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ROLL NUMBER

DESCRIPTION

2078

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LaCosta Rickford
Operator's Signature

10/15/03
Date

2003 SENATE GOVERNMENT AND VETERANS AFFAIRS

SJ 2078

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La Costa Rickford

Date

10/15/03

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2078

Senate Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 01/16/03

Tape Number	Side A	Side B	Meter #
Tape 1		x	1660-3240
Committee Clerk Signature <i>Lisa Hylton</i>			

Minutes:

Senator Karen Krebsbach, Chairman calls SB 2078 to order. Senators Krebsbach, Dever, Brown, Wardner, and Nelson present. Senator Fairfield was absent.

Pam Sharp, Interim director of OMB testifying in favor of SB 2078. (Testimony attached)

Senator Krebsbach : Did you get anything from the Labor Department in regard to the last line of 54-06-16?

Pam Sharp: I'll find out

Senator Krebsbach : another question was in Section 4 page 2 of your testimony "employee travel reimbursement" for example a person on a board traveling to a conference, a private citizen.

P. Sharp: This is dealing strictly with state employment

Senator Krebsbach : There is a fiscal note and the is \$0 involved.

Page 2

Senate Government and Veterans Affairs Committee

Bill/Resolution Number SBA 2078

Hearing Date 01/16/03

Senator Richard Brown : Why couldn't this be handled in office policy and not be put into state law?

P. Sharp: It is to prevent misuse. The judiciary and legislative branch do not have to follow OMB policy. this would make it a law for everyone.

Senator Dever: Do they follow IRS guidelines for quarters?

P. Sharp: I am not sure if the quarters are the same for IRS or not.

Senator Krebsbach : Is there any further testimony for...neutral...or in opposition of SB 2078.

Senator Nelson : Can we have Pam check on the minimum wage, also what about the voucher system are not going to be necessary. How are they going to send in receipt?

P. Sharp: We will still keep records and security levels set up, but this helps the online process.

Senator Krebsbach : any further questions?

Closed SB 2078

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2078

Senate Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 01/23/03

Tape Number	Side A	Side B	Meter #
Tape 3	x		0-2600
Committee Clerk Signature			

Minutes:

Senator Karen Krebsbach, Chairman calls Sb 2078 back open. All senators present.

Pam Sharp, Office of Management and Budget return to answer follow-up questions from previous testimony. Goes over bill to refresh minds of committee members. She visited with the Labor Commission regarding the minimum wage standard which was set in statue in 1971 and updated in 1973 and is just totally out of touch. OMB and the Labor Commission saw no point for this.

Senator Nelson is questioning time for meals and reimbursement.

Senator Brown asks question that if you were invited to a meeting downtown Bismarck where you had to buy your own meal could you be reimbursed for that meal. Pam Sharp tells committee no, that you are not eligible for reimbursement because you did not travel and in theory if you are in town you would have had to have bought your own lunch anyway, so they do not reimburse you

Page 2

Senate Government and Veterans Affairs Committee

Bill/Resolution Number SB 2078

Hearing Date 01/23/03

Pam Sharp continues to explain that it goes back to if anyone in the capital had an outside meeting we would be paying for many, many "business" meals.

It is OMB policy now and it has take care of many problems that OMB had. Senator Nelson clarifies that they must be out on a job or at a site away from town in order to receive the reimbursement.

Senator Dever brings up the question that he has received emails to move the per diem up from \$20 a day to \$25 a day. He asks Pam Sharp to look into what it would cost for the increase on a fiscal note. She answers that she will have OMB work on that and get it back to the committee.

Pam Sharp also asks if the agency would just eat that out of their budget or would their budgets increase. Senator Fairfield asks if it would be possible to change the bill to just have people submit receipts. Pam Sharp thinks it was because if you went to a nice restaurant and had a \$20 meal and the other person went to McDonalds and had a \$7 meal it wasn't fair. It also just simplifies the paperwork we give a \$4 breakfast allowance, \$6 lunch, and \$10 dinner allowance. committee asks Pam Sharp to take a look at the increase in per diem and submit information to the committee to look at.

