2011 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1368

2011 HOUSE STANDING COMMITTEE MINUTES

House Government and Veterans Affairs Committee
Fort Union Room, State Capitol

HB 1368
February 3, 2011
13954

☐ Conference Committee

Committee Clerk Signature Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to legislative compensation and to the legislative compensation commission, to provide an effective date and declare an emergency

Minutes:

Chairman Bette Grande opened the hearing on HB 1368.

Rep. George Keiser, District 47, appeared in support. This is a simple bill. It is one that the veteran legislators have seen part of in maybe two different forms in the past, and I bring it back to you in an attempt to introduce this for some reason far beyond my comprehension. We had a bill earlier in the session assigned to us in Industry, Business, and Labor which was the suggested reimbursement for legislators based on the deliberations of the legislative compensation commission. For those legislators that are new, we have in statue a commission that has been appointed and it usually consists of people who have distinguished careers in the legislature who are no longer serving and they are appointed by the governor to this committee. They meet in the interim and generate some suggestions relative to legislative compensation in all forms whether it is travel, rooms, and salary, etc. These are good people, well intended. They have met their statutory obligation every session and we as a legislature every session rejected their suggestions. This bill does two things. It basically indexes our reimbursement with state employees. If this legislature votes to give a 3% raise to the employees of the state, legislators pay gets increased 3%. If we vote for no pay increase for the state employees, legislators get no increase. That is the first part of the bill that appears on Page 3, Subsection 8, Lines 26-29. Relative to that issue I have done nonscientific polling within my associates, my friends, and my constituents and asked how do you think we get paid? They said you get paid by the state. That is correct. We do get paid by the state. Are we state employees? They said I guess you are. I asked how do we get our pay increases and every one of them said you get an increase whenever you increase employees' pay. That is actually not correct. We get an increase, and for those who have served here for a long time, about every three years we have a catch up bill that is brought forward, and after long debate, suddenly we are giving ourselves 10% pay increases. There are two sides to this argument. There are many legislators in the past who have felt that it should be separated out. We should be responsible and take a position when we do that. However, I will suggest to you that has never stopped us from giving ourselves a pay raise, and it has never stopped us from giving us an adjustment in the pay raise to bring us back current

with what we have done basically for the public employees. I find personally the other argument is much more compelling. If I vote to increase public employees' pay 3%, I expect the public to hold me accountable that I just voted myself a 3% pay raise. To me there is a lot more transparency in that than every three, four, or five years coming back and then one time doing it. It is just a more upfront and professional way from my perspective. It is what the public assumes is happening, so you are getting blamed for it whether it is true or not. At the very end of the bill there is a section on Page 4, Lines 21 that repeals Section 54-03-19.1 and 19.2. It repeals the legislative compensation committee. Why we have it is beyond me.

Rep. Lisa Meier: Do you have some data on what other states are doing in reference to this bill?

Rep. George Keiser: I don't have. I have two philosophies on that. One, I don't care what Minnesota does relative to EPA, and I don't care what Montana does relative to WSI. I want to deal with what is right for North Dakota. I believe this is right for North Dakota. However, I do believe that if there is a committee that would have that kind of data, it would be this committee, but I did not obtain that.

Rep. Glen Froseth: I think this bill comes 18 years too late. Would you be agreeable to make it retroactive?

Rep. George Keiser: We came in the same year. I am all for it if you want to put the amendment. No, I am not. One of the things is I do oppose any legislation that takes pay retroactive for legislators or really anybody else. It should be prospective. This certainly is. About the last bill you are going to see this session is going to be the public employees pay bill. You are going to be voting for that raise at that time, and you are going to stand with the public and face the public on that raise, and I think it is appropriate that it apply to you. We have that responsibility to the public.

Rep. Karen Rohr: Explain the emergency clause to me.

Rep. George Keiser: The emergency clause would have to go into effect so that we obviously don't have to wait until July 1 for this to take implementation, and, therefore, the legislative management committee would not have to by statue appoint the commission.

Chairman Bette Grande: Is this retroactive for this session for us?

Rep. George Keiser: It would now become included in the employees bill which you will be voting on which is for the next biennium.

Rep. Lonny Winrich: There's a provision about elected officials cannot increase their own pay until after another election or something. Does that affect this?

Rep. George Keiser: I am totally unfamiliar with that section of statue. I am familiar with a section of the statue which is associated with you may not be appointed to a position for which you voted in the previous session. That has precluded legislators from being

appointed to every executive position in the state. Every division gets a pay raise every session.

Rep. Lonny Winrich: Just an anecdotal comment about Rep. Meier's question. Some of my children live in Massachusetts, and a few years ago we were out in Boston. I visited the Massachusetts house of representatives as a representative of North Dakota. In conversation with one of the women who was a representative—apparently they were dealing with legislative pay issues at the time—she asked me about our compensation in North Dakota. I explained the monthly salary, per diem, and so on. I got all done. She said would you do me a favor? Don't tell anyone else about that. I think we are pretty low, Rep. Meier.

Chairman Bette Grande: I think they get $5 to serve in the legislature in New Hampshire.

Rep. George Keiser: That is correct. They get an amazing per diem, and it does work out.

Chairman Bette Grande: I do believe they get staff furnished to them, and they have offices home and away.

Rep. Karen Karls: My question would be directed to you, Chairman Grande. In light of the Hay Group study that we are doing, where our goal is to stop doing the percentage increase and do the merit base, etc. I was wondering what the effect will be?

Chairman Bette Grande: I don't have an answer to that. That is a very good question.

Rep. George Keiser: I don't know the answer to that question. I will tell you that you can do all the studies you want. When it comes to the end of the day of every session, it will be a percentage increase that will be budgeted.

Rep. Glen Froseth: I believe the percentage of money that is allocated for the salaries of the state employees will be based on a percentage, but the allocation will be shifted in a different direction.

Rep. George Keiser: That is correct.

Rep. Roscoe Streyle: This will take the politics out of it then permanently for the most part?

Rep. George Keiser: Yes and no. When we vote a raise for employees, you are voting a raise for yourself. It doesn't matter. It seems to be more upfront and less political to me.

Rep. Roscoe Streyle: Thank you. I agree.

There was no one neutral or in opposition to this bill.

The hearing was closed.

2011 HOUSE STANDING COMMITTEE MINUTES

House Government and Veterans Affairs Committee
Fort Union Room, State Capitol

HB 1368
February 3, 2011 (PM)
13997

☐ Conference Committee

Committee Clerk Signature Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to legislative compensation and to the legislative compensation comm., to provide an effective date and declare an emergency

Minutes:

Chairman Bette Grande opened the meeting on HB 1368. Did you understand that repeal was to repeal the state compensation commission? I am going to have our intern check. I don't know if that is the right piece of code. Otherwise, we have another bill that is written with the wrong piece of code.

Rep. Glen Froseth: We looked at this two or three sessions ago. If we had followed the state employees' pay raises up to that point, and I don't remember the numbers, but it was astonishing. Our reimbursements would have been about double of what they were at that time, so I presume it would be that effect yet today. We are getting $148 a day today. It would be about $300 a day. I am not so sure that is really what we need to be paid either. It should probably follow some form of state reimbursement but probably not the full 5%, 3% or whatever. 5% in the biennium would be 10%. I don't know I just don't feel real comfortable with that. I don't really like the process that is being used now either.

Rep. Ron Guggisberg: It seems like with the __ going away from a flat 3%, 4%, or whatever and basing it on the job, if we consider this a state job, maybe that is better handled by a separate organization or committee looking at it or if it is just the legislators looking at it ourselves. I don't think this is the answer. Also, do we have a cost on what this committee costs us? $2,400. Okay.

Chairman Bette Grande: I believe this committee only meets three times in the biennium.

