

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1147

2001 HOUSE TRANSPORTATION

HB 1147

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1147

House Transportation Committee

☐ Conference Committee

Hearing Date January 11, 2001

Tape Number	Side A	Side B	Meter #
1	X		835
			1,951
Committee Clerk Signature <i>Louise B. Fink</i>			

Minutes: Rep. Weisz - Chairman opened the hearing on House Bill 1147; A BILL RELATING TO USE OF PERSONAL MOTOR VEHICLES BY STATE EMPLOYEES.

Shelia Peterson(138), the Director of the Fiscal Management Division of the Office of Management and Budget -- the agency sponsor -- spoke. See her written testimony attached.

Rep. Price: (470) During the last session we passed a bill for reimbursement of the handicapped; is this going to have any affect on their reimbursement? We did some thing about special rates for them under special circumstances -- is this going change that?

Shella Peterson (497) I am going to defer your question to Paul Feyereisen but I do want to insured that we had no intention to impact them. Paul --

Paul Feyereisen(539) I am Director of State Fleet Services, yes, we got that passed 2 years ago for the purpose of allowing state employees who had a disability to have an incentive to drive their personal vehicle. In a sense it would affect us do to the fact and we have introduced HB1186 to address. So we will be back here to elaborate of this issue. All it is, is to change the formula. Because the incentive is not great enough today for an employee who has a disability who has personal vehicle which accommodates his disabilities to drive for state business -- consequently they want you provide a vehicle for them at great cost to us. So our new formula will be in the other bill and this one here -- Sheila's will not affect the disabled employee.

Rep. Weisz - Chairman: (594) If I understand the second section, it authorizes the official to authorizes him to authorize himself and his deputies to use their personal vehicles?

Sheila Peterson: I believe they already have that authority.

Rep. Carlson: (649) Where the liability issue here? If some one is driving their own and has an accident?

Sheila Peterson - I visited with head of our risk management division who advised that if a state employee is driving their own vehicle, their own liability insurance will prevail.

Rep. Carlson: So they would be assuming some risk.

Sheila Peterson: Yes. The only time they would not would be when all state fleet vehicles were in use and that was what forced them to use their own vehicle then in that instance the state would assume the liability. Those instances are quite rare.

Rep. Jensen: (753) Is it understood that each employee is insured before they were allowed to use their own car?

Sheila Peterson. Yes We have as I understand it from the Highway Department we have a system of checking they have a drivers license before they drive.

No one appeared in opposition to the bill. Testimony on the bill was closed. (835).

Committee discussion followed.(Tape 1 Side 1 meter at about 1951).

Rep. Thoreson: I move a 'Do Pass' on House Bill 1147.

Rep. Jensen: I seconded that motion.

Roll call vote: 13 aye 1 nay 0 absent.

Rep. Ruby was assigned to carry the bill on the floor.

FISCAL NOTE

Requested by Legislative Council

12/26/2000

Bill/Resolution No.: HB 1147

Amendment to:

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.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

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

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant your analysis.*

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.*

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.*

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name:	Pam Sharp	Agency:	OMB
Phone Number:	328-4606	Date Prepared:	12/27/2000

Date: January 11, 2001
Roll Call Vote #:

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1147

House Transportation Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Rep. Thoreson Seconded By Rep. Jensen

Representatives	Yes	No	Representatives	Yes	No
Robin Weisz - Chairman	✓		Howard Grumbo	✓	
Chet Pollert - Vice Chairman	✓		John Mahoney	✓	
Al Carlson		✓	Arlo E. Schmidt	✓	
Mark A. Dosch	✓		Elwood Thorpe	✓	
Kathy Hawken	✓				
Roxanne Jensen	✓				
RaeAnn G. Kelsch	✓				
Clara Sue Price	✓				
Dan Ruby	✓				
Laurel Thoreson	✓				

Total (Yes) 13 No 1

Absent 0

Floor Assignment Rep. Ruby

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

REPORT OF STANDING COMMITTEE (410)
January 12, 2001 11:54 a.m.

Module No: HR-03-0936
Carrier: Ruby
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1147: Transportation Committee (Rep. Weisz, Chairman) recommends DO PASS
(13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1147 was placed on the
Eleventh order on the calendar.

2001 SENATE TRANSPORTATION

HB 1147

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1147

Senate Transportation Committee

☐ Conference Committee

Hearing Date 3-2-01

Tape Number	Side A	Side B	Meter #
1		X	3,9-18.5
Committee Clerk Signature <i>Sybil Selfer</i>			

Minutes: HB 1147 relates to the use of personal motor vehicles by state employees.

