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10/3/03  
Date

2003 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1393

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Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1393

House Government and Veterans Affairs Committee

Conference Committee

Hearing Date 1-30-03

Tape Number	Side A	Side B	Meter #
1	x		0-16,2
Committee Clerk Signature <i>Judy Rawlee</i>			

Minutes: Chairman Klein; called the hearing on HB 1393 to order. All committee members were present.

Representative Ken Svedjan; was present and handed out testimony on HB 1393 in favor of HB 1393. This is a short and simple bill what we are intending to do here is to place the name of the Ralph Englestad Arena in code. Some of you might look at this as being a memorial, but it really is not, what we are wanting to do is acknowledge a significant gift to the state of N.D. in the neighborhood of 104,000,000 dollars. A copy of the letter from Ralph Englestad to the Governor at that time, will be handed out.

**(SEE ATTACHED TESTIMONY OF LETTER).**

What we are doing here is not unusual it has happened before in Century Code 54-02-11

**(SEE ATTACHED TESTIMONY).**

**(SEE ATTACHED TESTIMONY)** on sales tax generated from the Ralph Englestad Arena presented by Representative Ken Svedjan.

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*Dennis Holmquist*  
Operator's Signature

10/3/03  
Date

Page 2  
House Government and Veterans Affairs Committee  
Bill/Resolution Number HB 1393  
Hearing Date 1-30-03

Earl Strinden, former Representative, Majority Leader: I look back with fond memories in my 22 years of service. Why name this facility, Ralph Engelstad? He was determined to have the facility built as soon as possible, we are now in the process of making this a non-profit charitable organization all of the revenues will go as a benefit as the donor had wished.

The reason for putting it in a statute is when the family, came up after Ralph's death, the question came up is how do we know that maybe someone will decide to change the name. Yes, it could be changed sometime but the process it would have to come before the legislature to do it. One of the largest gifts made, ranking among the top 10 in the entire nation for a gift, total gift asking for nothing, it was a gift for the people of N.D. for the benefit of our state as pointed out in his letter to the Governor. It will be very meaningful for the family, and hopefully along the way there will other Ralph Engelstads, that will favor our state.

Chuck Stroup, President, Board of Higher Education: The board hasn't taken up this bill, and we don't have a position per say, I think the general idea of the legislature getting in the business of naming buildings is a bad one, because you can see all the concerns. I can see why you want to support this bill by the amount of the gift. I don't want to step on anyones toes, and I hope you will appreciate that.

Governor Ed Schafer: I do have some interest of HB 1393. As you know it is a magnificent structure in Grand Forks, and I was Governor during the time that this donation took place. In discussions with Ralph, the gift was not only a gift to the university but also a gift to the state of North Dakota. And the family will be honored if we permanently put it in statute, that the building would be named the Ralph Engelstad Arena. I would urge you consideration for this vision, thank you for the opportunity to make some comments.

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10/3/03  
Date

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House Government and Veterans Affairs Committee  
Bill/Resolution Number HB 1393  
Hearing Date 1-30-03

No opposition on HB 1393.

Representative Winrich; made a **DO PASS MOTION** on HB 1393.

Representative Haas; **SECOND** the motion.

**VOTE 14 YES 0 NO 0 ABSENT.**

Representative Grande; will carry the bill to the floor.

Meeting adjourned.

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Deanna Hall  
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10/3/03  
Date

Date: 1-30-03  
 Roll Call Vote #: 1393

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO.**

House GOVERNMENT AND VETERANS AFFAIRS Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken D.P.

Motion Made By Rep. Winrich Seconded By Rep. Haas

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

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Grande

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

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Dennis Hallock 10/3/03  
 Operator's Signature Date

**REPORT OF STANDING COMMITTEE (410)**  
January 30, 2003 11:50 a.m.

Module No: HR-18-1345  
Carrier: Grande  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
**HB 1393: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)**  
recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
HB 1393 was placed on the Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-18-1345

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*Dennis Halperin*  
Operator's Signature

*10/3/03*  
Date

2003 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1393

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Demetrius Hall  
Operator's Signature

10/3/03  
Date



2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **HB 1393**

Senate Government and Veterans Affairs Committee

Conference Committee

Hearing Date 03/06/03

Tape Number	Side A	Side B	Meter #
Tape 1		x	1435-3600
Committee Clerk Signature <i>[Signature]</i>			

Minutes:

Senator Karen Krebsbach, Chairman opens HB 1393. Senator Fairfield is absent.

