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Deanna Waller
Operator's Signature

10/21/03
Date

2003 SENATE NATURAL RESOURCES

SB 2240

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10/21/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2240

Senate Natural Resources Committee

Conference Committee

Hearing Date 1-30- 03

Tape Number	Side A	Side B	Meter #
1	X		28.0 - 36.5
Committee Clerk Signature <i>Janet James</i>			

Minutes:

Senator Thomas Fischer, Chairman of the Senate Natural Resources Committee opened the hearing on SB 2240.

All the members of the Senate Natural Resources Committee were present.

Senator Joel Heitkamp of District 26, cosponsor introduced SB 2240, relating to bids for water district construction, maintenance, and improvement projects. He stated this bill basically addressed what was in a previous attempt to clear this matter up. The cap of \$50,000.00 just is not enough for projects in today's economy. Because it was a different section of code, the rural water districts were left behind when the urban districts received the increase to \$100,000.00. It is not hard to reach the \$50,000.00 cap for even maintenance projects. This bill will link the rural projects to the urban projects so that if in the future a raise is made both will be included.

Senator Fischer (31.9) presented an amendment would include water resource districts for the same reason as listed earlier.

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Page 2
Senate Natural Resources Committee
Bill/Resolution Number SB 2240
Hearing Date 1-30-03

Curt Peterson representing the Associated General Contractors of North Dakota testified in support of SB 2240. He stated he remembers when \$25, 000 was the limit for bids but with changing times, \$100,000.00 is considered to be a small project. His organization also agrees to the amendment as submitted.

Tom Tupa (35.2) representing the North Dakota Plumbing & Heating Mechanical Contractors and the North Dakota Chapter of the National Electrical Contractors testified in support of SB 2240. He stated because you just don't get a lot for \$50,000.00 and more is necessary.

Senator Fischer asked for any opposing and any neutral testimony for SB 2240.

Senator Fischer closed the hearing on SB 2240.

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Deanna D. [Signature]
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10/21/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2240

Senate Natural Resources Committee

Conference Committee

Hearing Date 2-13-03 Discussion and Action

Tape Number	Side A	Side B	Meter #
1	X		12.4 - 13.6
Committee Clerk Signature			

Minutes:

Senator Ben Tollefson, Vice Chairman of the Senate Natural Resources opened the discussion on SB 2240.

All members of the committee were present except Senator John Traynor and Senator Layton Freborg.

Senator Joel Heitkamp made a motion to accept the amendment as proposed by Dale Frink.

Senator Stanley Lyson second the motion.

Roll call vote #1 was taken indicating 5 YEAS, 0 NAYS AND 0 ABSENT OR NOT VOTING.

Senator Heitkamp made a motion for a Do Pass as Amended of SB 2240.

Senator Michael Every second the motion.

Roll call vote #2 was taken indicating 5 YEAS, 0 NAYS AND 2 ABSENT OR NOT VOTING.

Senator Heitkamp will carry SB 2240.

Senator Tollefson closed the discussion on SB 2240.

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10/21/03
Date

30534.0101
Title.0200

Adopted by the Natural Resources
Committee
February 12, 2003

Ju
2-14-03

PROPOSED AMENDMENTS TO SENATE BILL NO. 2240

Page 1, line 1, after "sections" insert "61-16.1-14, 61-21-45," after the first comma insert "and",
and remove the second comma

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 61-16.1-14 of the North Dakota Century Code is amended and reenacted as follows:

61-16.1-14. Contracts for construction or maintenance of project. If the cost of construction or maintenance of a project does not exceed ~~fifty thousand dollars~~ the amount provided for construction of a public improvement under section 48-01.1-03, the work may be done on a day work basis or a contract may be let without being advertised. In cases where the cost of the construction or maintenance exceeds ~~fifty thousand dollars~~ the amount provided for construction of a public improvement under section 48-01.1-03, the board must let a contract in accordance with chapters 48-01.1 and 48-02.

SECTION 2. AMENDMENT. Section 61-21-45 of the North Dakota Century Code is amended and reenacted as follows:

61-21-45. Contracts for work of cleaning and repairing drains. If the cost of any work of cleaning out or repairing any drain, or system of legal drains, if more than one cleaning or repair project is carried on under one contract, does not exceed ~~fifty thousand dollars~~ the amount provided for construction of a public improvement under section 48-01.1-03 in any one year, the work may be done on a day work basis or a contract may be let without being advertised. In cases where the cost of such work exceeds ~~fifty thousand dollars~~ the amount provided for construction of a public improvement under section 48-01.1-03 in any one year, a contract must be let in accordance with chapters 48-01.1 and 48-02. The competitive bid requirement is waived, upon the determination of the board that an emergency situation exists requiring the prompt repair of a project, and a contract may be made for the prompt repair of the project without seeking bids."

Renumber accordingly

REPORT OF STANDING COMMITTEE (410)
February 14, 2003 3:30 p.m.

