

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1053

2001 HOUSE NATURAL RESOURCES

HB 1053

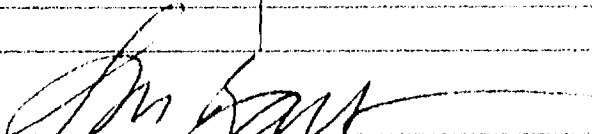
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1053

House Natural Resources Committee

☐ Conference Committee

Hearing Date January 18, 2001

Tape Number	Side A	Side B	Meter #
2	x		22 to 4500
Committee Clerk Signature 			

Minutes: Chairman Earl Rennerfeldt, Vice Chair Jon O. Nelson, Rep. Brekke, Rep. Droydal, Rep. Galvin, Rep. Keiser, Rep. Klein, Rep. Nottestad, Rep. Porter, Rep. Weiler, Rep. Hanson, Rep. Kelsh, Rep. Solberg, Rep. Winrich,

Chairman Rennerfeldt: I will open the hearing on HB 1053.

Merle Boucher: (See written testimony and attached amendment)

Vice Chair Nelson: Rep. Boucher, basically this advisory committee has no power, if we pass the bill, they still have no power, correct?

Boucher: The commission is an advisory commission. Their recommendations go to the Governors office and the Governor has 45 days to make a decision. As the bill is written now, the Governor would still make the final decision.

Rep. Hanson: You are still leaving in the president of the Farm Bureau and the Farmers Union and all those or are you taking them out?

Boucher: All those folks that are listed above there with the overstrike, with the offered amendment, they stay.

Rep. Hanson: So the president of the County Commission on that county replaces the manager of the Garrison Diversion Conservancy District?

Boucher: If there are any other ideas in this room in regard to best resolve, it would be worthy of the committee to pay attention to that and make those kinds of decisions.

Vice Chair Nelson: Would you have any heartburn with the chairman adding to the county commission, appointed designee, for practical purposes?

Boucher: I don't have a problem with that, I think the counties are involved in that.

Vice Chair Nelson: Are the counties represented enough in these matters? They are the ones losing property tax, revenues, control of the land forever. I don't think the counties have enough of a voice in these matters.

Boucher: I understand. I can't disagree. It is a sensitive issue. It concerns local property owners. On line 18, 19, 20 it states, the advisory committee shall hold a public hearing with the county commissioners concerning the proposed acquisition. The county commissioners as is, is involved. By putting the chair on the advisory committee elevates the profiles of the counties. If you want to address this in other ways, this is fine.

Rep. Porter: In looking at the way the meeting is held and by having the chair of the county commission now on the advisory committee. Isn't that kind of a duplication. Would it be better suited to rather than put the chairman of the County Commission, just a resident of the county. The County Commission has to be present and is a part of the advisory process?

Boucher: I can't answer that question without knowing the protocol of how that committee operates. If any voting takes place then of course it elevates the profile of the county. If there is

no voting that takes place, it makes no difference, but they do make recommendations, and then must come to a consensus on those recommendations. That being the case the county would have a vote.

Chairman Rennerfeldt: Any further questions of the committee?

Wade Williams - ND Assn. Of Counties: Perhaps I can shed some light on how the advisory committee works with the County Commission. We have had one sale in Stutsman county. The meeting with the County Commission is a joint meeting, the testimony is taken, the commission makes their recommendation, to approve or disapprove of the sale. The advisory committee then meets at a later date. At that time, the Commission is out. It is the contention of the counties that we should have representation of the counties at that time. I believe the amendment would take care of that.

Vice Chair Nelson: Wade, in the situation you spoke to, did the recommendation of the board of County Commissions follow the Governor, ultimately?

Williams: Yes, in the situation I was involved in, we approved of the sale.

Rep. Porter: I am a little bit confused protocol wise, would it not be better to do exactly as you said, to have the County Commission meet, make a decision, take a vote on the record of the county, submit that to the advisory committee and let the advisory committee take that as testimony by a member at large? The residents would then have a voice on the advisory committee.

Williams: I'm not sure if I am following you, the reason we would like to see the commission on there, so if the advisory committee meets the second time that they are taking that recommendation into consideration. If we included the language "his designee", it could be anyone from within the county. One of the concerns I have heard, as far as this process taking

place, is once the joint meeting is over with, you don't know what the discussion is at the next meeting.

Rep. Kelsh: What happens when the parcel of land crosses county lines?

Williams: That is why we need the amendment.