Rep. Glen Froseth: I don't think there are any legislators on the committee. There are former legislators. I feel they haven't been really reasonable in the past two or three sessions. Last biennium mileage was taken care of. They recommended $3 a day increase during the session. I didn't think that was reasonable either because the costs of food and everything else is going up. Maybe that 5% or 3% following the state employees is too much. I agree with repealing this section doing away with that compensation committee.

Chairman Bette Grande: We have HB 1261 scheduled tomorrow relating to the state employee compensation commission and that is a repealer. If you don't want to deal with it in this bill, we do have it in another.

Rep. Karen Karls: Did you ask about this question that I had when you had your meeting? If we are not going to be giving state employees percentage raises...

Chairman Bette Grande: I did not. What we ended up in discussing in that was more so off of benefit packages because he is in the process of gathering data from 112 businesses at this point. We are trying to move to a whole different philosophy, and that is the philosophy statement we voted out of here. We are trying to move away from some of that aspect. There will be a percentage in it, but it is based on a dollar and it is kind of in the reverse of how we have been doing things. Personally, I don't like this idea.

Rep. Lonny Winrich: I think I am in support of this. I have heard a lot of other comments in the other direction around here. If the legislature continues to meet for such a restricted period of time, every two years, I find it hard to believe that the budgeting system is going to anywhere but some sort of percentage increase. That may be in the total dollars allocated for salaries. It may very well be distributed to the employees in a very different manner. Unless we go to a much more continuous sort of management system through the legislature, I don't think there is going to be much of an opportunity to change that. It seems logical to me that as state employees we would be tied into that system as well. The thing that I don't like about the current system is I believe it creates sort of an artificial political issue every time we do something about legislative compensation. There is a lot more opportunity for people to try to make political hay out of it, and I don't think that is appropriate. I don't think we are paid too much. I think this is worth a try. I don't see any better proposal on the horizon.

Chairman Bette Grande: I don't have heartburn either direction on this. I get a little uncomfortable discussing salary for legislators. I do want to correct myself. The repealer on here deals with 54-03-19 is legislative compensation commission. 54-03-19 is meeting of legislative compensation commission, meetings of. The state employee compensation commission is in the other bill 1261. I didn't realize there were different ones. I thought it was all the same. I have to admit it does make it simpler to attach it.

Rep. Karen Rohr: I know that Hay is going to performance measurement outcomes. In some of the private businesses when there is outcome performance measures that are developed for specific job classifications, they usually have a percentage like an inflation rate or a cost of living increase and then the remainder of the percentage is performance based. Is that the philosophy of the legislative compensation is basically a cost of living adjustment?

Chairman Bette Grande: The legislative pay? No it has been a matter of who has the fortitude to raise any kind of salary for the legislators.

Rep. Karen Rohr: So it is not based on inflation or cost of living?

Chairman Bette Grande: Absolutely based on nothing. It is based on who has the fortitude to put the bill out and how many votes you can get. I have always said in the sessions that I have voted for the increase those who voted no should donate the salary increase to something else if they don't want it.

Rep. Lisa Meier: Do we know of any other proposals that are out there currently? Does the senate have a proposal as well out there? I haven't heard of any.

Chairman Bette Grande: I haven't heard of any.

Rep. Gary Paur: Isn't this similar to what we just passed with Rep. Carlson's bill about tying the housing allowance to the federal?

Chairman Bette Grande: It is very similar.

Vice Chairman Randy Boehning made a motion for a **Do Pass** on HB 1368.

Rep. Vicky Steiner seconded the motion.

Rep. Ron Guggisberg: Like Rep. Winrch was saying about the political part of it and, certainly, I think that plays into it, but now we are tying our political part of it to the state employees too. Now we could be holding them back or bringing them up higher than they should be just because we may want to play politics with it. Maybe we could tie it to a federal rate that goes up. That kind of takes it out of our hands. I will probably be voting against this.

Chairman Bette Grande: Your point is well taken, because that is why the senate killed it last time. They didn't want it to be seen that the public employees only get raises because legislators want raises.

Rep. Lisa Meier: That is the issue that I have as well with this bill, so I will not be voting for this bill too.

Vice Chairman Randy Boehning: I remember in 2003 state employees didn't get a raise. I think we gave them some other benefit and, therefore, we wouldn't have got a raise. They got a benefit. It works both ways. We may come back in two years or four years and there is not going to be any money for raises, but yet we will probably enhance some kind of benefit for them at some point. We won't get a raise and they won't get a raise. Then we will fall behind where they are at. Personally, the dollar amount in here really added up to $4 a day the first biennium and increased us $5 a day the second biennium. If we tie it to this, it is a lot less heartburn for a lot of people. We use to get a $100 a day during the biennium when we were in interim committees. A session or two ago we changed it to get the same rate as we do during the session. There was no backlash from the public on it. I think our time is worth just as much during the interim as it is during the session. I support the bill. We don't have to come back and visit it every two years.

Rep. Bill Amerman: My opinion is we are tying apples to oranges. I think what we have to realize is that when it comes to state employees' raises and how you look at them and what they deserve, that is what they do for a living. This isn't how we make our living.

Rep. Mark Sanford: If you get insurance from the state, you are tied to state employees. If we get returns for our lodging based on external factor, we are tied to something. The salary increase, to me, bothers me, because we don't meet every year. One thought I was having was rather than this annual adjustment which state employees would get, if you average that and we took one rather than two adjustments each biennium. In other words if we gave two 3s and 3s and we just took one 3.

MOTION FAILS ON A DO PASS. 4 YEAS, 9 NAYS.

Rep. Glen Froseth: I think Rep. Sanford had a good idea. About one half of the increase mentioned in this bill would be about right. Maybe we should amend it to that.

Chairman Bette Grande: That we receive it in the bienniums that we meet?

Rep. Glen Froseth: Right. Tie it to the state employee increases based on one year increase.

Chairman Bette Grande: I don't want to __ waiting for his amendment as long as we all understand the intent of the amendment, I would ask the committee my leniency to know that is what we were doing and then continue discussion.

Rep. Ron Guggisberg: Just so I do understand it right, we would be giving ourselves 50% of what the state employees get in a raise in a biennium.

Chairman Bette Grande: To me I think it would be easier to word it by saying that we would receive whatever raise was offered for the year of the session we were here. If you say 50%, what if we do a 2 and 4? What if we do a 4 and 2? What if we do a 3 and 1?

Rep. Bill Amerman: You are right. What do we do with this one if it is 3 and 3 but 1% goes to the retirement?

Chairman Bette Grande: Since the voters have said we cannot be a part of the retirement plan, I guess we don't get that 1. We would get 3.

Rep. Lonny Winrich: When we do something like 4% and 2%, there is an advantage for the state employees if the larger percentage comes first which would tend to give us the larger percentage. If we could somehow word it so that it is averaged, I think that...

Chairman Bette Grande: Okay, then the 50% does make more sense. We would be looking at receiving 50% of whatever percentages were given to the public employees.

Rep. Glen Froseth: Biennium %.

Rep. Glen Froseth made a motion to accept the amendment.

Rep. Lonny Winrich seconded the motion.

Steven Podell, Law Intern, appeared to present amendment. Looking at Page 3, Line 28. Starting on 26 the compensation provided for members of the legislative assembly under subsections 1 and 7 must be adjusted at the same time and half the rate

Chairman Bette Grande: Okay. That means if they get a 3, we get a 1 ½. Committee does that make sense to you?

Steven Podoll: I don't exactly know how this all works but as any general percentage adjustment compensation all that would that apply to a 2 and a 4? Would you get 3? Is that how that would work?

Chairman Bette Grande: I think if we gave a 2 and a 4, we would get a 1 and a 2.

A voice vote was taken to adopt the amendment prepared by Steven Podoll. Motion carried.

Rep. Glen Froseth made a motion for a **Do Pass as amended and rereferred to appropriations.**

Rep. Vicky Steiner seconded the motion.