Module No: SR-29-2841
Carrier: Heitkamp
Insert LC: 30534.0101 Title: .0200

REPORT OF STANDING COMMITTEE

SB 2240: Natural Resources Committee (Sen. Fischer, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2240 was placed on the Sixth order on the calendar.

Page 1, line 1, after "sections" insert "61-16.1-14, 61-21-45," after the first comma insert "and", and remove the second comma

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 61-16.1-14 of the North Dakota Century Code is amended and reenacted as follows:

61-16.1-14. Contracts for construction or maintenance of project. If the cost of construction or maintenance of a project does not exceed ~~fifty thousand dollars~~ the amount provided for construction of a public improvement under section 48-01.1-03, the work may be done on a day work basis or a contract may be let without being advertised. In cases where the cost of the construction or maintenance exceeds ~~fifty thousand dollars~~ the amount provided for construction of a public improvement under section 48-01.1-03, the board must let a contract in accordance with chapters 48-01.1 and 48-02.

SECTION 2. AMENDMENT. Section 61-21-45 of the North Dakota Century Code is amended and reenacted as follows:

61-21-45. Contracts for work of cleaning and repairing drains. If the cost of any work of cleaning out or repairing any drain, or system of legal drains, if more than one cleaning or repair project is carried on under one contract, does not exceed ~~fifty thousand dollars~~ the amount provided for construction of a public improvement under section 48-01.1-03 in any one year, the work may be done on a day work basis or a contract may be let without being advertised. In cases where the cost of such work exceeds ~~fifty thousand dollars~~ the amount provided for construction of a public improvement under section 48-01.1-03 in any one year, a contract must be let in accordance with chapters 48-01.1 and 48-02. The competitive bid requirement is waived, upon the determination of the board that an emergency situation exists requiring the prompt repair of a project, and a contract may be made for the prompt repair of the project without seeking bids."

Renumber accordingly

2003 HOUSE NATURAL RESOURCES

SB 2240

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Operator's Signature

10/21/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2240

House Natural Resources Committee

Conference Committee

Hearing Date March 14, 2003

Tape Number	Side A	Side B	Meter #
1	xx		0-570
1		xx	333-709
Committee Clerk Signature <i>Gini Moran</i>			

Minutes:

Chair Nelson called the hearing relating to bids for water construction, maintenance, and improvement projects to order.

Sen. Heltkamp: 2 sessions ago we allowed rural water systems to perform political subdivisions. We went back to update it and realized that \$100,000 was not a very big amount. We did not allow it to go back to those water system to go back to those political subdivisions. This should not go up past \$100,000. Proposed amendments to make this have an emergency clause.

Mike Dwyer: The water resource districts are in concurrence with this bill.

Dale Frink: ND state engineer with the water commission. We fully support this bill. It does have some impact with the water commission. It takes five sections and puts them into one section.

Chair Nelson closes the hearing on SB 2240.

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10/21/03
Date

Page 2
House Natural Resources Committee
Bill/Resolution Number 2240
Hearing Date March 14, 2003

Rep. Clark moves the amendment by **Sen. Heltkamp** Seconded by **Rep. Keiser**.

Rep. Porter moves a **Do Pass as Amended**, Seconded by **Rep. Norland**.

Chair Nelson: Commented about the difficulty passing amendments removing bid requirements.

Rep. Porter: Commented on the changes this would make to the century code. This bill would bring the changes in line with what has been done in the past.

The motion carries by a vote of 11-0-3. **Rep. Porter** will carry.

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Deanna D. Ballentine
Operator's Signature

10/21/03
Date

Date: 3/14/03
Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2240

House House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as Amended

Motion Made By Porter Seconded By Norland

Representatives	Yes	No	Representatives	Yes	No
Chairman Jon O. Nelson	✓				
Vice-Chairman Todd Porter	✓				
Rep. Byron Clark	✓				
Rep. Duane DeKrey	A				
Rep. David Drovdal	A				
Rep. Lyle Hanson	✓				
Rep. Bob Hunskor	✓				
Rep. Dennis Johnson	✓				
Rep. George Keiser	✓				
Rep. Scott Kelsh	✓				
Rep. Frank Klein	✓				
Rep. Mike Norland	✓				
Rep. Darrell Nottestad	✓				
Rep. Dorvan Solberg	A				

Total (Yes) 11 No 0

Absent 3

Floor Assignment Porter

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

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Deanne Wall Solberg 10/21/03
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REPORT OF STANDING COMMITTEE (410)
March 14, 2003 3:07 p.m.

Module No: HR-46-4849
Carrier: Porter
Insert LC: 30534.0201 Title: .0300

REPORT OF STANDING COMMITTEE

SB 2240, as engrossed: Natural Resources Committee (Rep. Nelson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2240 was placed on the Sixth order on the calendar.

Page 1, line 3, after "projects" insert "; and to declare an emergency"

Page 3, after line 12, insert:

"SECTION 6. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

(2) DESK, (3) COMM

Page No. 1

HR-46-4849

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