

2009 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2132

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2132

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: 01/09/09

Recorder Job Number: 6739

Committee Clerk Signature

Katia Olive

Minutes:

Chairman called meeting to order.

Roll was taken by the Clerk

Kevin Cramer: See attached testimony

Kevin Cramer: Commissioner Wefald was opposed to this. In fairness to her, I half expected her to be here.

Senator Dever: Any other questions. If not we will close the public hearing.

Senator Cook: I move Do Pass

Senator Horne: I second.

Senator Dever: Motion by Senator Cook a second by Senator Horne. Is there any discussion?

Seeing none we will ask the clerk to call the roll.

Clerk: Senator Dever

Senator Dever: Yes

Clerk: Senator Ohelke

Senator Ohelke: Yes

Clerk: Senator Horne

Senator Horne: Yes

Clerk: Senator Cook

Senator Cook: Yes

Clerk: Senator Nelson

Senator Nelson: Yes

Senator Dever: Motion is carried do we have a carrier?

Senator Horne: I will carry it.

Date: 1-9-09
Roll Call Vote #: 4

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."

SB 2132

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Sen Cook Seconded By Horn-Cornier

Senators	Yes	No	Senators	Yes	No
Dick Dever	4		Dwight Cook	4	
Dave Oehlke	4		Carolyn Nelson	4	
Robert M. Horne	4				

Total ⁵~~(Yes)~~ "Click here to type Yes Vote" No "Click here to type No Vote"

Absent _____

Floor Assignment "Click here to type Floor Assignment"

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

REPORT OF STANDING COMMITTEE

SB 2132: Government and Veterans Affairs Committee (Sen. Dever, Chairman)
recommends **DO PASS** (05 YEAS, 00 NAYS, 00 ABSENT AND NOT VOTING).
SB 2132 was placed on the Eleventh order on the calendar.

2009 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2132

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. Senate Bill 2132

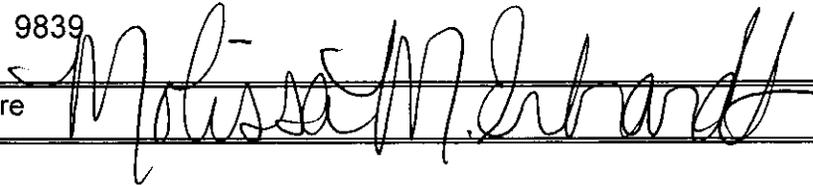
House Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: 2/27/2009

Recorder Job Number: 9839

Committee Clerk Signature



Minutes:

Vice Chairman Randy Boehning: Open the hearing SB 2132. Clerk read the title.

Honorable Kevin Kramer, Commissioner, Public Service Commission:

Testimony. Attachment # 1.

Rep Froseth: Mr. President Kramer isn't this diminishing the prestige of your position be reducing it from president to chairman?

Kevin Kramer: It would except now I get to hold that title forever. No, actually, I suppose it does to some degree but not being one to care much about titles nor do my fellow commissioners, I think to be technically accurate and a better description of the position is probably better in prestigious company. I will tell you though it is a bit odd when we were at the national meetings and stuff and heard it, for there entities of course it is just on titles and it is peculiar.

Vice Chairman Randy Boehning: Any other questions for President Kramer? Favor? Opposition? Closed the hearing on 2132.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. Committee Work One 2132

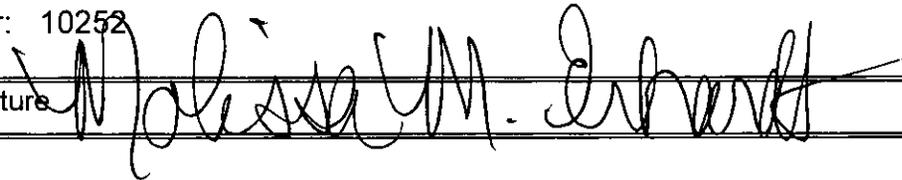
House Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: 3/5/2009

Recorder Job Number: 10252

Committee Clerk Signature



Minutes:

Committee Work One:

Chairman Grande: We will have discussion on SB 2132.