Closed SB 2078

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2078

Senate Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 01/24/03

Tape Number	Side A	Side B	Meter #
Tape 1	x		2550-6200
Tape 1		x	0-45
Committee Clerk Signature			

Minutes:

Senator Karen Krebsbach, Chairman re opens SB 2078 and reviews with committee the information that Pam Sharp provided on the increase of per diem from \$ 20 to \$ 25 a day. Senator Nelson states she does not think the policy of in order to receive the per diem for a specific meal that it needs to be in state law, and why can't OMB just put this into their policy. They go over the per diem and want to state for record that they would like to do that but, at this time it is not feasible. they would like to take a look at it again maybe next session. they discuss whether they could make the employee show receipts instead of having time per diem them. It was brought up that receipts would only show the time you ate and not when you left or returned for travel. Senator Brown states that he thinks a dept. head should know where they employee is going and have a time estimate about when they would have to leave and return and should be able to make the judgment on whether or not the reimbursement for food is okay. He feels that if you give the employees guidelines and give them trust you will receive that trust.

Page 2

Senate Government and Veterans Affairs Committee

Bill/Resolution Number SB 2078

Hearing Date 01/24/03

Senator Nelson moves to delete Section 1 of the bill and Senator Fairfield 2nd's her motion.

6 yes, 0 No 0 Absent

Senator Nelson moves for Do Pass

Senator Wardner 2nd

6 Yes, 0 No, 0 Absent

Senator Nelson Carrier

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Operator's Signature

LaCosta Rickford

10/15/03

Date

FISCAL NOTE
Requested by Legislative Council
01/03/2003

Bill/Resolution No.: SB 2078

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.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 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.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

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

☐ No fiscal impact.

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.

No fiscal impact

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.

No fiscal impact

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:	01/07/2003

38229.0101
Title.0200

Adopted by the Government and Veterans
Affairs Committee
January 24, 2003

Jd3
1-24-03

PROPOSED AMENDMENTS TO SENATE BILL NO. 2078

Page 1, line 1, remove "subsection 1 of section 44-08-04,"

Page 1, line 2, remove the first comma

Page 1, line 3, remove "expense account payments,"

Page 1, remove lines 8 through 24

Page 2, remove lines 1 through 4

Renumber accordingly

Page No. 1

38229.0101

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La Costa Rickford
Operator's Signature

10/15/03
Date

Date: 01/24/03
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2078

Senate Government and Veteran Affairs Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number to delete section 1 38229 0101 title. 6200

Action Taken DO PASS amendment

Motion Made By Nelson Seconded By Fairfield

Senators	Yes	No	Senators	Yes	No
Senator Karen Krebsbach, Chr.	x		Senator April Fairfield	x	
Senator Dick Dever, Vice Chr.	x		Senator Carolyn Nelson	x	
Senator Richard Brown	x				
Senator Rich Wardner	x				

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

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

Date: 01/24/03
Roll Call Vote #: 2

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2078

Senate Government and Veteran Affairs Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38229.0101 Title .0200

Action Taken DO PASS as amended

Motion Made By Nelson Seconded By Wardner

Senators	Yes	No	Senators	Yes	No
Senator Karen Krebsbach, Chr.	x		Senator April Fairfield	x	
Senator Dick Dever, Vice Chr.	x		Senator Carolyn Nelson	x	
Senator Richard Brown	x				
Senator Rich Wardner	x				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Nelson

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

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LaCosta Rickford 10/15/03
Operator's Signature Date

REPORT OF STANDING COMMITTEE (410)
January 27, 2003 1:28 p.m.

Module No: SR-15-1132
Carrier: Nelson
Insert LC: 38229.0101 Title: .0200

REPORT OF STANDING COMMITTEE

SB 2078: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends
DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2078 was placed
on the Sixth order on the calendar.

Page 1, line 1, remove "subsection 1 of section 44-08-04,"

Page 1, line 2, remove the first comma

Page 1, line 3, remove "expense account payments,"

Page 1, remove lines 8 through 24

Page 2, remove lines 1 through 4

Renumber accordingly

2003 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2078

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La Costa Rickford
Operator's Signature

10/15/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2078

House Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 2-27-03

Tape Number	Side A	Side B	Meter #
1	x		0-8.7
Committee Clerk Signature <i>Jody Burke</i>			

Minutes: Chairman Klein: called the hearing to order. All committee members were present.

Pam Sharp, Interim director for the OMB: was present and provided written testimony (**SEE ATTACHED TESTIMONY**).

Representative Klein: will you go over the purchasing card and who controls and monitors that.

Pam Sharp: the card is run through OMB we issue the card to agencies and there are limits, and agencies have to approve the people who get the card, and there are dollar limits. Agencies are required to check out purchases.

Representative Haas: are they used exclusively for travel expenses?

Pam Sharp: no they are not, there are several things they are used for.

Representative Grande: made a **DO PASS** motion.

Representative Haas: **SECOND** the motion.

YOTE: 14-YES 0-NO 0ABSENT.

Representative Meler: will carry the bill to the floor.