**Representative Svedjan**, introduces bill, (Testimony attached) The reason we want this placed in code is so that if anyone down the road would want to change it they would have to come before the state legislature to do so. Ralph Engelstad donated this \$100 million building as a gift to the state of North Dakota and to the City of Grand Forks. With an amount of that size we feel that there is no doubt the name should be in question. This has nothing to do with the Sioux nickname, it recognizes a significant gift given to ND. Our general fund is benefiting each month from this building.

**Senator Nelson** : Is the Alerus Center on state land?

**Rep. Svedjan**: No it is city owned.

**Senator Nelson** : Do you see this leading to other colleges sending names to go to state code to sent in their names in code?

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*[Signature]*  
Operator's Signature

10/3/03  
Date

Page 2  
Senate Government and Veterans Affairs Committee  
Bill/Resolution Number HB 1393  
Hearing Date 03/06/03

**Rep. Svedjan:** I don't know

**Earl Strinden:** representing himself.: Ralph Engelstad wanted this to be a gift to ND and to UND. He wanted it built to give Grand Forks something to grow off of after the flood. This is in honor of a gift of this magnitude.

**Senator Brown:** What is the plan for the old Englestad arena?

**Strinden:** It is vacant. It is a possibility for future use to be renovated and possibly used for sports, but I feel the amount of \$ it will cost, it will probably be torn down.

Closed HB 1393

Senator Dever asks Senator Krebsbach for the gable.

Senator Krebsbach moves for a Do pass on HB 1393

Senator Nelson 2nd

5 yes 0 No 1 Absent

Carrier: Senator Krebsbach

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*Dennis Hallquist*  
Operator's Signature

10/3/03  
Date

Date: 3/6/03  
 Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1393

Senate Government and Veteran Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Krebsbach Seconded By Nelson

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

Total (Yes) 5 No 0

Absent 1

Floor Assignment Krebsbach

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

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Dennis Hollenbach 10/3/03  
 Operator's Signature Date

REPORT OF STANDING COMMITTEE (410)  
March 7, 2003 1:20 p.m.

Module No: SR-41-4261  
Carrier: Krebsbach  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
**HB 1393: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)**  
recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1393  
was placed on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-41-4261

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Demetrius Halliwell  
Operator's Signature

10/3/03  
Date

2003 TESTIMONY

HB 1393

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Demetrius Halliwell  
Operator's Signature

10/3/03  
Date

12/10/98 15:07 FAX 702 731 2123

IP RALPH

001/002

**Ralph Engelstad**3535 Las Vegas Boulevard South  
Phone 702-732-7102 • FAX 702-731-2123**MAILING ADDRESS • POST OFFICE BOX 97979 • LAS VEGAS, NEVADA • 89193-7979**

December 10, 1998

The Honorable Ed Schafer  
Governor  
State Capitol  
P. O. Box 1577  
Bismarck, ND 58502-1577

Dear Governor Schafer:

This letter is to inform you of my plans to donate a state-of-the-art hockey facility to be located on the campus of the University of North Dakota.

I have a deep appreciation for the education I received at UND. I also cherish my memories of being a member of the UND Fighting Sioux hockey team. I am a proud letter-winner and alumnus of this fine University. I have, for many years, had a deep interest in the University of North Dakota having one of the finest hockey programs in the nation with outstanding student athletes as members of the team.

The University of North Dakota Fighting Sioux hockey is the only Division I sport in North Dakota. The present facility, which honors me with my name attached, is nearing 30 years of age. When it was constructed to seat approximately 5,000 fans, it was one of the finest facilities in the nation for a university or college. As you know, this facility was constructed by private monies and student financial support without any state appropriated dollars. At this present time, new hockey facilities have been completed or are nearing completion at a number of UND's traditional hockey competitors. I am referring to the 9,000-plus seat facility at the University of Minnesota, a new facility to serve the University of Wisconsin, a facility under construction at Denver University and also at Colorado College. It is obvious for North Dakota's only Division I sport to remain one of the finest in the nation, a new state-of-the-art facility will be needed.

