

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1077

2005 HOUSE AGRICULTURE

HB 1077

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **HB 1077**

House Agriculture Committee

Conference Committee

Hearing Date 1--6--05

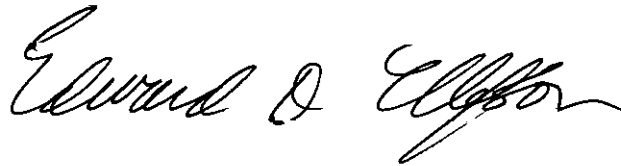
Tape Number
ONE

Side A
A

Side B

Meter #
00 TO 28

Committee Clerk Signature



Minutes:

CHAIRMAN NICHOLAS: Committee Members we will open on **HB 1077**.

Who is here to testify in support of **HB 1077**. Yes Kelly.

KELLY SCHMIDT: NORTH DAKOTA STATE TREASURE: Good morning

Chairman Nicholas and Committee Members. Lawrence Holpkins will be presenting

The testimony on **HB 1077**.

CHAIRMAN NICHOLAS: Mr. Hopkins, please go ahead and present your testimony.

LAWRENCE HOPKINS: Chairman and Representatives, my name is Lawrence Hopkins

and I am the Deputy Director of the State Treasures Office. {{please see attached printed

testimony.}} Mr. Hopkins spoke to amending **HB 1077**. There was discussion between

Representatives Froelich, Mueller and the Chair.

CHAIRMAN NICHOLAS: Committee members, what is your wish on **HB 1077**?

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House Agriculture Committee

Bill/Resolution Number HB 1077

Hearing Date 1--6--05

REPRESENTATIVE BRANDENBURG: Made a motion for a do pass as amended.

REPRESENTATIVE MUELLER: Seconded the motion.

CHAIRMAN NICHOLAS: We will take a vote on dHB 1077.

The vote was taken.

THERE WERE 11 YES VOTES

0 NOTES

2 ABSENT

REPRESENTATIVE BRANDENBURG WILL CARRY THE BILL.

FISCAL NOTE
 Requested by Legislative Council
 12/29/2004

Bill/Resolution No.: HB 1077

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.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

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

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

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

The fiscal impact of this bill is \$0. The bill provides language describing how the distribution has been taking place.

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.*

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.*

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name: Lawrence Hopkins
Phone Number: 328-4694

Agency: State Treasurers Office
Date Prepared: 01/05/2004

58067.0101
Title.0200

Adopted by the Agriculture Committee
January 6, 2005

VR
1/6/05

HOUSE : AMENDMENTS TO HOUSE BILL NO. 1077 AG 1-7-05

Page 1, line 14, remove "Each county treasurer receiving payments shall provide a"

Page 1, remove line 15

Renumber accordingly

Date: 1-6-05
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

HB 1077

House HOUSE AGRICULTURE COMMITTEE

Committee

Check here for Conference Committee

Legislative Council Amendment Number

AS AMENDED

Action Taken

DO PASS

Motion Made By

BRANDENBURG

Seconded By

MUELLER

Representatives	Yes	No	Representatives	Yes	No
REP. EUGENE NICHOLAS CHAIRMAN	✓		REP. TRACY BOE	✓	
REP. JOYCE KINGSBURY VICE CHAIRMAN	✓		REP. ROD FROELICH	✓	
REP. WESLEY BELTER			REP. PHILLIP MUELLER	✓	
REP. M. BRANDENBURG	✓		REP. KENTON ONSTAD	✓	
REP. CHUCK DAMSCHEN	✓				
REP. CHAIG HEADLAND	✓				
REP. GARY KREIDT	✓				
REP. GERALD UGLEM	✓				
REP. JOHN WALL	✓				

Total (Yes) 11 No 0

Absent 2

Floor Assignment REP. BRANDENBURG

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

Date: 1-6-05
Roll Call Vote #: 2

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

HB 1077

House HOUSE AGRICULTURE COMMITTEE

Committee

Check here for Conference Committee

Legislative Council Amendment Number

As Amended

Action Taken

DO PASS

Motion Made By

HEADLAND

Seconded By

ONSTAD

Representatives	Yes	No	Representatives	Yes	No
REP. EUGENE NICHOLAS CHAIRMAN	✓		REP. TRACY BOE	✓	
REP. JOYCE KINGSBURY VICE CHAIRMAN	✓		REP. ROD FROELICH	✓	
REP. WESLEY BELTER			REP. PHILLIP MUELLER	✓	
REP. M. BRANDENBURG	✓		REP. KENTON ONSTAD	✓	
REP. CHUCK DAMSCHEN	✓				
REP. CHAIG HEADLAND	✓				
REP. GARY KREIDT	✓				
REP. GERALD UGLEM	✓				
REP. JOHN WALL	✓				

Total (Yes)

11

No

0

Absent

2

Floor Assignment

BRANDENBURG

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

REPORT OF STANDING COMMITTEE (410)
January 7, 2005 12:18 p.m.