Chairman Rennerfeldt: Any further questions of the committee? Anyone else care to testify?

Dean Hildebrand - ND Game and Fish: There was a question as to whether there was a vote taken. We do vote whether we would recommend to purchase or not purchase the land. The hearings are open to the public.

Rep. Porter: A concern has been raised that the voice of the county commission is not heard as the meeting goes through the recommendation process. Would you see a problem with a member of the County Commission or a designee on this committee?

Hildebrand: Personally I don't object. One of the objections that comes up repeatedly is that the taxes are not being paid on that property. I don't know of any of those cases. The non profits make every attempt to pay those taxes. From the Game and Fish standpoint, we don't purchase too much land, but there are cases.

Chairman Rennerfeldt: Anyone else care to offer testimony?

Mike Donahue - ND Wildlife Federation and United Sportsmen of ND: I was here to represent those organizations as opposed to this bill. With the amendment offered by Rep. Boucher, I am sure the organizations would see no problem with the bill. As amended we would support this bill.

Chairman Rennerfeldt: What you are saying is we need more local control on these issues?

Donahue: I am not saying we need more local control, but I do see that the local counties need to be more involved in the process.

Chairman Rennerfeldt: Any committee questions? Anyone else care to offer testimony in favor of this bill? Opposed?

Wes Tossett: I am a retired farmer from Minot. I was puzzled by the bill the first time I saw it. The amendment doesn't mean beans. This bill does not address the Feds buying lands. I have a personal problem with non-profits. The bill does not address the whole problem. Get rid of the whole committee. Consider an amendment to get rid of the Governor and leave the sales to the lowest level in our government. If the county commissioners deny the sale it shouldn't be overridden by the Governor. This land doesn't generate tax money. Give the county commissioners more power, you need a willing buyer, willing seller. You need to take into consideration the adjoining quarters of land. The amendment duplicates a committee that doesn't have any power. Take it back and change it considerably.

Chairman Rennerfeldt: Any committee questions? Any more opposition to this bill?

Eric Aamundstat - President, ND Farm Bureau: Our organization is opposed to this bill. It doesn't do anything. The changes proposed do not change anything. The governor has the power to veto the committee decision. It carries no weight. The last three land purchases the governor overruled the county commission decisions to disallow the sales. We are firm believers in local control. I am not aware of any of these lands where non-profits are paying their taxes. This puts a further undo burden on the counties. We are opposed to this bill. There is a disproportionate number of committee members that don't have the best interest of land owners in mind. Power should revert to the county commissioners.

Chairman Rennerfeldt: Are there any questions of the committee?

Vice Chair Nelson: The distinction in this bill is with non-profits. The non-profits are paying property taxes. Do you now of any cases where valuations have decreased. I think that

would be the only issue with non-profits ownership. We need to separate nonprofit acquisitions from Game and Fish on that basis. I would like to hear your response to that.

Aamundstat: I can't answer that specifically. What I can tell you, is that non-profits are agreeing to pay taxes, they don't have to. Will that continue forever, good question? This bill doesn't address government agencies. Right now if the US Fish and Wildlife Service wants to acquire land, there are emergency clauses they can use. If Federal Agencies want to acquire land in this state, they are required by law to have a hearing with the County Commission. The Governor also has the say whether or not to allow that sale. We have to look out for the best interest of this state, and sometimes those sales are not in the best interest.

Rep. Porter: You are kind of mixing US Fish and Wildlife situations with something that has nothing to do with them. How many of the projects that you mentioned in the other counties dealt with non-profits, not with Fish and Wildlife.

Aamundstat: The one in McClean Co. and the one in Ramsey County were Nature Conservancy sales.

Rep. Nottestad: I hear your accusations about non payments. I think the percentage for Federal is closer to 60% rather than 35%, but the inference that the others haven't paid or won't pay. Could you give me statements of fact where they haven't paid in the past, and would you be supportive of the bill which would require all payments of such taxes.

Aamundstat: I can't cite any case where they haven't paid. The non-profits have agreed to pay the taxes on the lands they acquired. But they are not required to do so. Yes, I would be very supportive of a bill that would require that be done.

Rep. Droydal: We have land that has been acquired by non profits and they have agreed to pay school tax. In the cases where we have had disagreements that in lieu of tax is set at the current

value. As a property owner, my taxes fluctuate with the county, which always seems to go up. Is this in lieu of dollars set at the time of purchase, do you know of any cases where that lieu of dollar also goes up? Or is it set permanently.