DO PASS AS AMENDED AND REREFERRED TO APPROPRIATIONS. 9 YEAS, 4 NAYS. Rep. Glen Froseth is the carrier of this bill.

FISCAL NOTE

Requested by Legislative Council
02/23/2011

Amendment to: Reengrossed HB 1368

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.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			$261,290		$261,290	
Appropriations						

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

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

Reengrossed House Bill No. 1368 amends NDCC Sections 54-03-20 and 54-35-10 to increase legislative compensation by 3 percent per year for the 2011-13 biennium and repeals Sections 54-03-19.1 and 54-03-19.2 establishing the Legislative Compensation Commission.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The following is a description of the fiscal impact on the budget for the Legislative Assembly and the Legislative Council:

Increases the compensation for regular, special, or organizational sessions from $148 to $152 per calendar day effective July 1, 2011, and $157 per calendar day effective July 1, 2012 - $158,464 from the general fund for the Legislative Assembly for the 2011-13 biennium

Increases the legislators' monthly compensation from $415 to $427 effective July 2011 and $4440 effective July 2012 - $67,393 from the general fund for the Legislative Assembly for the 2011-13 biennium

Increases additional monthly compensation for legislative leaders from $298 to $307 effective July 2011 and $316 effective July 2012 - $1,395 from the general fund for the Legislative Assembly for the 2011-13 biennium

Increases the interim compensation rate from $148 to $152 per day effective July 1, 2011, and $157 per day effective July 1, 2012 - $36,471 from the general fund for the Legislative Council for the 2011-13 biennium

Total - $263,723 from the general fund for the 2011-13 biennium

The repeal of the Legislative Compensation Commission would reduce the Legislative Council's expenditures by $2,433 from the general fund.

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.

N/A

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.*

The expenditures amounts reflect the estimated cost of the proposed increases less the reduction of expenditures relating to the repeal of the Legislative Compensation Commission.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The 2011-13 budget requests for the Legislative Assembly and the Legislative Council include additional funding needed to provide for the proposed increases.

Name:	Allen H. Knudson	**Agency:**	Legislative Council
Phone Number:	328-2916	**Date Prepared:**	02/23/2011

FISCAL NOTE

Requested by Legislative Council
02/08/2011

Amendment to: HB 1368

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.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			$118,352		$118,352	
Appropriations						

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

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

Engrossed House Bill No. 1368 amends NDCC Sections 54-03-20 and 54-35-10 to tie increases in legislative compensation to one-half of the salary increase provided to state employees and repeals Sections 54-03-19.1 and 54-03-19.2 establishing the Legislative Compensation Commission.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Based on the 2011-13 executive budget which provides state employee salary increases of 3 percent per year, the following is a description of the fiscal impact on the budget for the Legislative Assembly and the Legislative Council:

Increases the compensation for regular, special, or organizational sessions from $148 to $150 per calendar day effective July 1, 2011, and $152 per calendar day effective July 1, 2012 - $70,429 from the general fund for the Legislative Assembly for the 2011-13 biennium

Increases the legislators' monthly compensation from $415 to $421 effective July 2011 and $427 effective July 2012 - $32,785 from the general fund for the Legislative Assembly for the 2011-13 biennium

Increases additional monthly compensation for legislative leaders from $298 to $302 effective July 2011 and $306 effective July 2012 - $620 from the general fund for the Legislative Assembly for the 2011-13 biennium

Increases the interim compensation rate from $148 to $150 per day effective July 1, 2011, and $152 per day effective July 1, 2012 - $16,951 from the general fund for the Legislative Council for the 2011-13 biennium

Total - $120,785 from the general fund for the 2011-13 biennium

The repeal of the Legislative Compensation Commission would reduce the Legislative Council's expenditures by $2,433 from the general fund.

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.*

N/A

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.*

The expenditures amounts reflect the estimated cost of the proposed increases less the reduction of expenditures relating to the repeal of the Legislative Compensation Commission.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The 2011-13 budget requests for the Legislative Assembly and the Legislative Council include additional funding needed to provide for increases in legislative compensation at the same rate as provided to state employees (3 percent per year); therefore, the 2011-13 budget requests for the Legislative Assembly and the Legislative Council may be reduced by $142,938.

Name:	Allen H. Knudson	**Agency:**	Legislative Council
Phone Number:	328-2916	**Date Prepared:**	02/09/2011

FISCAL NOTE

Requested by Legislative Council
01/19/2011

Bill/Resolution No.: HB 1368

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.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			$261,290		$261,290	
Appropriations						

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

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill amends North Dakota Century Code Sections 54-03-20 and 54-35-10 to tie increases in legislative compensation to state employee salary increases and repeals Sections 54-03-19.1 and 54-03-19.2 establishing the Legislative Compensation Commission.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Based on the 2011-13 executive budget which provides state employee salary increases of 3 percent per year, the following is a brief description of the fiscal impact on the budget for the Legislative Assembly and the Legislative Council:

Increases the compensation for regular, special, or organizational sessions from $148 to $152 per calendar day effective July 1, 2011, and $157 per calendar day effective July 1, 2012 - $158,464 from the general fund for the Legislative Assembly for the 2011-13 biennium

Increases the legislators' monthly compensation from $415 to $427 effective July 2011 and $440 effective July 2012 - $67,393 from the general fund for the Legislative Assembly for the 2011-13 biennium

Increases additional monthly compensation for legislative leaders from $298 to $307 effective July 2011 and $316 effective July 2012 - $1,395 from the general fund for the Legislative Assembly for the 2011-13 biennium

Increases the interim compensation rate from $148 to $152 per day effective July 1, 2011, and $157 per day effective July 1, 2012 - $36,471 from the general fund for the Legislative Council for the 2011-13 biennium

Total - $263,723 from the general fund for the 2011-13 biennium

The repeal of the Legislative Compensation Commission would reduce the Legislative Council's expenditures by $2,433 from the general fund.

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.*

N/A

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.*

The expenditures amounts reflect the estimated cost of the proposed increases less the reduction of expenditures relating to the repeal of the Legislative Compensation Commission.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The 2011-13 budget requests for the Legislative Assembly and the Legislative Council include the additional funding needed to provide for the proposed increases.

Name:	Allen H. Knudson	**Agency:**	Legislative Council
Phone Number:	328-2916	**Date Prepared:**	01/21/2011

Date: 2-3-11
Roll Call Vote #: 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1368

House GOVERNMENT AND VETERAN AFFAIRS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken ☒ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep Boehning Seconded By Rep Steiner

Representatives	Yes	No	Representatives	Yes	No
Chairman Bette Grande		✓	Bill Amerman		✓
Vice Chairman Randy Boehning	✓		Ron Guggisberg		✓
Glen Froseth		✓	Lonny Winrich	✓	
Karen Karls		✓			
Lisa Meier		✓			
Gary Paur	✓				
Karen Rohr		✓			
Mark Sanford		✓			
Vicky Steiner	✓				
Roscoe Streyle		✓			

Total (Yes) 4 No 9

Absent 0

Floor Assignment _____

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

motion fails

Date: 2-3-11
Roll Call Vote #: 2

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1368

House GOVERNMENT AND VETERAN AFFAIRS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken ☐ Do Pass ☐ Do Not Pass ☐ Amended ☒ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep Froseth Seconded By Rep. Winrich

Representatives	Yes	No	Representatives	Yes	No
Chairman Bette Grande			Bill Amerman		
Vice Chairman Randy Boehning			Ron Guggisberg		
Glen Froseth			Lonny Winrich		
Karen Karls					
Lisa Meier					
Gary Paur					
Karen Rohr					
Mark Sanford					
Vicky Steiner					
Roscoe Streyle					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Voice vote to adopt amendment prepared - motion carried

VR
2/3/11

11.0610.01001
Title.02000

Adopted by the Government and Veterans Affairs Committee
February 3, 2011

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1368

Page 3, line 28, after "at" insert "one-half"

Page 3, line 28, remove "same"

Renumber accordingly

Date: 2-3-11
Roll Call Vote #: 3

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1308

House GOVERNMENT AND VETERAN AFFAIRS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 11.6610.61001

Action Taken ☒ Do Pass ☐ Do Not Pass ☒ Amended ☐ Adopt Amendment
☒ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep Froseth Seconded By Rep. Steiner

Representatives	Yes	No	Representatives	Yes	No
Chairman Bette Grande	✓		Bill Amerman		✓
Vice Chairman Randy Boehning		✓	Ron Guggisberg		✓
Glen Froseth	✓		Lonny Winrich	✓	
Karen Karls	✓				
Lisa Meier		✓			
Gary Paur	✓				
Karen Rohr	✓				
Mark Sanford	✓				
Vicky Steiner	✓				
Roscoe Streyle	✓				

Total (Yes) 9 No 4

Absent 0

Floor Assignment Rep Froseth

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

REPORT OF STANDING COMMITTEE

HB 1368: Government and Veterans Affairs Committee (Rep. Grande, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (9 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1368 was placed on the Sixth order on the calendar.

