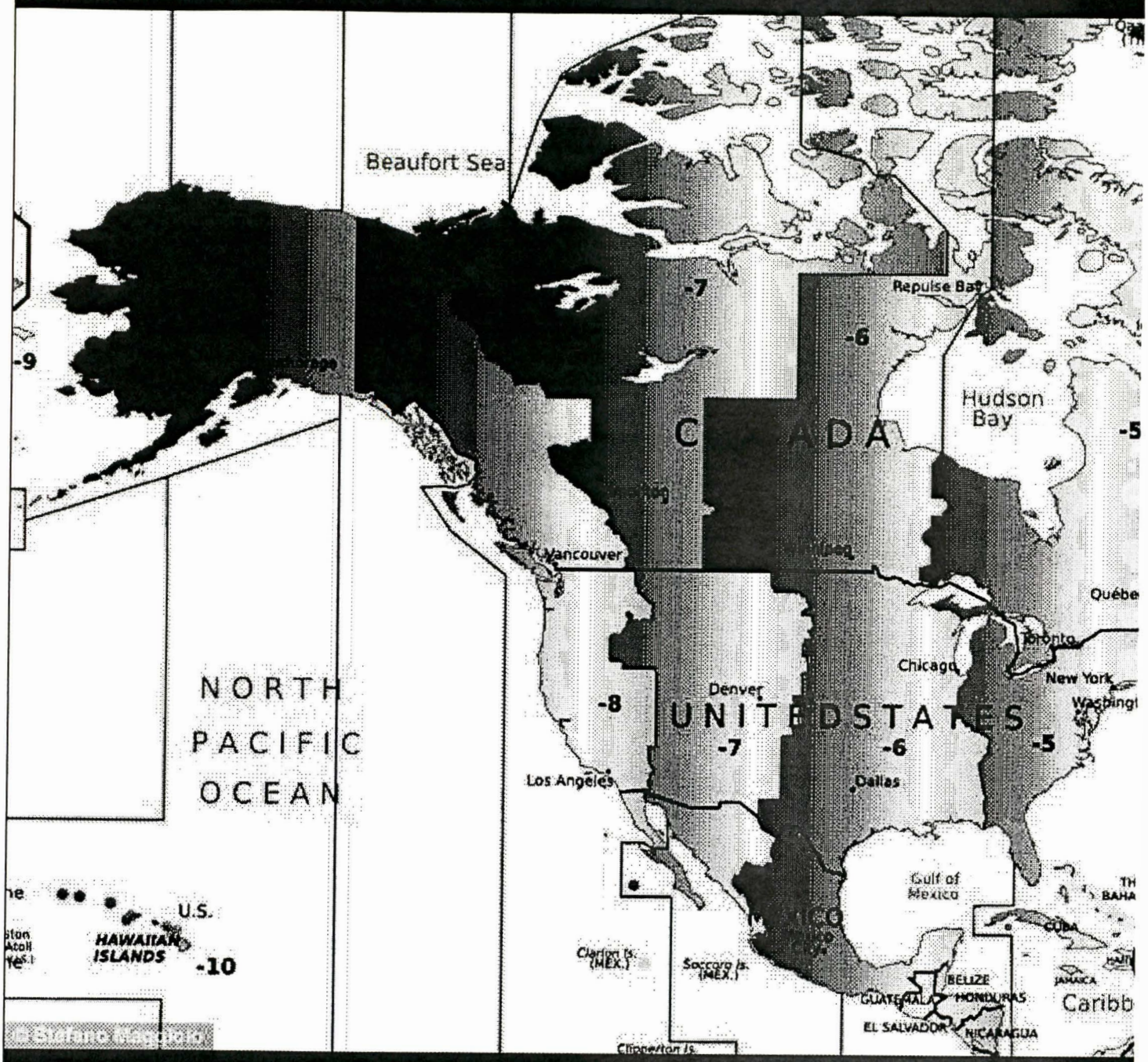
REPORT OF STANDING COMMITTEE

HB 1486: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1486 was placed on the Eleventh order on the calendar.