Meeting adjourned.

Roll Call Vote #: _____ Date: 2-27-03

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTE
SENATE BILL/RESOLUTION NO. SB 2078

House GOVERNMENT AND VETERANS AFFAIRS Committee _____

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Rep. Grande Seconded By Rep. Haas

Representatives	Yes	No	Representatives	Yes	No
Chairman M.M. Klein	X		B. Amerman	X	
Vice Chairman B.B. Grande	X		L. Potter	X	
W.R. Devlin	X		C. Williams	X	
C.B. Haas	X		L. Winrich	X	
J. Kasper	X				
L.R. Klemin	X				
L. Meier	X				
M. Sitte	X				
W.W. Tieman	X				
R.H. Wikenheiser	X				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Meier

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

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La Costa Rickford 10/15/03
Operator's Signature Date

REPORT OF STANDING COMMITTEE (410)
February 27, 2003 9:51 a.m.

Module No: HR-35-3553
Carrier: Moler
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
SB 2078, as engrossed: Government and Veterans Affairs Committee (Rep. M. Klein,
Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT
VOTING). Engrossed SB 2078 was placed on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-35-3553

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Operator's Signature

LaCosta Rickford

Date

10/15/03

2003 TESTIMONY

SB 2078

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La Costa Rickford

Date

10/15/03

Testimony of SB 2078
Senate Government and Veteran's Affairs Committee
January 16, 2003

Good morning Madam Chairman and members of the Senate Government and Veteran's Affairs Committee.

I'm Pam Sharp, the Interim Director for the Office of Management and Budget.

Senate Bill 2078 is basically a bill to clean up the language in several sections of North Dakota's Century Code. Some of the items in this bill came to our attention as a result of working on ConnectND. ConnectND is an enterprise resource plan that will replace the state's financial system and provide us with a human resource management system. In addition, it will also provide higher education with a new financial system, human resource system, and student administration system.

Section 1 of SB 2078 relates to expense account payments and the reimbursement for meals while traveling. It merely adds the requirement that travel must have begun at least one hour before the start of the quarter being claimed and must extend at least one hour into the quarter being claimed. Currently, this language is in OMB's fiscal policy and state agencies are already following this policy. The language prevents misuse of the policy. For example, if a state employee has been working out of town for the day and returns home at 6:00 p.m., this language would not allow reimbursement for an evening meal. We, at OMB, believe this is good policy and that it should be reflected in Century Code so policy and Century Code are consistent.

Section 2 also deals with employee expenses. It eliminates the terms 'warrant checks' and 'vouchers' and rewords the sentence to allow for the payment

through direct deposit and also allows the request for reimbursement to be submitted on-line. On-line reimbursement requests will be common once ConnectND is fully implemented.

Section 3 deals with lodging expenses for employees. Currently only out-of-state lodging expenses may be prepaid or billed directly to the agency. This section allows in-state lodging expenses to also be either prepaid by the agency or billed directly to the agency. I'll give you an example of when this would be useful. The Department of Transportation hires many seasonal employees in the summer for roadwork and many of them are required to travel. Having to pay lodging expenses up front and then wait for reimbursement may be financially difficult for some employees. This amendment would take that burden away from them.

Section 4 of this bill simply changes the word 'voucher' to 'payment'. Once ConnectND is implemented, requests for payments will frequently be made on-line and a voucher, as we know it today, may not exist. The word 'payment' instead of 'voucher' is broad enough to allow for on-line approval or hard copy approval.

In addition to changing 'voucher' to 'payment', one other change is made in this section. Because of the change proposed in Section 3 of this bill allowing for state agencies to directly pay for lodging expenses, the words 'travel expense' needed to be changed to 'employee travel reimbursement'.

Section 5 relates to salaries of state employees. Although I am not completely sure that the current statute eliminates the possibility of paying state employees other than monthly, the proposed language clearly allows for other pay cycles rather than just a monthly pay cycle. Again, we are proposing this change because of ConnectND. To be clear, we are not currently proposing a change in state employees' pay cycles, but we would like this change in statute made so we have the option of changing the pay cycle in the future, if it is deemed appropriate.

Section 6 repeals 44-08-08. This appears to be outdated. Below is NDCC 44-08-08.

44-08-08. Per diem oath - Penalty.

Each officer whose salary is in the nature of a per diem, before drawing any money on account of such salary, shall subscribe an oath or affirmation in the following form:

I, A. B., do solemnly swear (or affirm) that I have been _____ days necessarily and diligently engaged in the duties of my office as (insert title of office).
_____ (Officer's name).