Aamundstad: There again, I am not aware again.

Chairman Rennerfeldt: Any further questions of the committee? Is there someone from the counties that could come to the podium and answer a question?

Vice Chair Nelson: Is there any cases you could cite that would give me a better handle as to the rise or fall of valuation, compared to the surrounding farmland, after non profit acquisition?

Wade Williams: In going with the two most recent sales to the Nature Conservancy in Ransom County, the fact that they are willing to pay present taxes, they don't follow the fluctuation, that has not been raised. I don't know the answer to that. The land is still considered Ag, unless you have that agreement, it would fluctuate just like everything else. In Ag land there is no fluctuation downward.

Vice Chair Nelson: If I understand you correctly, you feel the valuation does float as well as the surrounding land.

Williams: That is my understanding.

Chairman Rennerfeldt: Anyone else care to testify against this bill?

Arden Haner: I am going to approach this from another angle. Production agriculture pays all the bills, salaries, benefits, pensions, social securities for all the people who work in town. We built the local utilities and marketing systems. It is all taken out of agriculture and every time we do something in an area we impact it. Agriculture in ND is broke, the CPR shut down an entire community. When you consider the impact of any changes made, it impacts everybody including the man in town, I'm not sure the Governor should have the final say. I think it should be in the

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House Natural Resources Committee

Bill/Resolution Number HB 1053

Hearing Date January 18, 2001

hands of the local people, and they should decide what those impacts should be. They are the ones that have to change.

Chairman Rennerfeldt: Any questions of the committee? Anyone else opposed to this bill? If not, I will close the hearing on HB 1053.

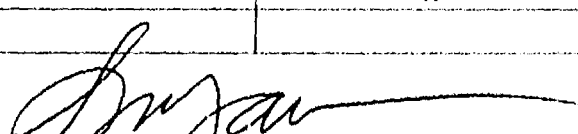
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1053

House Natural Resources Committee

☐ Conference Committee

Hearing Date January 19, 2001

Tape Number	Side A	Side B	Meter #
3	x		2530 to end
3		x	0 to 1440
Committee Clerk Signature 			

Minutes: Chairman Earl Rennerfeldt, Vice Chair Jon O. Nelson, Rep. Brekke, Rep. Droydal, Rep. Galvin, Rep. Keiser, Rep. Klein, Rep. Nottestad, Rep. Porter, Rep. Weiler, Rep. Hanson, Rep. Kelsh, Rep. Solberg, Rep. Winrich.

Chairman Rennerfeldt: I will open the discussion on HB 1053 dealing with non profits and acquisition of farm and ranch lands.

Vice Chair Nelson: I have several amendments to offer on 1053, would it be proper to act on them one at time or as a whole?

Chairman Rennerfeldt: Why don't you explain them.

Vice Chair Nelson: The first amendment offered by the prime sponsor is the language handed out that brings the advisory committee back to its original makeup with the exception of the Garrison Conservancy District, it replaces the chairman of the County Commission in place of the Garrison Conservancy District. I would like to move that amendment.

Rep. Drovdal: I second. We questioned whether we should put the chairman of the County Commission or his designee?

Vice Chair Nelson: In all of the other language in this bill, any of the others designees, it is a rule that that is unwritten rule that their designee could stand in. The counties don't see this as a problem.

Chairman Rennerfeldt: I have a motion by Rep. Nelson, and a second by Rep. Drovdal to adopt the amendments proposed by Rep. Boucher. All in favor say Aye. Opposed? Motion is adopted. Okay, how many more do you have?

Vice Chair Nelson: I understand this is a complicated bill it will look better in its amended form, hopefully. Just for your information the people that opposed this particular bill yesterday, I did some work with them yesterday and I guess their main objection was that the advisory board didn't have any powers. They didn't feel that the voice of the county and landowners didn't have any impact. We visited with the Governor's office, members of the ND Farm Bureau, Farmers Union, Counties and the Land Assn. We agreed that they would be satisfied if in this advisory committee that we remove two members of an 8 person committee - the Director of Parks and Rec., and the State Forester would be removed so it would be a six member committee. They would have a greater influence in the deliberation of their duties. That is the intent to remove the director of State Parks and Rec., and the State Forester.

Rep. Hanson: His amendments are a duplication of the ones we have already passed. If you look at the amendment we passed, you remove the overstrike on lines 10 -15 you are doing the same thing.

Vice Chair Nelson: Except the original one doesn't take out the two members.

