

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1306

2005 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1306

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1306

House Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 1/27/05

Tape Number

1

Side A

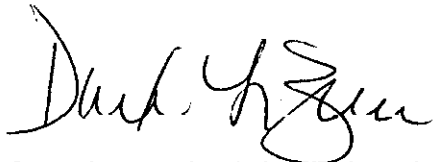
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Side B

Meter #

0-12.2

Committee Clerk Signature



Minutes: HB 1306 The sale of certain state lands by the board of university and school lands to Stark County.

13 members present, 1 absent.

**Chairman Haas-District 36-For-Representative Wall** asked me to introduce this bill. In 1987 the bill that you see in front of you, allowing the Board of University school land is authorized to sell and convey the following property in Stark county, North Dakota. At that time it was defined as attractive land, comprising of approximately 70 acres, known as the state second edition. It is a peace of land, if you look at this map, that city of Dickinson is over here, this is the interstate I-94 by pass, this goes right out here to I-94 and the piece of land is the fairgrounds right now. According to this legal description, it actually is 181.8 acres. This says that we want to change the language to 180 acres. There was an error made when this bill was passed in 1987, this is simply to correct it, this legal description should be amended into the bill.

**Rep. Froseth:** This land has already been sold to Stark County, it is just a transfer title and the deed.

**Chairman Haas:** I imagine that is probably the hang up. It was transferred shortly after 1987, when the original bill was passed.

**Rick Larson-Deputy Commissioner of the Board University and School Lands-For**

**Rick:** There is not a state second addition to the city of Dickinson, the description is incorrect and has always been incorrect. The property was part of the Board University and School Lands as the result of the board of higher education subdividing some land over there and the economy of Dickinson going south, so this has been sold to Stark county and it was sold for the Fair Grounds and the land had been appraised back at that point of time and we received the appraised value for the land and so this is just to correct the land description and so there is proper title. This bill is to correct any cloud to the title to this property. I would suggest that we use the metes and bounds description that Chairman Haas has mentioned. It has been surveyed, it shows its proper land description.

**Rep. Klemin:** The land identified as Stark County fairgrounds on here, 181.8 acres is that exactly the same as the state addition?

**Rick:** No, the state addition is to the north and east of that road.

**Rep. Klemin:** There is another error in this description, where it says known as the state addition.

**Rick:** That is what I am saying, the better description of this property is with metes and bounds.

**Chairman Haas:** It is true that all of this on the east side of this I-94 business loop is all state addition.

**Rick:** That is the state addition. This property will need to be deeded, not only by the Board and University of School Land along with the Board of Higher Education. Correcting the deed once again.

**Rep. Potter:** Why do you have to come to the legislature to clear this up?

**Rick:** There was a problem back in the ownership of this property. The property never sold. The State of North Dakota issued bonds to pay the Board University of School Lands for there loan and as part of that, they did ask the Board University and School Lands to manage this land. The board took on the responsibility of management, they never did accept a deed from the Board of Higher Education for that property. It is being utilized now and it is a viable part of Dickinson, the state addition, it is a wonderful piece of property.

**Rep. Potter:** Why are we dealing with it hear with a clouded title. Why do they come to the legislature.

**Rick:** The legislature did authorize us to sell this piece of land, with that description, it had to be approved by the legislature.

**Vice Chairman Grande:** Thank you very much. Any more questions?

**Rep. Klemin:** I move a Do Pass as Amended.

**Rep. Haas:** I second.

**VOTE: YES 13 NO 0 ABSENT 1 DO PASS AS AMENDED**

**REP. FROSTED WILL CARRY THE BILL.**

**FISCAL NOTE**  
Requested by Legislative Council  
01/12/2005

Bill/Resolution No.: HB 1306

**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		\$0		\$0		\$0
Expenditures		\$0		\$0		\$0
Appropriations		\$0		\$0		\$0

**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
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

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

This bill simply changes the wording of the statute to more accurately reflect the sale that took place several years ago.