Any disbursing officer of this state, who shall pay any portion of the salary of any such officer before such oath or affirmation is taken and subscribed, shall forfeit to this state the sum of fifty dollars. Such forfeiture may be sued for by any taxpayer.

Section 6 also repeals 54-06-16, which also appears to be outdated and is stated below.

54-06-16. Minimum wage standards for employees of state.

To promote efficiency in government, to assure services received for money expended, to be competitive with private industry and labor, and taking into account the cost of living, the following minimum wage standards apply to all employees of the state of North Dakota: Employees hired on a full-time monthly basis shall receive a minimum pay of not less than three hundred fifty dollars per month after June 30, 1973; except that students, working as part-time help, are exempt from these provisions.

Madam Chairman, that concludes my testimony. I would be happy to answer any questions you may have.

OFFICE OF MANAGEMENT AND BUDGET

600 East Boulevard Ave, Dept 110 • Bismarck, North Dakota 58505-0400
FAX - (701) 328-3230

TO: *SB 2078*
Senator Karen Krebsbach
Senator Richard Dever

FROM: Pam Sharp *Pam Sharp*

SUBJECT: State per diem – informal fiscal note

DATE: January 23, 2003

Based on increasing the per diem rate by 25% -- from \$20 per day to \$25 per day would result in the following increased travel expenditures per biennium by \$590,705. The breakdown is as follows:

General Funds	\$198,097
Special and Federal Funds	\$392,608

Please let me know if I can assist you further.

Director - Fourth Floor - (701) 328-4904
Fiscal Management - Fourth Floor - (701) 328-2680
State Radio - Fraine Barracks - (701) 328-8154

Central Services - Fourteenth Floor - (701) 328-2780
Central Personnel - Fourteenth Floor - (701) 328-3290
Facility Management - Fourth Floor - (701) 328-2471

Risk Management - Wells Fargo Bank Bldg. Suite 613 - (701) 328-6514

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Operator's Signature

10/15/03
Date

Testimony on SB 2078
House Government and Veteran's Affairs Committee
February 27, 2003

Good morning Representative Klein and members of the Government and Veteran's Affairs Committee.

I'm Pam Sharp, the Interim Director for the Office of Management and Budget.

Senate Bill 2078 is basically a bill to clean up the language in several sections of North Dakota's Century Code. Some of the items in this bill came to our attention as a result of working on ConnectND. ConnectND is an enterprise resource plan that will replace the state's financial system and provide us with a human resource management system. In addition, it will also provide higher education with a new financial system, human resource system and student administration system.

Section 1 deals with employee expenses. It eliminates the terms 'warrant checks' and 'vouchers' and rewords the sentence to allow for the payment through direct deposit and allows the request for reimbursement to be submitted on-line.

Section 2 deals with lodging expenses for employees. Currently only out-of-state lodging may be prepaid or billed directly to the agency. This Section allows in-state lodging expenses to also be either prepaid by the agency or billed directly to the agency. I'll give you an example of when this would be useful. The Department of Transportation hires many seasonal employees in the summer for road work and many of them are required to travel. Having to pay lodging expenses up front and then wait for reimbursement may be financially difficult for some employees. This would take that burden away from them.

Section 3 of this bill simply changes the word 'voucher' to 'payment'. This change is due to ConnectND. Once implemented, requests for payments will frequently be made on-line and a voucher, as we know it today, may not exist. The word 'payment' instead of 'voucher' is broad enough to allow for on-line approval or hard copy approval.

In addition to changing 'voucher' to 'payment' one other change is made in this section. Because of the change proposed in Section 2 of this bill allowing for state agencies to directly pay for lodging expenses, the words 'travel expense' needed to be changed to 'employee travel reimbursement'.

Section 4 relates to salaries of state employees. Although I am not sure that the current statute eliminates the possibility of paying state employees other than monthly, the proposed language clearly allows for other pay cycles than just a monthly pay cycle. Again, we are proposing this change because of ConnectND. We are not currently proposing a change in state employees' pay cycles, but we would like this change in statute made so we have the option of changing the pay cycle in the future, if appropriate. The University System does plan on changing their pay cycle to twice monthly, however, we have no plans at this time to make a change for state employees.

Section 5 repeals 44-08-08. This appears to be outdated. Below is NDCC 44-08-08.

44-08-08. Per diem oath - Penalty.

Each officer whose salary is in the nature of a per diem, before drawing any money on account of such salary, shall subscribe an oath or affirmation in the following form:

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(Officer's name).

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Chairman Klein, that concludes my testimony. I would be happy to answer any questions you may have.