Page 3, line 28, after "at" insert "one-half"

Page 3, line 28, remove "same"

Renumber accordingly

2011 HOUSE APPROPRIATIONS

HB 1368

2011 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Committee
Roughrider Room, State Capitol

HB 1368
2/10/11
14361, 14405

☐ Conference Committee

Committee Clerk Signature Meredith Traeholt

Explanation or reason for introduction of bill/resolution:

A BILL for an Act relating to legislative compensation; the legislative compensation commission; to provide an effective date; and to declare an emergency.

Minutes:

You may make reference to "attached testimony."

Chairman Delzer: Opened discussion on HB 1368. The title was read.

Representative Glen Froseth, District 6: You heard a little about this on the floor today; this bill adjusts compensation for legislators, the daily and monthly both. As we amended it in GVA committee, it ties the legislators' salary to the increases that state employees receive. If the legislative body approves a raise for state employees, this gives legislators a raise equivalent to half the percentage increase. We feel we serve only every other year so we're not entitled to the same amount of salary increase that state employees receive. We thought a half of their increase was about right. It would take the guessing game out of voting ourselves a salary increase. This bill would repeal the legislative compensation committee.

Chairman Delzer: Was there a separate bill that repeals that as well?

Representative Froseth: There was, but that bill was killed. Or maybe it is coming yet.

Chairman Delzer: Does this just deal with the daily rate, or also with the monthly?

Representative Froseth: I presume it will deal with the monthly rate also. The Fiscal Note we received in our committee dealt with full reimbursement....

Chairman Delzer: What's the date of your Fiscal Note?

Representative Froseth: 1/19.

Chairman Delzer: We've got one from 2/8 that shows $118, 352, so this one shows the changes from your amendment. Was the decision to go to half of the state employees highly accepted in your committee, or was it controversial?

Representative Froseth: It got a 9-4 Do Pass in the committee, and the four were probably committee members that felt we shouldn't be adjusting our salaries in this method. There were no real strong feelings about it. It's the same philosophical reasonings that we have objections on the floor any time we try to adjust our salaries.

Representative Bellew: This bill states we'll get half of what the state employees get. This means we're letting the governor set our salaries, correct? Because we always go with what the governor says. I think there might be a separation of powers issue here.

Chairman Delzer: There really isn't, because even if we agree with what the governor proposes, it is the legislative branch that makes the final decision on that.

Representative Froseth: That's exactly the way our committee felt. The governor can put it in his budget and make a recommendation, but the legislature makes the final decision.

Representative Bellew: This bill is based off of a 3 & 3 (annual percentage) increase for state employees, but they are also getting 1% each year from the state in their retirement. Did you discuss that at all?

Representative Froseth: No we didn't, but I think it is actually a 3 & 3 total, 2 into the paycheck and 1 into retirement each year. So it's still a 3 & 3, how I see it.

Chairman Delzer: We can have that discussion. Further questions?

Representative Froseth: Just a point of clarification. I look at that 1% as a benefit in salary and reimbursement or income, so it's a benefit to the employee. We don't get retirement benefits, so I would think it would wash out the same.

Chairman Delzer: Further questions or comments by the committee? If not, thank you, Representative Froseth.

Continued on recording 14405

Chairman Delzer: Committee, back to 1368.

Vice Chairman Kempenich: I move Do Pass. We're the only ones that are going to vote ourselves any type of compensation on this.

Representative Klein: Second.

Chairman Delzer: Discussion.

Representative Monson: I don't think it's enough, myself. I'm not afraid to go up on the floor and ask for a raise. The way we did it the other day was, in my estimation, the proper way to go. If we're going to do 3% or half of what everybody else is getting, we're going to really be trailing here in a little while. We only get paid every other year, except for meetings that we go to, so that 3% per year is something I would rather see.

Representative Dosch: I think it should be equal. By doing it this way, within two sessions we're going to be way behind the curve. We're a citizen legislature, and we have other places to be and jobs to do. If we expect people to serve in the legislature, then we better be compensating them somewhat reasonably. A couple weeks ago we were dragging our feet over the lodging reimbursement, afraid to reasonably compensate people, expecting legislators to pay out of their own pocket to stay at a hotel. Now, we don't want to give them a decent raise. Pretty soon you'll just have just a bunch of wealthy people sitting up here who don't need the pay, and the average person can't pay out of his pocket. I'm going to vote against this. Hopefully we can bring it back and take the 50% off, and make it a reasonable amount. We need to make sure the average citizen can afford to serve in the legislature.

Chairman Delzer: My take on this is, I won't support it because it's not enough. I don't know that we should have our pay tied to state employees, but that's just my opinion. The bill is before us, we can do what we wish with it, we have a Do Pass....

Vice Chairman Kempenich: I'll withdraw my Do Pass, if the second agrees.

Chairman Delzer: That's fine, if you want to withdraw it. Then we have no motion before us.

Representative Glassheim: Would it be in order to take the half out, and make it simply tied to state employees? I so move.

Chairman Delzer: We have a motion to amend the engrossed bill, to remove the amendment the policy committee put on.

Representative Martinson: Did the policy committee amend the bill? I thought it was amended on the floor.

Chairman Delzer: It was by committee. The amendments were adopted on the floor without discussion. Since there was no discussion, we could amend the bill further to remove what policy put on.

Roxanne Woeste, Legislative Council: That is correct. If the committee so wishes, you can amend the engrossed bill, in this case it just so happens the second engrossment would be the same as the introduced version of the bill. We cannot just go back to the original version, however, unless you would like to go back up to the floor and remove the amendments that were adopted.

Chairman Delzer: We have the option of waiting for a draft version of the amendment, or we can work on it. If everyone is comfortable with it, we'll go ahead and go forward. Is there a second on the amendment?

Vice Chairman Kempenich: Second.

Chairman Delzer: The motion would be to amend engrossed HB 1368 to go back to the same rate increase as the state employees. Discussion. We'll do a voice vote; motion carries. We have the amended bill before us.

Vice Chairman Kempenich: I move Do Pass as Amended.

Representative Glassheim: Second.

Chairman Delzer: Discussion?

Representative Kaldor: I agree with Representative Monson that our compensation is different. We are the legislative branch of government, and I think we owe it to our constituents to be very straight with them about pay increases. I don't have any objection to increasing our pay; however, I think it's a much more transparent way to do it to have a straight bill, like in the past. I think it is an error to tie it to state employees.

Chairman Delzer: I do not plan to support this either, for that same reason. I think it is wrong to tie it to state employees. Everyone should vote the way they feel is right. The way it's before us, we amended it so it's the same percentage as the state employees, so the Fiscal Note would be the same as on the bill that was defeated on the floor today. That is included in the appropriation for the legislative assembly.