Module No: HR-04-0172
Carrier: Brandenburg
Insert LC: 58067.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1077, as amended, Agriculture Committee (Rep. Nicholas, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1077, as amended, was placed on the Sixth order on the calendar.

Page 1, line 14, remove "Each county treasurer receiving payments shall provide a"

Page 1, remove line 15

Renumber accordingly

2005 SENATE EDUCATION

HB 1077

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1077

Senate Education Committee

Conference Committee

Hearing Date February 14, 2005

Tape Number	Side A	Side B	Meter #
1	X		503-800

Committee Clerk Signature

Patty Wilkins

Minutes: **Chairman Freborg opened the hearing on HB 1077, relating to the distribution of Taylor Grazing Act funds to school districts. All Senators were present.**

Lawrence Hopkins, Deputy Director of the State Treasurer's Office, appeared in support of HB 1077. See written testimony.

Senator Taylor- Could you tell us about the source of the funds, does a certain percentage go back to the counties?

Lawrence- The federal government collects the fees and distributes it back. The total amount was \$7,190, and Bowman county received the largest share at \$5,000.

Chairman Freborg- Have you seen the amendments that are being offered?

Lawrence- Yes.

Chairman Freborg closed the hearing on HB 1077.

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Senate Education Committee

Bill/Resolution Number HB 1077

Hearing Date February 14, 2005

Action taken:

Senator Taylor moved a Do Pass recommendation for HB 1077. Seconded by Senator

Erbele. The bill passed unanimously, 6-0-0. Senator Taylor is the carrier of the bill.

Date: 2/14/05
Roll Call Vote #:

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1077

Senate SENATE EDUCATION

Committee

Check here for Conference Committee

Legislative Council Amendment Number

Action Taken *Do Pass*

Motion Made By *Taylor*

Seconded By *Erbele*

Senators
CH- SENATOR FREBORG
V-CH- SENATOR G. LEE
SENATOR ERBELE
SENATOR FLAKOLL

Yes **No**
✓
✓
✓
✓

Senators
SENATOR SEYMOUR
SENATOR TAYLOR

Yes **No**
✓
✓

Total (Yes)

6

No

0

Absent

0

Floor Assignment

Taylor

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

REPORT OF STANDING COMMITTEE (410)
February 17, 2005 3:22 p.m.

Module No: SR-31-3394
Carrier: Taylor
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1077, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1077 was placed on the Fourteenth order on the calendar.

2005 TESTIMONY

HB 1077

January 6, 2005

Bill 1077

Treasurers Office Testimony prepared for the Agriculture Committee

Chairman and Representatives, my name is Lawrence Hopkins and I am the Deputy Director of the State Treasurers Office. Bill 1077 is being introduced as a result of an informal recommendation by the State Auditors office which disclosed that the wording in century code does not agree with the actual implementation of how the Taylor Grazing Act funds have been distributed for at least the last decade. The law states that the Treasurers office shall distribute the funds to each school district within the counties, when in fact the funds are actually distributed to the County Treasurers who in turn distribute the funds to the school districts within their respective county.

This practice was implemented to streamline the gathering of information. The counties currently collect information relating to the average daily membership of each school district for this and other purposes. Rather than the Treasurers office also keeping and maintaining such information, the practice of distributing the funds to each county was implemented. Again, the change in language on lines 10 through 13 is being introduced to have the law reflect the procedures currently in place.

We also need to make an amendment to bill 1077. We ask that the new language that was added on lines 14 and 15 be removed. The Department of Public Instruction has informed the Treasurers Office that they do not need to be notified of the distribution calculation and therefore have requested that we remove the last sentence from this bill.

I would be happy to answer any question you may have.

February 14, 2005

Bill 1077

Treasurers Office Testimony prepared for the Education Committee

In support of House Bill 1077

Chairman and Senators, my name is Lawrence Hopkins and I am the Deputy Director of the State Treasurers Office. Bill 1077 is being introduced as a result of an informal recommendation by the State Auditors office which disclosed that the wording in century code does not agree with the actual implementation of how the Taylor Grazing Act funds have been distributed for at least the last decade. The law states that the Treasurers office shall distribute the funds to each school district within the counties, when in fact the funds are actually distributed to the County Treasurers who in turn distribute the funds to the school districts within their respective county.

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