Rep. Hanson: You don't need that first part in there.

Rep. Keiser: I would move the committee would reconsider its actions thereby approve this set of amendments presented by Rep. Boucher.

Rep. Porter: Second.

Chairman Rennerfeldt: I have a motion by Rep. Keiser, a second by Porter, any further discussion?

Rep. Winrich: The paragraph in the original law talks about the purchase of land for the purpose of conserving the natural resources and habitats in the state. It seems to me that we are removing the two people who have some expertise in that area. I much prefer the amendment we passed rather than the new one being offered here.

Vice Chair Nelson: What possible expertise could the Parks and Rec. Director have in the acquisition of farm and ranch land.

Rep. Winrich: The reads, line 7, is that the acquisition is for the purpose of conserving natural areas and habitats. And I think that directly relates to Parks and Recreation. Land that is set aside for preservation of natural areas. That's basically what our state parks system is.

Vice Chair Nelson: I would disagree with that analysis, but one the main concerns with the people I met with yesterday was the fact that these people are appointees of the Executive Branch. For an independent review of acquisitions, even by the Governors staff, that by taking out an appointee that would add more independence to the process. If we are talking about the acquisition of farm and ranch land, as the committee was made up there were only two agricultural interests on the committee. It think it is a fairness issue, this is not recreational land that is being purchased, it is farmland. It's ranch land. The conservation easements we are talking about are specifically in the Missouri Couteau grassland regions, and have very little to do with any forestry in this state. The main forest in this state is in the Turtle Mountains area and none of

that land has been acquired by any non profit organizations. It is primarily a grassland or wetlands issue.

Rep. Hanson: I will disagree with you on that one because the Brown Ranch in Ramsey County had quite a bit of forested area.

Vice Chair Nelson: That may be the case in parts of it, but to give the forestry a seat at the table and leave agriculture out is very unfair. This balances it. It doesn't load this committee, this advisory committee does not have any more power if this passes than it does now. They were in agreement that this at least brings the interest of agriculture to the table. The Governor still has total discretion whether to approve or disapprove the sale.

Rep. Hanson: Why don't we go back to the original bill and take them all off and it will go directly to the Governor. They don't have any say anyway. The sponsor of the bill talked to all the people on this committee and most of them did not care one way or the other. Take them all off, let it go from the county directly to the Governor.

Vice Chair Nelson: The prime sponsor of the bill, Rep. Boucher, the groups that were affected by this are in agreement with the process as will be presented in the amendment. I think he would agree that this made this committee better. Obviously it doesn't have power but the fact that the advisory committee is one step that does add some input that does bring in diverse groups and I think their decision making is important to the process.

Rep. Hanson: I visited with them this morning and he talked to these people prior to the bill drafting and he said most of them didn't care. That is why he wanted to take them all off.

Rep. Nottestad: My concern is these people can be taken off. But it seems to me we are taking off the people that could advise the Governor as to the value of this particular parcel of land. This is an advisory group for the Governor. For example if this would have habitats, the Game and

Fish should be involved as advisors. I certainly see the others on the committee for protection of the farmers. If the farmers don't want to sell the land. At that point, this land is not in isolation. It has reached a point where the individual farmer is ready to sell, it isn't stopping the sale because of that. The reason for stopping it would be taxation, reasons why the county commissioners wouldn't want it. The reason for taking the expertise off this committee. I have a problem with that.

Chairman Rennerfeldt: That is the reason for this amendment, to bring in the local people that would be affected. Most communities have felt they haven't been heard. Haven't been well represented.

Rep. Winrich: I guess I would argue that agricultural interests are well represented. The Commissioner of Agriculture is there, Rep. Of the Farm Bureau and a representative of the Farmers Union and with the addition of the chair of the County Commission, or his or her designee, the local interest in ag land would be represented. This committee really doesn't have a great deal of authority, its primary purpose is to advise the Governor. I think the inclusion of people with expertise in the area of conservation of natural resources and habitat is very important. This should not be viewed in representing the views of constituents, but in providing appropriate expert advice to the Governor.

Vice Chair Nelson: That advisory committee has a vote, they do vote. That vote is public record as it moves forward to the Governors office. It is certainly more than an advisory committee at that point. They make a recommendation based on interest. I just think agriculture is not represented well enough. Every party in this process are signed on to this change.

Chairman Rennerfeldt: It is my understand to that everybody at the table yesterday was in 100% agreement with these amendments.

Rep. Hanson: We didn't have any amendments yesterday, how could they agree on them?