Woeste: The bill that is currently in House government operations for the legislative branch is built on the 3 & 3 increase. The money is in the budget.

Vice Chairman Kempenich: I agree with Representative Kaldor, and that would be my first choice, but obviously the floor did not agree with that.

Representative Nelson: This bill still would continue to repeal the section about the need for a legislative compensation committee, is that correct? That in itself is maybe a good reason why we should go to something like this. We've asked permission for ourselves session after session for pay increases. I'm not embarrassed to take a pay increase anymore, but I was when I was new. I think Representative Dosch makes a good point. For future legislators, we need people that are engaged. I feel I can defend what we do. We serve in one of the best situations in the nation, as far as a citizen legislature that lives with the bills that we pass. Everyone will have to rationalize it for themselves, but I can live with this, and I think it makes it easier for less tenured legislators to deal with this.

Chairman Delzer: After the repealer, there is an effective date of July 1, 2011. With the emergency clause for this to take effect at the start of the next biennium, it needs to be there. If it's not there, it takes effect August 1. The way I read this, there is no retroactive application.

Representative Glassheim: I think much of this has to do with inflation and keeping up with it. I don't mind voting myself a pay raise, but I think it's odd. Tying it to this gets us out of that odd position. I think it's transparent. Everyone will know we get what state employees get, from here going forward, if this passes.

Representative Skarphol: I can imagine this same discussion taking place in Congress on the federal level. I'm not going to vote for this. If we deserve a raise, I'm willing to vote for it, but I'm not willing to let it happen just because we allowed it to happen.

Chairman Delzer: Further discussion? Seeing none, we'll call the roll for a Do Pass as Amended to HB 1368. Motion fails 7-14. We do not have a Do Pass, and we have an amended bill before us. Do we wish to take a different motion, or work on it further?

Representative Skarphol: I'd move a Do Not Pass as Amended.

Representative Bellew: Second.

Chairman Delzer: Discussion.

Representative Skarphol: Since the committee was not willing to support a Do Pass, I would assume we would be willing to support a Do Not Pass. Let's see.

Representative Monson: I think we need to have a raise mechanism. I'm not going to support a Do Not Pass because I think we can still work on this and do it the right way.

Chairman Delzer: Representative Skarphol, if you would consider withdrawing your motion for Do Not Pass, I think we could sit on this one.

Representative Skarphol: I would not have an aversion for a substitute motion, or a withdrawal.

Chairman Delzer: Let's withdraw it and come back to this. It's open for motions, but we've worked hard today and it's getting late. I very much appreciate everybody's work. Enjoy your evening and we'll stand adjourned at the call of the chair.

2011 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Committee
Roughrider Room, State Capitol

HB 1368
2/17/11
14662

☐ Conference Committee

Committee Clerk Signature Meredith Trachsel

Explanation or reason for introduction of bill/resolution:

A BILL for an Act relating to legislative compensation; the legislative compensation commission; to provide an effective date; and to declare an emergency.

Minutes: You may make reference to "attached testimony."

Chairman Delzer: Opened discussion on HB 1368.

Representative Kreidt: I have a proposed amendment, .02001.

Chairman Delzer: On this one, we did have a motion for a Do Pass that failed, then we had a motion for a Do Not Pass that looked like it was going to fail so we took it off the table. Part of this bill that is before us removes the legislative compensation commission.

Representative Kreidt: This amendment, .02001, I brought forward after much discussion. This would keep in place section 3, which is the compensation committee, that would go away. I would add a statement on page 4, see amendment. We don't really have an upper entity amongst the legislative assembly that can make that decision, and my feeling is, we do – legislative management. That's a body made up of both sides of the House. I feel this would be a proper entity to make that decision, and then the assembly could vote on the recommendation that comes out of legislative management. Personally, as a member of the assembly, I feel we should vote on our salary increases, not have them happen automatically. That happens on the national level, and I don't agree with that either. This would give an option.

Chairman Delzer: Do you think it should be 'shall make' or 'may make' a recommendation?

Representative Kreidt: I had discussion with upper level, and they suggest that we leave 'shall.'

Representative Skarphol: They could always recommend 'zero,' if they feel that's appropriate.

Chairman Delzer: I would question why they need to recommend zero. Any legislator could always put a bill in, too.

Representative Kreidt: Correct

Chairman Delzer: Your amendment does not do anything with the current pay raise, does it?

Representative Kreidt: I did not attempt to do that with this amendment.

Representative Kroeber: I do not think we should get rid of the commission. As all of you know, the court system budget is not scrutinized by the governor, because the governor cannot do that, but we can. At least with the commission coming in, taking a meeting and giving some recommendation with some type of knowledge of what our increases should be. Without that, we have legislative management; well, legislative management is us. I do not think we should get rid of the compensation commission.

Representative Kreidt: I move amendment .02001.

Representative Bellew: Second.

Chairman Delzer: Discussion.

Representative Kaldor: Your amendment would remove basing the rate on state employee compensation?

Representative Kreidt: That's correct.

Chairman Delzer: Further questions on the amendment? Voice vote carries. This leaves the bill the way it sits, with the exception of taking out the portion that references the state employees' pay raise, and then puts legislative management in. The issue that Representative Kroeber was in the original bill is still there.

Representative Kroeber: And I still have the same concern in this bill.

Vice Chairman Kempenich: Let's run another scenario and do the 3%. I'll make a motion to do just straight 3% per year. If that fails, I'll move a Do Not Pass.

Representative Dahl: I would like clarification on .02001. It does address compensation for regular, special, and organizational sessions from 148 to 152. So have we not already taken care of that?

Chairman Delzer: No, that does not raise the wages, it just puts the money in the Council budget to pay for it, if the wages are raised. So we have the motion to further amend to 152 and 157, is there a second?

Representative Dahl: Second.

Representative Skarphol: Are we going to address the other aspects of salary increases? In other words, the monthly?

Chairman Delzer: That would be part of the motion. Everyone understand the motion? It's basically to do the 3 and 3 with the numbers Legislative Council has in their budget. Seeing no further discussion, we'll do a voice vote. Motion carries. We have the further amended bill before us, what are your wishes?

Vice Chairman Kempenich: I'll move a Do Pass as Amended.

Representative Klein: Second.

Chairman Delzer: Discussion.

Representative Skarphol: As I understand this, the motion is to do the 3 and 3, just like state employees, and it amounts to the numbers reflected on the green sheet.

Chairman Delzer: Right. And the bill was also amended to say management may, and the way it sits before us, it would do away with legislative compensation commission. Further discussion? We'll call the roll for a Do Pass as Amended. Motion carries 12-9. Vice Chairman Kempenich will be the carrier.

Date: 2/10
Roll Call Vote #: 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1368

House Appropriations Committee

Legislative Council Amendment Number _____

Action Taken: ☒ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Kempenich Seconded By Rep Klein

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer			Representative Nelson		
Vice Chairman Kempenich			Representative Wieland		
Representative Pollert					
Representative Skarphol					
Representative Thoreson			Representative Glassheim		
Representative Bellew			Representative Kaldor		
Representative Brandenburg			Representative Kroeber		
Representative Dahl			Representative Metcalf		
Representative Dosch			Representative Williams		
Representative Hawken					
Representative Klein					
Representative Kreidt					
Representative Martinson					
Representative Monson					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Withdrawn

Date: 2/10
Roll Call Vote #: 2

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1368

House Appropriations Committee

Legislative Council Amendment Number _____

Action Taken: ☐ Do Pass ☐ Do Not Pass ☐ Amended ☒ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Glassheim Seconded By Rep. Kempenich