Vice Chairman Randy Boehning: Basically all this is changing the name from President to Chairman.

Rep. Froseth: Move a Do Pass.

Rep. Kasper: 2nd.

Chairman Grande: We have a Do Pass by Rep. Froseth, 2nd by Rep. Kasper.

Clerk will call the roll on a Do Pass.

Clerk Erhardt: Roll Call: Yes: 13. No: 0. Absent: 0. Carrier: Rep. Meier.

Date: 3/5/9
 Roll Call Vote #: _____

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 432

House Government and Veterans Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By FROSETH Seconded By KASPER

Representatives	Yes	No	Representatives	Yes	No
Chairman Grande	✓		Rep. Amerman	✓	
Vice Chairman Boehning	✓		Rep. Conklin	✓	
Rep. Dahl	✓		Rep. Schneider	✓	
Rep. Froseth	✓		Rep. Winrich	✓	
Rep. Karls	✓		Rep. Wolf	✓	
Rep. Kasper	✓				
Rep. Meier	✓				
Rep. Nathe	✓				

Total (Yes) 13 No 0

Absent 0

Floor Assignment REP. MEIER

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

REPORT OF STANDING COMMITTEE (410)
March 6, 2009 3:23 p.m.

Module No: HR-41-4258
Carrier: L. Meler
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2132: Government and Veterans Affairs Committee (Rep. Grande, Chairman)
recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2132
was placed on the Fourteenth order on the calendar.

2009 TESTIMONY

SB 2132

Senate Bill 2132

Presented by: Honorable Kevin Cramer, Commissioner
Public Service Commission

Before: Senate Government and Veterans Affairs
Honorable Dick D. Dever, Chairman

Date: January 9, 2009

*Same given
to House
2-27-09.*

TESTIMONY

Chairman Dever and members of the Senate Government and Veterans Affairs Committee, it is a pleasure to appear before you this morning. I am Public Service Commissioner Kevin Cramer and I am here to testify on SB 2132, which the PSC has introduced for your consideration. The legislation makes a small change to the statute which organizes the Public Service Commission. Current state law provides that the PSC shall elect one of its members to serve as "President" of the Commission. The term "President" however, is one that is rarely used among regulatory bodies across the United States. This bill would change the title of our Commission's presiding officer to the much more commonly used, and more technically correct title of "Chairman."

The main reason we have introduced the bill is that in North Dakota the term "President" of the PSC is a misnomer. The title of President generally infers some sort of executive authority that differs from that of the other members of the body. In the case of the Commission, this is not the case. Much like Committee Chairmen in the legislature, the presiding officer of the North Dakota PSC is a "first among equals" position. Commissioners have an equal say in all matters

that come before the Commission and the role of our presiding officer is mainly to call meetings to order and facilitate proceedings.

Among all the 50 states, the United States Territories and the federal government, North Dakota's regulatory commission is unique in how it is organized. Only four other states use the term "President." In all but one, the President is a gubernatorial appointment. Of all the other elected state commissions, only Alabama uses the term "President," but even it differs greatly from North Dakota. In Alabama the President of the Commission specifically runs for that position on the general election ballot. The other two members of the Alabama Commission run specifically for "Commissioner" positions.

One final point before concluding this testimony. We understand that the Legislative Council is attempting to make the code gender neutral over time so we specifically asked for guidance on the proper term to use. The title "Chair" is apparently frowned upon because Council views a chair as a piece of furniture rather than a proper title. Chairperson is perhaps better, but is considered somewhat awkward. Instead, we were counseled that in the legislative arena the traditional preference is to consider the term "Chairman" itself gender neutral, with female Chairman to be referred to as "Madam Chairman" and male Chairman as "Mister Chairman."

That ends my testimony. I would be happy to answer any questions you have.