Rep. Droydal: I would like to call for the question?

Chairman Rennerfeldt: I have a motion and a second to reconsider the Boucher amendment, all in favor signify by saying Aye, opposed?

Rep. Droydal: I request a roll call vote.

Chairman Rennerfeldt: We are withdrawing the Boucher amendment. If you vote yes, you are in favor of withdrawing the Boucher amendment. Call the roll.

BOUCHER AMENDMENT DO NOT PASS

YES 4, NO 10

1 ABSENT AND NOT VOTING

Chairman Rennerfeldt: We have the Boucher amendments, would these work with the Boucher amendments?

Rep. Droydal: I move a Do Pass as amended on HB 1053.

Chairman Rennerfeldt: I have a motion by Rep. Droydal, do I hear a second?

Rep. Solberg: Second.

Chairman Rennerfeldt: I have a second by Rep. Solberg. Any committee discussion? I have a motion and a second to Do Pass with amendments. Call the roll.

MOTION FOR A DO PASS

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House Natural Resources Committee
Bill/Resolution Number HB 1053
Hearing Date January 19, 2001

YES 13, NO 1

1 ABSENT AND NOT VOTING

REP. WINRICH CARRIES

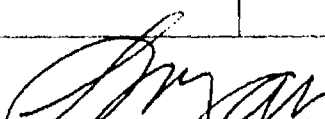
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1053

House Natural Resources Committee

☐ Conference Committee

Hearing Date January 25, 2001

Tape Number	Side A	Side B	Meter #
1	x		1 to 377
Committee Clerk Signature 			

Minutes:

Chairman Earl Rennerfeldt, Vice Chair Jon O. Nelson, Rep. Brekke, Rep. DeKrey, Rep. Droydal, Rep. Galvin, Rep. Keiser, Rep. Klein, Rep. Nottestad, Rep. Porter, Rep. Weiler, Rep. Hanson, Rep. Kelsh, Rep. Solberg, Rep. Winrich.

Chairman Rennerfeldt: Call to order. Call the roll. Bill Pfeifer has some words to say on HB 1053.

Bill Pfeifer: (See written testimony).

Rep. DeKrey: What's the deal on the Brown Ranch? Did they have to pay taxes?

Pfeifer: I am not sure. It is not on their tax roll?

Rep. Nottestad: I believe the taxes are paid when the land is sold during the sales transaction.

Vice Chair Nelson: When Pigeon Point was sold, who acquired it?

Pfeifer: I don't have any idea.

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House Natural Resources Committee

Bill/Resolution Number HB 1053

Hearing Date January 25, 2001

Rep. Droydal: It appears the tax rate fluctuates with the mill levy in this particular county. Does it also fluctuate by appraisal value?

Pfeifer: I am told it is specified as farmland and goes up accordingly to the surrounding properties. Taxes are based on the productivity of that land. It is what is under the surface or the quality of the soil that determines productivity.

Chairman Rennerfeldt: Do they label these as "in lieu of taxes" even though they are paying taxes?

Pfeifer: Yes, because it is not required, they call it "in lieu of".

Chairman Rennerfeldt: Thank you.

Amendment to House Bill 1053

Bucher

Lines 10 through 15 remove the overstrike to the comma.

On lines 17 and 18 remove "convened by the governor. The advisory committee consists of members as determined by the governor." and replace with "and the chairman of the county commission of any county affected by the acquisition."

~~Amend to accept~~

*Boucher
amend* *NO 80*

Date: _____
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1053

House Natural Resources Committee

☐ Subcommittee on _____

or

☐ Conference Committee

*Reconsider
w/ amend*

Legislative Council Amendment Number _____

Action Taken _____

Motion Made By Keiser Seconded By Pater

Representatives	Yes	No	Representatives	Yes	No
Earl Rennerfeldt - Chairman	✓		Lyle Hanson		✓
Jon O. Nelson - Vice Chairman	✓		Scot Kelsh		✓
Curtis E. Brekke	✓		Lonnie B. Winrich		✓
Duane DeKrey			Dorvan Solberg		✓
David Drovdal		✓			
Pat Galvin		✓			
George Keiser		✓			
Frank Klein		✓			
Darrell D. Nottestad		✓			
Todd Porter	✓				
Dave Weiler		✓			

Total (Yes) 4 No 10

Absent 1

Floor Assignment _____

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

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1053

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

Page 1, line 11, remove the overstrike over "~~agriculture commissioner who shall convene~~" and remove the overstrike over "~~consisting of~~"