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer			Representative Nelson		
Vice Chairman Kempenich			Representative Wieland		
Representative Pollert					
Representative Skarphol					
Representative Thoreson			Representative Glassheim		
Representative Bellew			Representative Kaldor		
Representative Brandenburg			Representative Kroeber		
Representative Dahl			Representative Metcalf		
Representative Dosch			Representative Williams		
Representative Hawken					
Representative Klein					
Representative Kreidt					
Representative Martinson					
Representative Monson					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

to go back to the same rate increase as the state employees

Carries by voice vote

Date: 2/10
Roll Call Vote #: 3

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1368

House Appropriations Committee

Legislative Council Amendment Number _____

Action Taken: ☒ Do Pass ☐ Do Not Pass ☒ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Kempenich Seconded By Rep. Glassheim

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer		X	Representative Nelson	X	
Vice Chairman Kempenich	X		Representative Wieland		X
Representative Pollert		X			
Representative Skarphol		X			
Representative Thoreson		X	Representative Glassheim	X	
Representative Bellew		X	Representative Kaldor		X
Representative Brandenburg		X	Representative Kroeber		X
Representative Dahl		X	Representative Metcalf		X
Representative Dosch	X		Representative Williams		X
Representative Hawken		X			
Representative Klein	X				
Representative Kreidt		X			
Representative Martinson	X				
Representative Monson	X				

Total (Yes) 7 No 14

Absent _____

Floor Assignment _____

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

Date: 2/10
Roll Call Vote #: 4

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1368

House Appropriations Committee

Legislative Council Amendment Number

Action Taken: ☐ Do Pass ☒ Do Not Pass ☒ Amended ☐ Adopt Amendment
☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Skarphol Seconded By Rep. Bellew

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer			Representative Nelson		
Vice Chairman Kempenich			Representative Wieland		
Representative Pollert					
Representative Skarphol					
Representative Thoreson			Representative Glassheim		
Representative Bellew			Representative Kaldor		
Representative Brandenburg			Representative Kroeber		
Representative Dahl			Representative Metcalf		
Representative Dosch			Representative Williams		
Representative Hawken					
Representative Klein					
Representative Kreidt					
Representative Martinson					
Representative Monson					

Total (Yes) No

Absent

Floor Assignment

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

withdrawn

Prepared by the Legislative Council staff for
Representative Kreidt
February 11, 2011

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1368

Page 1, line 10, remove the overstrike over "~~Each~~"

Page 1, line 10, remove "Except as otherwise provided in subsection 8, each"

Page 3, line 15, remove "plus any"

Page 3, line 16, remove "applicable adjustment under subsection 8,"

Page 3, line 24, remove ", plus any applicable adjustment under"

Page 3, line 25, remove "subsection 8,"

Page 3, line 26, remove "Subject to legislative appropriations, the compensation provided for members of the"

Page 3, remove lines 27 through 29

Page 3, line 30, remove "9."

Page 4, after line 4, insert:

"9. Before each regular legislative session, the legislative management shall make recommendations and submit any necessary legislation to adjust legislative compensation amounts."

Renumber accordingly

Date: 2/17

Roll Call Vote #: 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1368

House Appropriations Committee

Legislative Council Amendment Number .02001

Action Taken: ☐ Do Pass ☐ Do Not Pass ☐ Amended ☒ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Kreidt Seconded By Rep. Bellew

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer			Representative Nelson		
Vice Chairman Kempenich			Representative Wieland		
Representative Pollert					
Representative Skarphol					
Representative Thoreson			Representative Glassheim		
Representative Bellew			Representative Kaldor		
Representative Brandenburg			Representative Kroeber		
Representative Dahl			Representative Metcalf		
Representative Dosch			Representative Williams		
Representative Hawken					
Representative Klein					
Representative Kreidt					
Representative Martinson					
Representative Monson					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Voice vote carries

Date: 2/17
Roll Call Vote #: 2

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1368

House Appropriations Committee

Legislative Council Amendment Number .02001

Action Taken: ☐ Do Pass ☐ Do Not Pass ☐ Amended ☒ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Kempenich Seconded By Rep. Dahl

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer			Representative Nelson		
Vice Chairman Kempenich			Representative Wieland		
Representative Pollert					
Representative Skarphol					
Representative Thoreson			Representative Glassheim		
Representative Bellew			Representative Kaldor		
Representative Brandenburg			Representative Kroeber		
Representative Dahl			Representative Metcalf		
Representative Dosch			Representative Williams		
Representative Hawken					
Representative Klein					
Representative Kreidt					
Representative Martinson					
Representative Monson					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

further amend to do 3 + 3 with numbers in Leg. Council budget

voice vote carries

11.0610.02003
Title.03000

Prepared by the Legislative Council staff for
House Appropriations
February 17, 2011

VK
2/22/11
1064

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1368

Page 1, line 10, remove the overstrike over "~~Each~~"

Page 1, line 10, remove "Except as otherwise provided in subsection 8, each"

Page 1, line 12, overstrike "forty-eight" and insert immediately thereafter "fifty-two"

Page 3, line 15, overstrike "fifteen" and insert immediately thereafter "twenty-seven"

Page 3, line 15, remove "plus any"

Page 3, line 16, remove "applicable adjustment under subsection 8,"

Page 3, line 23, overstrike "two" and insert immediately thereafter "three"

Page 3, line 24, overstrike "ninety-eight" and insert immediately thereafter "seven"

Page 3, line 24, remove ", plus any applicable adjustment under"

Page 3, line 25, remove "subsection 8,"

Page 3, line 26, remove "Subject to legislative appropriations, the compensation provided for members of the"

Page 3, remove lines 27 through 29

Page 3, line 30, remove "9."

Page 4, after line 4, insert:

"9. Before each regular legislative session, the legislative management shall make recommendations and submit any necessary legislation to adjust legislative compensation amounts.

SECTION 2. AMENDMENT. Section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

54-03-20. Compensation and expense reimbursement of members of the legislative assembly.

1. Each member of the legislative assembly is entitled to receive as compensation for services the sum of one hundred ~~fifty-two~~fifty-seven dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.

2. a. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed per calendar month the amount established under this subdivision by the director of the office of management and budget for lodging in state and which may not exceed the rate provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular

session. On August first of each even-numbered year, the director of the office of management and budget shall set the maximum monthly reimbursement for the subsequent two-year period at an amount equal to thirty times fifty-five percent of the daily lodging reimbursement in effect on that date as provided under subdivision d of subsection 2 of section 44-08-04.

b. Notwithstanding subdivision a:

(1) A member of the legislative assembly may elect to be reimbursed for less than the amount to which the legislator is entitled under this subsection by claiming the lesser amount on a voucher submitted with the receipt required by section 44-08-04.

(2) The legislative management may establish guidelines that may result in a reduced maximum reimbursement for a single dwelling in which two or more legislators share lodging and the total rent for that dwelling exceeds the amount to which a legislator is entitled under subdivision a.

3. a. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle.

b. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed the maximum monthly reimbursement allowed under subdivision a of subsection 2.

4. The amount to which each legislator is entitled must be paid following the organizational session in December and following each month during a regular or special session.

5. If during a special session, the legislative assembly adjourns for more than three days, a member of the legislative assembly is entitled to receive compensation during those days only while in attendance at a standing committee if the legislator is a member of that committee, a majority or minority leader, or a legislator who is not on that committee but who has the approval of a majority or minority leader to attend.

6. A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session or a legislative committee meeting must be included as a calendar day during a legislative session or as a day of a legislative committee meeting for the purposes of this section.

7. a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of four hundred ~~twenty-seven~~forty dollars a month, paid monthly.

b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.

c. The majority and minority leaders of the house and senate and the chairman of the legislative management, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of three hundred ~~seven~~sixteen dollars per month during the biennium for their execution of public duties.

8. Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].

9. Before each regular legislative session, the legislative management shall make recommendations and submit any necessary legislation to adjust legislative compensation amounts."