It is my wish, therefore, to donate a new 12,000 seat hockey facility which will be among the finest for any college or university in our nation. It is also my hope for this facility to be under construction as soon as practical. This facility will serve UND, the State of North Dakota and a wider region, including my home area of northwestern Minnesota. I have no doubt such facility will, over future

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*Dennis Hallmark*  
Operator's Signature

10/3/03  
Date

01/18/2003 14:42 FAX 701 777 4054

UND ALUMNI

WJ000

12/10/98 15:08 FAX 702 731 2123

IP RALPH

0002/002

The Honorable Ed Schafer  
Governor  
December 10, 1998  
Page 2

years, be a site for conference championship tournaments and even the NCAA Division I national tournament. North Dakota can continue to have the premier Division I hockey program in the nation. This is my wish and I will appreciate your leadership in facilitating whatever actions may be necessary for North Dakota and UND to realize the benefits of my donation. With warm personal regards,


Yours truly,



Ralph Engelstad

RE/dlr

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10/3/03  
Date

**CONTENTS OF SEN. WAYNE K. STENEHJEM'S LETTER TO  
RALPH ENGELSATED, DATED DECEMBER 17, 1998**

As President Pro Tem of the North Dakota Senate, and on behalf of all members of the State Senate, please accept our sincere and heartfelt thanks for your generous donation to the University of North Dakota. Your historic and unsparing support for higher education in this state has served as a shining example for all of our alumni and for every citizen, and your new gift is further evidence of your support for enhanced opportunities for students and for the people of our state.

My legislative district includes the University of North Dakota, so I am doubly grateful, but I know that the effect of your gift will extend far beyond the borders of the University and Grand Forks, and will improve the quality of life for the entire region and state.

Over the history of the United States, institutions of higher education have always relied heavily on the magnanimity of fellow Americans to support their worthy causes. For years and years to come you will be regarded as one of the very top champions of supporters of educational opportunities. We are truly grateful to you for your generosity.

I know all the members of the North Dakota Senate join me in expressing our gratitude to you, and wishing you the very best in the future.

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*Donna Hall*  
Operator's Signature

10/3/03  
Date



**CONTENTS OF REP. FRANCIS J. WALD'S LETTER TO RALPH ENGELSTAD, DATED DECEMBER 17, 1998**

As North Dakota's Speaker of the House of Representatives, and a UND alumnus, I wish to take the liberty and opportunity to thank you on behalf of the North Dakota House of Representatives and the citizens of our great state for your magnificent contribution. UND Fighting Sioux hockey is our state's only Division I sport. We take great pride in North Dakota competing and winning against teams from the largest universities in our nation. The Fighting Sioux national championships are a badge of honor for our state.

Thank you for reaching back in appreciation with a gift which will have a profound beneficial impact on the University of North Dakota, this region and our entire state, congratulations on your outstanding career accomplishments.

I extend to you and Mrs. Engelstad my best wishes for a joyous holiday season and everything good in the coming year. With kind regards.

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10/3/03  
Date

**CONTENTS OF CHANCELLOR LARRY ISAAK'S LETTER  
TO RALPH ENGELSTAD, DATED DECEMBER 16, 1998**

On behalf of the entire University System of North Dakota, thank you for the tremendous gift to the University of North Dakota. Your generosity is unmatched. The gift you are making provides a brighter future for UND. It will make a huge difference.

Your gift is an indication of a solid future for UND. It definitely will show students, employees in the Grand Forks community, and the citizens of North Dakota that UND will be even a stronger institution in the future.

In addition, your gift will very likely inspire many others to give generously to UND and other institutions in North Dakota.

Your gift is an indication of your great love for UND.

Today is a historic day for UND and the State of North Dakota. Historians will look back on this day as one that helped UND on a successful path into the 21st century.

Again, thank you very much for this wonderful gift and your display of your sincere caring about UND.

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*Dennis Hallquist*  
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10/3/03  
Date

54-02-08

STATE GOVERNMENT

**54-02-08. State fossil — Teredo petrified wood.** The teredo petrified wood is the official fossil of the state of North Dakota.

Source: S.L. 1967, ch. 378, § 1.

**54-02-09. Adoption of North Dakota state march.** "Flickertail March" as composed by Mr. James D. Ployhar is the North Dakota state march. The North Dakota state march must be played in a manner consistent with the respect and dignity due a state march and may be played at appropriate state functions.

Source: S.L. 1975, ch. 482, § 2; 1989, ch. 628, § 1.

**54-02-10. State grass.** Western wheatgrass, *agropyron smithii*, is the official grass of the state of North Dakota.

Source: S.L. 1977, ch. 475, § 1.