2019 TESTIMONY

HB 1486

#1
HB 1486
2-7-19



Large parts of the U.S. and Canada have a discrepancy of around an hour between solar time

#1 HB 1486 2-15-19

Procedure for Moving an Area from One Time Zone to Another

Ways to Change a Time Zone

Under Federal law, there are two ways in which an area in the United States can be moved from one time zone to another:

- **By statute:** Congress may enact a statute changing the time zone.
- **By regulation:** The Secretary of Transportation may issue regulations making changes.

This Web site discusses only the second since the first has not been used in over 60 years.

Submission of a Request to Change a Time Zone

1. Requesting Party. The request must be made by the highest political authority in the area which is the subject of the request.
   a. **State Government:** For any part of the State, a request by the governor or the legislature meets this requirement; however, requests from this level are quite rare.
   b. **Local Government:** Usually, the request covers one or more counties or parts of a county; hence, the request should come from the board of county commissioners or similar body.
2. Information Required. The request must be accompanied by the following:
   a. **Certification.** A formal certification from the appropriate governmental official that the request is the result of official action by the requesting party, if the requesting party is a legislative body.
   b. **Contact Information.** The name, address, telephone number, and title or position of a person representing the requesting party whom DOT may contact for further information.
   c. **Supporting Information.** Detailed information supporting the requesting party's contention that the requested change would serve the convenience of commerce, as discussed below.
3. Address. Submit the request to:

#1, HB 1486, 2-15-19

Secretary of Transportation
Attention: General Counsel (C-50)
1200 New Jersey Avenue, SE.
Washington, DC 20590

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Substantive Requirements

The principal standard for deciding whether to change a time zone is the convenience of commerce, which is defined very broadly to include consideration of all of the impacts upon a community that would result in a change in its standard of time. Examples of some of these considerations that should be addressed in the supporting information are the following:

1. Where do businesses in the community get their supplies and to where do they ship their goods or products?
2. Where does the community receive television and radio broadcasts from?
3. Where are the newspapers published that serve the community?
4. Where does the community get its bus and passenger rail services; if there is no scheduled bus or passenger rail service in the community, where must residents go to obtain these services?
5. Where is the nearest airport; if it is a local service airport, to what major airport does it carry passengers?
6. What percentage of residents of the community work outside of the community; where do these residents work?
7. What are the major elements of the community's economy; is the community's economy improving or declining; what Federal, State, or local plans, if any, are there for economic development in the community?
8. If residents leave the community for schooling, recreation, health care, or religious worship, what standard of time is observed in the places where they go for these purposes?

DOT Handling of Requests

The General Counsel's Office reviews requests for time zone changes. If there is enough information to conclude that the change may in fact serve the convenience of commerce, the General Counsel issues a proposed rule to make the change and invites written public comment on the proposal. Normally, a public hearing is held by DOT in the community so that those affected by the issue can make their views known, and the public is given approximately 2 months in which to submit their written comments, which should address the proposal's impacts upon the convenience of commerce. After analyzing all of the comments, the General Counsel decides whether the change would in fact serve the convenience of commerce. If the General Counsel believes that it would not, he or she ends the proceeding and leaves the time zone unchanged. If the General Counsel believes that it would serve the convenience of commerce, his or her recommendation is forwarded to the Secretary of Transportation, who alone has authority to change a time zone. A typical time zone rulemaking to change one county normally takes between 6 months and 1 year to complete.

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Effective Date of Any Change

If the decision is made to change the time zone boundary, DOT attempts to make the change effective at the next changeover to or from Daylight Saving Time, whichever is appropriate, to minimize confusion and disruption.

Updated: Tuesday, April 30, 2013

Connect with us

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Business Hours:
9:00am-5:00pm ET, M-F

Tags

- uniform time
- standard time
- daylight saving time
- time zones

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