Page 4, line 10, remove the overstrike over "~~rate~~"

Page 4, line 11, remove the overstrike over "~~of one hundred~~"

Page 4, line 11, after "~~forty-eight~~" insert "fifty-two"

Page 4, line 11, remove the overstrike over "~~dollars~~"

Page 4, line 11, remove "rate provided for legislative session"

Page 4, line 12, remove "compensation under section 54-03-20"

Page 4, after line 20, insert:

"SECTION 4. AMENDMENT. Section 54-35-10 of the North Dakota Century Code is amended and reenacted as follows:

54-35-10. Compensation of members and leadership.

1. The members of the legislative management and the members of any committee of the legislative management are entitled to be compensated for the time spent in attendance at sessions of the legislative management

and of its committees at the rate of one hundred ~~fifty-two~~fifty-seven dollars per day and must also be paid for expenses incurred in attending said meetings and in the performance of their official duties in the amounts provided by law for other state officers.

2. In addition to the compensation provided in subsection 1, the chairman of the legislative management is entitled to receive an additional five dollars for each day spent in attendance at sessions of the legislative management and of its committees, and the chairman of each of the legislative management's committees is entitled to receive five dollars for each day spent in attendance at sessions of the legislative management or of the committee which the person chairs."

Page 4, line 23, replace "This Act becomes effective on July 1, 2011." with "Sections 1, 3, and 5 of this Act become effective on July 1, 2011, and sections 2 and 4 of this Act become effective on July 1, 2012."

Renumber accordingly

Date: 2/17
Roll Call Vote #: 3

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1368

House Appropriations Committee

Legislative Council Amendment Number

Action Taken: ☒ Do Pass ☐ Do Not Pass ☒ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Kempenich Seconded By Rep. Klein

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer		X	Representative Nelson	X	
Vice Chairman Kempenich	X		Representative Wieland		X
Representative Pollert		X			
Representative Skarphol		X			
Representative Thoreson	X		Representative Glassheim		X
Representative Bellew		X	Representative Kaldor	X	
Representative Brandenburg		X	Representative Kroeber		X
Representative Dahl	X		Representative Metcalf	X	
Representative Dosch	X		Representative Williams		X
Representative Hawken	X				
Representative Klein	X				
Representative Kreidt	X				
Representative Martinson	X				
Representative Monson	X				

Total (Yes) 12 No 9

Absent 0

Floor Assignment Rep. Kempenich

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

REPORT OF STANDING COMMITTEE

HB 1368, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 9 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1368 was placed on the Sixth order on the calendar.

Page 1, line 10, remove the overstrike over "~~Each~~"

Page 1, line 10, remove "Except as otherwise provided in subsection 8, each"

Page 1, line 12, overstrike "forty-eight" and insert immediately thereafter "fifty-two"

Page 3, line 15, overstrike "fifteen" and insert immediately thereafter "twenty-seven"

Page 3, line 15, remove "plus any"

Page 3, line 16, remove "applicable adjustment under subsection 8,"

Page 3, line 23, overstrike "two" and insert immediately thereafter "three"

Page 3, line 24, overstrike "ninety-eight" and insert immediately thereafter "seven"

Page 3, line 24, remove ", plus any applicable adjustment under"

Page 3, line 25, remove "subsection 8,"

Page 3, line 26, remove "Subject to legislative appropriations, the compensation provided for members of the"

Page 3, remove lines 27 through 29

Page 3, line 30, remove "9."

Page 4, after line 4, insert:

"9. Before each regular legislative session, the legislative management shall make recommendations and submit any necessary legislation to adjust legislative compensation amounts.

SECTION 2. AMENDMENT. Section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

54-03-20. Compensation and expense reimbursement of members of the legislative assembly.

1. Each member of the legislative assembly is entitled to receive as compensation for services the sum of one hundred ~~fifty-two~~fifty-seven dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.

2. a. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed per calendar month the amount established under this subdivision by the director of the office of management and budget for lodging in state and which may not exceed the rate provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. On August first of each even-numbered year, the director of the office of management and budget shall set the maximum monthly reimbursement for the subsequent two-year period at an amount equal

to thirty times fifty-five percent of the daily lodging reimbursement in effect on that date as provided under subdivision d of subsection 2 of section 44-08-04.

b. Notwithstanding subdivision a:

(1) A member of the legislative assembly may elect to be reimbursed for less than the amount to which the legislator is entitled under this subsection by claiming the lesser amount on a voucher submitted with the receipt required by section 44-08-04.

(2) The legislative management may establish guidelines that may result in a reduced maximum reimbursement for a single dwelling in which two or more legislators share lodging and the total rent for that dwelling exceeds the amount to which a legislator is entitled under subdivision a.

3. a. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle.

b. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed the maximum monthly reimbursement allowed under subdivision a of subsection 2.

4. The amount to which each legislator is entitled must be paid following the organizational session in December and following each month during a regular or special session.

5. If during a special session, the legislative assembly adjourns for more than three days, a member of the legislative assembly is entitled to receive compensation during those days only while in attendance at a standing committee if the legislator is a member of that committee, a majority or minority leader, or a legislator who is not on that committee but who has the approval of a majority or minority leader to attend.

6. A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session or a legislative committee meeting must be included as a calendar day during a legislative session or as a day of a legislative committee meeting for the purposes of this section.

7. a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of four hundred ~~twenty-seven~~forty dollars a month, paid monthly.

b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.

c. The majority and minority leaders of the house and senate and the chairman of the legislative management, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of three hundred ~~seven~~sixteen dollars per month during the biennium for their execution of public duties.

8. Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].

9. Before each regular legislative session, the legislative management shall make recommendations and submit any necessary legislation to adjust legislative compensation amounts."

Page 4, line 10, remove the overstrike over "~~rate~~"

Page 4, line 11, remove the overstrike over "~~of one hundred~~"

Page 4, line 11, after "~~forty-eight~~" insert "fifty-two"

Page 4, line 11, remove the overstrike over "~~dollars~~"

Page 4, line 11, remove "rate provided for legislative session"

Page 4, line 12, remove "compensation under section 54-03-20"

Page 4, after line 20, insert:

"SECTION 4. AMENDMENT. Section 54-35-10 of the North Dakota Century Code is amended and reenacted as follows:

54-35-10. Compensation of members and leadership.

1. The members of the legislative management and the members of any committee of the legislative management are entitled to be compensated for the time spent in attendance at sessions of the legislative management and of its committees at the rate of one hundred ~~fifty-two~~fifty-seven dollars per day and must also be paid for expenses incurred in attending said meetings and in the performance of their official duties in the amounts provided by law for other state officers.

2. In addition to the compensation provided in subsection 1, the chairman of the legislative management is entitled to receive an additional five dollars for each day spent in attendance at sessions of the legislative management and of its committees, and the chairman of each of the legislative management's committees is entitled to receive five dollars for each day spent in attendance at sessions of the legislative management or of the committee which the person chairs."

Page 4, line 23, replace "This Act becomes effective on July 1, 2011." with "Sections 1, 3, and 5 of this Act become effective on July 1, 2011, and sections 2 and 4 of this Act become effective on July 1, 2012."

Renumber accordingly

2011 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1368

2011 SENATE STANDING COMMITTEE MINUTES

Senate Government and Veteran's Affairs Committee
Missouri River Room, State Capitol

HB 1368
March 17, 2011
15586

☐ Conference Committee

Committee Clerk Signature Katie Quist

Explanation or reason for introduction of bill/resolution:

Relating to the legislative compensation commission; and to provide an effective date.

Minutes: *No testimony attached*

Representative George Keiser: District 47, Bismarck. This bill deals with 2 issues: legislative compensation and it would remove the legislative compensation commission. The other thing that the bill did initially is index legislative pay with employees pay. The House appropriations committee amended it and put it in at the 3 and 3 rate which was in the original governor's budget. Personally I like the indexing and whenever I talk to my constituents they ask about getting a pay increases, this bill has been amended and has the 3 and 3 rates on it and I would be happy to a answer any questions.