**54-02-11. State art gallery — Ownership of art.** The university of North Dakota art galleries, established in 1972 on the university campus in Grand Forks, is hereby designated the North Dakota state art gallery. No general fund moneys may be used to support the North Dakota art gallery now or in the future. Unless clear title is otherwise demonstrable, any work of art, artifact, or artistic property located in the state art gallery is deemed to be the property of the North Dakota museum of art and is subject to disposition by the North Dakota museum of art.

Source: S.L. 1981, ch. 519, § 1; 1997, ch. 32, § 20.

**54-02-12. State beverage.** Milk is the official beverage of the state of North Dakota.

Source: S.L. 1983, ch. 548, § 1.

**54-02-13. English as official language.** The English language is the official language of the state of North Dakota.

Source: S.L. 1987, ch. 619, § 1.

**54-02-14. State railroad museum.** The Mandan railroad museum, established in 1972 in Mandan, is hereby designated the North Dakota state railroad museum. No state agency or institution may provide appropriated funds to the state railroad museum nor is the state responsible for any obligations of the museum.

Source: S.L. 1989, ch. 629, § 1.

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*Dorinda Hallmark*  
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10/3/03  
Date

watercourse and thus prevent ice from gorging therein and to prevent flooding or pollution of such watercourse, the state water commission, any water resource district, any municipality, any board of county commissioners, and any federal agency authorized to construct works for prevention of damage by floods or for abatement of stream pollution, may enter upon lands lying adjacent to such watercourse to investigate or remove, or cause to be removed from the bed, channel, or banks of such watercourse obstructions which prevent or hinder the free flow of water or passage of ice therein. However, such entry upon adjacent lands must be by the most accessible route and the entering agency is responsible to the landowner for any damage.

Source: S.L. 1959, ch. 408, § 1; 1963, ch. 417, § 2; 1979, ch. 635, § 1; 1989, ch. 745, § 1.      Law Reviews.  
Waterfowl Production Areas: A State Perspective, 60 N.D. L. Rev. 659 (1984).

**61-01-24. Mouse official name of river.** That body of water which enters the state in or adjacent to that township described as township one hundred sixty-four, north, range eighty-seven, west, in the county of Renville, and proceeds in a generally southerly course through the city of Minot, thence in a generally easterly and northerly course through the cities of Velva and Towner to a point in or adjacent to that township described as township one hundred sixty-four, north, range seventy-nine, west, in the county of Bottineau, at which point it leaves the state of North Dakota, shall be known as the "Mouse" river. Nothing herein shall be considered as invalidating any national or international agreements designating the river as the Souris.

Source: S.L. 1961, ch. 376, § 2.

**61-01-25. Penalty.** Any person violating any of the provisions of this chapter or any rule or regulation of the state engineer for which another penalty is not specifically provided is guilty of a class B misdemeanor.

Source: S.L. 1963, ch. 417, § 3; 1975, ch. 106, § 639.      Cross-References.  
Criminal penalty relating to appropriation of water, see § 61-04-30.  
Penalties for classified offenses, see § 12.1-32-01.

**61-01-26. Declaration of state water resources policy.** In view of legislative findings and determination of the ever-increasing demand and anticipated future need for water in North Dakota for every beneficial purpose and use, it is hereby declared to be the water resources policy of the state that:

1. The public health, safety and general welfare, including without limitation, enhancement of opportunities for social and economic growth and expansion, of all of the people of the state, depend in

*Dorinda Hallmark*  
Operator's Signature

10/3/03  
Date

JAN 10 2003

*Dr. Paul G. H...  
Jr.  
John Engstad  
Required*

Sales Tax Payments  
Bronson Property Businesses

	2000	2001	2002	TOTAL	Monthly Average 2001	Monthly Average 2002
Barnes & Noble Bookstore	50,225	162,630	159,772	372,627	13,552	13,314
Family Practice Center (1)			927	927		62
Ralph Engestad Arena (2)		81,268	215,097	296,365	6,772	17,925
<b>TOTAL SALES TAX PAID</b>	<b>50,225</b>	<b>243,899</b>	<b>375,796</b>	<b>669,920</b>	<b>20,324</b>	<b>31,301</b>
State Sales Tax	37,204	180,666	278,367	496,237	15,055	23,186
City Sales Tax	13,021	63,233	97,429	173,683	5,269	8,115

(1) Payments for Family Practice Center are made once a year. The amount listed includes payments from September 1, 2001 through November 2002 (15 months).

(2) Payments for Ralph Engestad Arena for 2002 include actual payments through November plus the monthly average of \$17,925 for December 2002.

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*Dennis Hallmark*  
Operator's Signature

10/3/03  
Date