**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: Keith Bayley  
Phone Number: 328-1912

Agency: Land Dept.  
Date Prepared: 01/13/2005

**House Amendments to HB 1306 - Government and Veterans Affairs Committee  
02/02/2005**

Page 1, line 9, overstrike "comprising approximately one hundred", remove "eighty", and overstrike "acres, known as"

Page 1, overstrike lines 10 through 12 and insert immediately thereafter:

"in Section 5, Township 139 North, Range 96 West of the 5th p.m., Stark County, North Dakota, more particularly described as follows, to wit:

Beginning at the southwest corner of Section 5, an iron pin found; thence North on an azimuth of 359 degrees 59 minutes 26 seconds, 272.81 feet to a point on the northerly 120 foot right-of-way line of Old U.S. Highway No. 10, and the True Point of Beginning; thence continuing North along the west line of said Section 5 on an azimuth of 359 degrees 59 minutes 26 seconds a distance of 5020.46 feet to a point on the southerly I-94 right-of-way fence; thence easterly along said right-of-way on an azimuth of 089 degrees 55 minutes 28 seconds a distance of 503.47 feet to the westerly 100 foot right-of-way line of I-94 Business Loop [F-709 (1)]; thence southeasterly along said westerly 100 foot right-of-way line on an azimuth of 155 degrees 12 minutes 00 seconds (Base Bearing) a distance of 3134.12 feet to T.S. (Sta. 55+56.2); thence along a 400 foot spiral curve with a Sc 6 degree Long Chord Azimuth of 153 degrees 23 minutes, Long Chord distance 410.27 feet to S.C. (Sta. 59+56.2); thence continuing southeasterly along said right-of-way on the outside of 100 foot right-of-way of a 3 degree curve to the left on a Long Chord Azimuth of 127 degrees 57 minutes 26 seconds, a Long Chord distance of 1456.57 feet (Arc Length of 1490.48 feet) to the intersection of the northerly 130 foot right-of-way line of Old U.S. Highway No. 10; thence southwesterly along said 130 foot right-of-way of a 1 degree curve on a Long Chord Azimuth of 255 degrees 34 minutes 52 seconds, Long Chord distance of 403.31 feet (Arc length 403.40 feet), (P.C. Sta. of 438+20.1); thence southeasterly on an azimuth of 163 degrees 36 minutes 32 seconds, 30 feet to a point on the northerly 100 foot right-of-way; thence southwesterly along said 100 foot right-of-way on an azimuth of 253 degrees 36 minutes 32 seconds, 1420.08 feet to a point where the right-of-way jogs from 100 feet to 120 feet; thence northwesterly on an azimuth of 343 degrees 36 minutes 32 seconds a distance of 20.00 feet; thence southwesterly along said 120 foot right-of-way on an azimuth of 253 degrees 36 minutes 32 seconds a distance of 1142.30 feet to the beginning of a 1 degree curve to the right (Sta. 412+57.7); thence along a Long Chord Azimuth of 255 degrees 13 minutes 12 seconds a Long Chord distance of 315.45 feet (Arc Length 315.50 feet) to the Point of Beginning.

Tract contains 181.8 Acres."

Renumber accordingly

Date: 4/27/05  
Roll Call Vote #: 1

**2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 1306**

House House Government and Veterans Affairs

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 50520.0101

Action Taken

Do Pass Amended

Motion Made By

Rep Klemin

Seconded By

Rep Haas

Representatives	Yes	No	Representatives	Yes	No
Chairman C.B. Haas	✓		Rep. Bill Amerman	✓	
Bette B. Grande - Vice Chairman	✓		Rep. Kari Conrad	✓	
Rep. Randy Boehning	✓		Rep. Louise Potter	✓	
Rep. Glen Froseth	✓		Rep. Sally M. Sandvig	✓	
Rep. Pat Galvin	✓				
Rep. Stacey Horter	✓				
Rep. Jim Kasper	AB				
Rep. Lawrence R. Klemin	✓				
Rep. Lisa Meier	✓				
Rep. Margaret Sitte	✓				

Total (Yes)

13

No

0

Absent

1

Floor Assignment

Rep Froseth

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



**REPORT OF STANDING COMMITTEE**

**HB 1306: Government and Veterans Affairs Committee (Rep. Haas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1306 was placed on the Sixth order on the calendar.

Page 1, line 9, overstrike "comprising approximately one hundred", remove "eighty", and overstrike "acres, known as"

Page 1, overstrike lines 10 through 12 and insert immediately thereafter:

"in Section 5, Township 139 North, Range 96 West of the 5th p.m., Stark County, North Dakota, more particularly described as follows, to wit:

Beginning at the southwest corner of Section 5, an iron pin found; thence North on an azimuth of 359 degrees 59 minutes 26 seconds, 272.81 feet to a point on the northerly 120 foot right-of-way line of Old U.S. Highway No. 10, and the True Point of Beginning; thence continuing North along the west line of said Section 5 on an azimuth of 359 degrees 59 minutes 26 seconds a distance of 5020.46 feet to a point on the southerly I-94 right-of-way fence; thence easterly along said right-of-way on an azimuth of 089 degrees 55 minutes 28 seconds a distance of 503.47 feet to the westerly 100 foot right-of-way line of I-94 Business Loop [F-709 (1)]; thence southeasterly along said westerly 100 foot right-of-way line on an azimuth of 155 degrees 12 minutes 00 seconds (Base Bearing) a distance of 3134.12 feet to T.S. (Sta. 55+56.2); thence along a 400 foot spiral curve with a Sc 6 degree Long Chord Azimuth of 153 degrees 23 minutes, Long Chord distance 410.27 feet to S.C. (Sta. 59+56.2); thence continuing southeasterly along said right-of-way on the outside of 100 foot right-of-way of a 3 degree curve to the left on a Long Chord Azimuth of 127 degrees 57 minutes 26 seconds, a Long Chord distance of 1456.57 feet (Arc Length of 1490.48 feet) to the intersection of the northerly 130 foot right-of-way line of Old U.S. Highway No. 10; thence southwesterly along said 130 foot right-of-way of a 1 degree curve on a Long Chord Azimuth of 255 degrees 34 minutes 52 seconds, Long Chord distance of 403.31 feet (Arc length 403.40 feet), (P.C. Sta. of 438+20.1); thence southeasterly on an azimuth of 163 degrees 36 minutes 32 seconds, 30 feet to a point on the northerly 100 foot right-of-way; thence southwesterly along said 100 foot right-of-way on an azimuth of 253 degrees 36 minutes 32 seconds, 1420.08 feet to a point where the right-of-way jogs from 100 feet to 120 feet; thence northwesterly on an azimuth of 343 degrees 36 minutes 32 seconds a distance of 20.00 feet; thence southwesterly along said 120 foot right-of-way on an azimuth of 253 degrees 36 minutes 32 seconds a distance of 1142.30 feet to the beginning of a 1 degree curve to the right (Sta. 412+57.7); thence along a Long Chord Azimuth of 255 degrees 13 minutes 12 seconds a Long Chord distance of 315.45 feet (Arc Length 315.50 feet) to the Point of Beginning.

Tract contains 181.8 Acres."

Renumber accordingly

2005 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1306

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **HB 1306**

**Senate Government and Veterans Affairs**

Business and Conference Committee

Hearing Date March 3, 2005

Tape Number

2

Side A

x

Side B

Meter #

1285-2355

Committee Clerk Signature



**Chairman Krebsbach** opens committee work on **HB 1306**

**Relating to the sale of certain state lands by the board of university and school lands to Stark County.**

**Rick Larson** - Director of Minerals Management for State Land Dept.

He said this bill is to correct some work that was done back in 1987. The Board of Higher Education owned it and it was part of the Dickinson Experiment Station.

The committee gathered around a map so Mr. Larson could show them the piece of land in question. He continued to give them the history on the land. He said the land is developed with

streets and houses. Stark County has asked to buy a piece for fair grounds. This is to describe that land with a meets and bounds description.

**Senator Nelson** - Said this just for a legal description.

**Larson** - Said yes, said give or take a couple acres.

**Senator Lee** - Pointed out because we use GPS now acreage has changed all over. It is much more accurate now.

**Senator Nelson** - Asked if this land is being used for a Fairgrounds.

**Larson** - Said that was how it was originally purchased but as far as he knows it is not being used as a Fairgrounds.

**Senator Nelson** - Said, so we just need a legal description.

**Senator Syverson** - Said it seems to be just a correction. Said he hoped the state got a good deal.

**Larson** - Said the state still owns the minerals.

**Senator Syverson** - Asked if there is a well on this.

**Larson** - Said yes.

Closed hearing on 1306

**Senator Nelson** moved for do pass

**Senator Syverson** seconded

**Senator Nelson** will carry.

(meter # 2355)

Date: 3/3/05  
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1306

Senate **Government and Veterans Affairs**

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

*Do Pass*

Motion Made By

*Senator Nelson*

Seconded By

*Senator Syverson*

**Senators**  
Karen K. Krebsbach, Chairman  
Richard L. Brown, Vice Chairman  
Judy Lee  
John O. Syverson

Yes

No

**Senators**  
Carolyn Nelson

Yes

No

Total (Yes)

*5*

No

*0*

Absent

*0*

Floor Assignment

*Senator Nelson*

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

**REPORT OF STANDING COMMITTEE (410)**  
March 3, 2005 3:54 p.m.

**Module No: SR-39-4117**  
**Carrier: Nelson**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1306, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1306 was placed on the Fourteenth order on the calendar.**