Chairman Dever: Repealers in section 5 deals with the legislative compensation commission.

Representative George Keiser: Yes that is correct.

Senator Berry: As introduced you wanted it indexed but it was amended to make it 3 and 3 and result in a vote?

Representative George Keiser: That is exactly right. We never got the bill to vote. That is what the position of the House is this time.

Chairman Dever: I had a request from a legislator to look at the amount of additional compensation that leaders and committee chairs get

Representative George Keiser: They get a 3% increase because their current pay is higher.

Chairman Dever: I think that suggestion was to go back to what it was in 1985 it was $5 as it is now.

There was no further testimony on HB 1368 and Chairman Dever closed the public hearing.

2011 SENATE STANDING COMMITTEE MINUTES

Senate Government and Veteran's Affairs Committee
Missouri River Room, State Capitol

HB 1368
March 24, 2011
15964

☐ Conference Committee

Committee Clerk Signature Katie Olsrud

Explanation or reason for introduction of bill/resolution:

Relating to legislative compensation commission; and to provide an effective date.

Minutes: *No testimony attached.*

Chairman Dever: This is the bill, as I understand it, all the numbers correlate to the 3% increase afforded to state employees. There was information provided to us about the possibility of taking a look at the pay that the leadership and chairman get. I believe the suggestion was majority and minority leaders get an extra $10 a day and chairman of standing committees get an extra $5 a day. The suggestion was to bump that to $8 and $16, I am not sure if there is any part of the committee to move forward with that.

A discrepancy was found in the fiscal note of the bill, a motion was made by Senator Cook for a do pass with a re referral to Appropriations with a second by Senator Schaible, there was no further discussion, roll was taken, the motion passed 4-3 with Senator Cook carrying the bill to the floor.

Date: 3/24/11
Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1368

Senate GVA Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☒ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment

☒ Rerefer to Appropriations ☐ Reconsider

Motion Made By Cook Seconded By Schaible

Senators	Yes	No	Senators	Yes	No
Chairman Dever		X	Senator Marcellais	X	
Vice Chairman Sorvaag		X	Senator Nelson	X	
Senator Barry		X			
Senator Cook	X				
Senator Schaible	X				

Total (Yes) 4 No 3

Absent _____

Floor Assignment Cook

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

REPORT OF STANDING COMMITTEE

HB 1368, as reengrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1368 was rereferred to the **Appropriations Committee**.

2011 SENATE APPROPRIATIONS

HB 1368

2011 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee
Harvest Room, State Capitol

HB 1368
March 29, 2011
Job # 16144

☐ Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

This bill relates to legislative compensation.

Minutes:

"No attached testimony."

Chairman Holmberg called the committee hearing to order on HB 1368.
Allen H. Knudson - Legislative Council; **Sheila Peterson** - OMB.

Chairman Holmberg named the subcommittee: **Senators Christmann, Holmberg and O'Connell.**

Rep. George Keiser, District 47, Bismarck
Bill Sponsor for HB 1368.

This bill provides for 2 things. 1) From the House side, it provides for a pay increase for the legislators at 3&3, which the governor originally had in his budget. 2) Eliminates the legislative compensation commission. Committee members, who have served in the Legislature since 1993 and the Legislative Compensation Committee has met every interim and have brought forward a proposal, a suggestion to the Legislature and we have never listened to them before and I see no reason to listen to them in the future. I think it is an unnecessary effort on their part. I introduced this bill because the House side was struggling with whether or not to pay and I said this is ridiculous. I, personally believe, that the legislators work really hard and feel that whatever we, eventually provide to our state employees, we should be considering as a pay increase for legislators.

Senator O'Connell asks, "How come there is a difference in the fiscal note between 23rd and the 8th?" From $118,000 to $261,000.

Allen H. Knudson states, I will check on it.

Senator Erbele states, you said it's a 3&3. Is it specifically tied to state employees or is it a stand alone? I have always been an advocate of saying, "whenever we do for state employees that is what ours should be and eliminate the debate forever".

Rep. Keiser states, the original bill that I turned in, I attached it to the state employee increases. It was amended on the House side and was put in on a 3&3 because there was a majority of House members that thought that they should have to vote on their own pay increase, separate from employees. Although, I am going to tell you, I do periodically in my non professional, non qualified, non scientific polling with constituents and people that I meet at Starbucks etc. and I did it relative to this issue. I asked 32 people, how do legislators get paid? They said, you get paid whatever the employees get. 100% of the people I polled believe that we are directly attached to the pay increases. Not one of them had an idea that whenever we have received a pay increase, it is a separate bill introduced and past. I certainly concur and support your position but it was not the final work product of the House.

Allen H. Knudson states, that the fiscal note for $118,000 was an earlier version. It tied the pay to ½ of what state employees would have got. That would have been 1½ % increase.

Chairman Holmberg states, so the current fiscal note is the correct one.

Senator Warner states, I am coming up with a 3&0. We get a salary increase the first year of the biennium, is there a salary increase somewhere else in the second year?

Rep. Keiser states, this was not in the committee that I chaired. I'm not certain.

Allen H. Knudson states, if you look on page 1, section 1, that is where it is increasing from $148 to $152. Page 4 of the bill, it amends the same section. It goes from $152 to $157. So each section is in twice and then there is an effective date on each one. So for the first year of the biennium, it goes to $152 and starting the second year, it goes $157. Page 6, the effective dates, sections 1,3, and 5 of the act, are effective on July, 2011 and then sections, 2&4, July 1, 2012. It is broken up into 2 separate years.

Senator Warner asks, if there a standard rule for rounding the numbers? I see the 3% the first year it would be $4.44. That's rounded down, I assume. Is there a standardized rule for doing that so we don't end up getting weird numbers?

Allen H. Knudson states, yes. If it is 50 cents or more we "round up", below 50 cents, we "round down".

Senator Krebsbach asks, were there amendments put on this in the Senate GVA committee and is there a new fiscal note again?

Chairman Holmberg states, this is the current fiscal note. The one, 261 and 290. I should mention that it underscores what Rep. Keiser said or not.

Senator Wanzek asks, with the 2013 legislative session the pay would be $157, based on the effective dates?

Chairman Holmberg states, this is not retroactive.

Chairman Holmberg closed the hearing on HB 1368.

2011 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee
Harvest Room, State Capitol

HB 1368
April 6, 2011
Job # 16409

☐ Conference Committee

Committee Clerk Signature Rose Laning

Explanation or reason for introduction of bill/resolution:

This is a committee vote on the bill relating to legislative compensation.

Minutes: You may make reference to "attached testimony."

Chairman Holmberg called the committee hearing to order on HB 1368.

Senator Christmann moved Do Not Pass on HB 1368.
Senator Bowman seconded.

Chairman Holmberg: This bill will go on the calendar after 1001.

A Roll Call vote was taken. Yea: 13 Nay: 0 Absent: 0

Senator O'Connell carry the bill.

Date: 4-6-11

Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1368

Senate APPROPRIATIONS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken: ☐ Do Pass ☒ Do Not Pass ☐ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Christmann Seconded By Bowman

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg	✓		Senator Warner	✓	
Senator Bowman	✓		Senator O'Connell	✓	
Senator Grindberg	✓		Senator Robinson	✓	
Senator Christmann	✓				
Senator Wardner	✓				
Senator Kilzer	✓				
Senator Fischer	✓				
Senator Krebsbach	✓				
Senator Erbele	✓				
Senator Wanzek	✓				

Total (Yes) 13 No 0

Absent 0

Floor Assignment O'Connell

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

REPORT OF STANDING COMMITTEE

HB 1368, as reengrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1368 was placed on the Fourteenth order on the calendar.

2011 TESTIMONY

HB 1368

Prepared by the Legislative Council staff for
House Appropriations
February 11, 2011

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1368

Page 3, line 28, remove "one-half"

Page 3, line 28, after "the" insert "same"

Renumber accordingly