Sheila Peterson: (Director of Fiscal Management Division of the Office of Management and Budget; Supports) See attached testimony.

Senator Mutch: Who would authorize this?

Sheila Peterson: The supervisor of the employees or the agency head.

Senator Espegard: Does this happen often?

Sheila Peterson: No.

Senator Espegard: Does liability insurance play a factor in this?

Sheila Peterson: Employees own personal liability insurance come into play. There's one exception, if all state cars are being used and the employee has to use their own car, then the state covers them.

Senator Trenbeath: If the person taking the car has no liability insurance it opens up a risk for the state.

Page 2

Senate Transportation Committee

Bill/Resolution Number HB 1147

Hearing Date 3-2-01

Senator Stenehjem: People drive without liability insurance. Maybe they need to provide proof of insurance. Also, there would need to be a standardized rate. My concern is that different departments would give different amounts for the same situation.

Shella Peterson: You're correct, rates to employees will vary from agency to agency.

Hearing closed.

Senator Espeland motions to Do Pass. Seconded by Senator Mutch. Roll call taken 4-0-2. Floor carrier is Senator Stenehjem.

Date: 3-2
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1197

Senate Transportation Committee

- ☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken Amended

Motion Made By Stenebjerg Seconded By Stenebjerg

Senators	Yes	No	Senators	Yes	No
Senator Stenebjerg, Chairman	X		Senator O'Connell	X	
Senator Trenbeath, Vice-Chair			Senator Bercler		
Senator Mutch	X				
Senator Espgaard	X				

Total (Yes) 4 No 0

Absent 2

Floor Assignment Stenebjerg

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

REPORT OF STANDING COMMITTEE (410)
March 2, 2001 2:12 p.m.

Module No: SR-36-4751
Carrier: Stenehjem
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1147: Transportation Committee (Sen. Stenehjem, Chairman) recommends DO PASS
(4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1147 was placed on the
Fourteenth order on the calendar.

2001 TESTIMONY

HB 1147

Testimony in support of HB 1147. Use of personal motor vehicles by state employees – Transportation Committee; Rep. Weisz, Chairman
January 11, 2001

Good morning Mr. Chairman and members of the House Transportation Committee.

I'm Sheila Peterson, the Director of the Fiscal Management Division of the Office of Management and Budget.

HB 1147 was introduced at the request of OMB and I'm here to explain this request.

Section 1 of the bill establishes a state motor pool. We are extremely supportive of a motor pool as it is an efficient way for state employees to travel throughout the state to perform their jobs.

If I could draw your attention to the last sentence of Section 1 prior to the underlined sentence. "Every state agency, institution, department, board, bureau and commission unless exempted by the director must use the system."

The amendment asks for some limited flexibility where an agency "may authorize the use of an employee's personal vehicle."

Let me give you an example. The State Board of Higher Education held their monthly meeting on Thursday and Friday, December 21 and 22 and this meeting was scheduled for Jamestown. My higher education budget analyst attends these

higher education board meetings. After the board meeting was over she continued on to her parents home in Lidgerwood, ND for Christmas weekend. Had I followed the letter of the law, I would have required her to use a state fleet vehicle to attend the board meeting in Jamestown, drive back to Bismarck after the meeting and get in her own vehicle to drive to Lidgerwood – adding 200 miles to her day.

We really believe there should be flexibility for an agency head or supervisor to allow an employee to use their own vehicle if circumstances warrant.

Now if you would turn to the second section relating to reimbursement. Right now the reimbursement rate is 25 cents per mile. That is what each of you receives as you drive back and forth from your home to Bismarck for legislative business. We, however, recognize that fleet vehicles generally cost less than 25 cents per mile to operate. Today a sedan in the state fleet costs 24 cents per mile.

The second piece of this amendment would allow an agency to pay an employee less than the 25 cents statutorily set amount. For example, if there was a good reason for an employee to drive their own vehicle, that agency could choose to reimburse the employee at the state fleet rate – therefore having no fiscal impact on the agency.

Mr. Chairman we hope you can support this bill.

I'd be happy to answer any questions.

**Testimony in support of HB 1147. Use of personal motor vehicles by state employees – Transportation Committee; Senator Stenehjem, Chairman
March 2, 2001**

Good morning Mr. Chairman and members of the Senate Transportation Committee.

I'm Sheila Peterson, the Director of the Fiscal Management Division of the Office of Management and Budget.

HB 1147 was introduced at the request of OMB and I'm here to explain this request.

Section 1 of the bill establishes a state motor pool. We are extremely supportive of a motor pool as it is an efficient way for state employees to travel throughout the state to perform their jobs.

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