Page 1, line 12, remove the overstrike over "~~the state engineer, the~~"

Page 1, line 13, remove the overstrike over "~~commissioner of agriculture,~~" and remove the overstrike over "~~the director of the game and fish~~"

Page 1, remove the overstrike over line 14

Page 1, line 15, remove the overstrike over "~~North Dakota farm bureau, and the~~"

Page 1, line 17, after "~~District~~" insert "chairman of the board of county commissioners of the county in which the property is located or if the property is located in more than one county, the county containing the largest portion of the farmland or ranchland proposed to be acquired", remove the overstrike over "~~, or their designees~~", and remove "convened by the governor. The"

Page 1, line 18, remove "advisory committee consists of members as determined by the governor"

Renumber accordingly

January 19, 2001

VR
1/26/01

HOUSE AMENDMENTS TO HB 1053

HOUSE NATURAL RESOURCES

01/26/01

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

Page 1, line 11, remove the overstrike over "~~agriculture commissioner who shall convene~~" and
remove the overstrike over "~~consisting of~~"

Page 1, remove the overstrike over lines 12 through 14

Page 1, line 15, remove the overstrike over "~~North Dakota farm bureau, and the~~"

Page 1, line 17, replace "~~convened by the governor. The~~" with "chairman of the county
commission of any county affected by the acquisition"

Page 1, line 18, remove "advisory committee consists of members as determined by the
governor"

Renumber accordingly

Date: 1-19-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1053

House Natural Resources Committee

☐ Subcommittee on _____

or

☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS AS Amended

Motion Made By _____ Seconded By _____

Representatives	Yes	No	Representatives	Yes	No
Earl Rennerfeldt - Chairman	X		Lyle Hanson	X	
Jon O. Nelson - Vice Chairman		X	Scot Kelsh	X	
Curtis E. Brekke	X		Lonnie B. Winrich	X	
Duane DeKrey			Dorvan Solberg	X	
David Droydal	X				
Pat Galvin	X				
George Kelser	X				
Frank Klein	X				
Darrell D. Nottestad	X				
Todd Porter	X				
Dave Weiler	X				

Total (Yes) 13 No 1

Absent 1

Floor Assignment Winrich

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

REPORT OF STANDING COMMITTEE

HB 1053: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1053 was placed on the Sixth order on the calendar.

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

Page 1, line 11, remove the overstrike over "~~agriculture commissioner who shall convene~~" and remove the overstrike over "~~consisting of~~"

Page 1, remove the overstrike over lines 12 through 14

Page 1, line 15, remove the overstrike over "~~North Dakota farm bureau, and the~~"

Page 1, line 17, replace "convened by the governor. The" with "chairman of the county commission of any county affected by the acquisition"

Page 1, line 18, remove "advisory committee consists of members as determined by the governor"

Renumber accordingly

2001 SENATE AGRICULTURE

HB 1053


2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1053

Senate Agriculture Committee

☐ Conference Committee

Hearing Date February 15, 2001

Tape Number	Side A	Side B	Meter #
Feb. 15 1		X	26.2 - End
Feb. 16 1		X	6.1
Committee Clerk Signature 			

Minutes:

February 15, 2001

WADE WILLIAMS; North Dakota Assoc. Of Counties, testified in support of this bill. This bill replaces the Garrison Diversion Conservancy District representative on the advisory committee on the purchase of land by non profits with the chairman of the country commission that is affected by the purchase.

MICHEAL DONAHUE; United Sportsmen of North Dakota and North Dakota Wildlife Federation, testified in support of this bill.

BERDELL JOHNSON; Ag. Coalition, testified in support of this bill because of the County Commissioner representation.

PAUL BECKER; testified in support of this bill. I think this will give more local control and moving in the right direction.

Page 2
Senate Agriculture Committee
Bill/Resolution Number HB 1053
Hearing Date February 15, 2001

BILL PFEIFER; North Dakota Chapter of the Wildlife Society, testified in the neutral position on this bill. See attached testimony. The replacement of the Garrison Diversion Conservancy member with the County Commission of affected county is acceptable. If for any reason this change would be further amended the Wildlife Society may wish to change it's position. Local input is essential.

WES TOSSETT; testified in the neutral position on this bill.

REP. BOUCHER; Sponsor, testified in support of this bill.

SENATOR KLEIN; Is this a eight member board?

REP. BOUCHER; Yes.

SENATOR KLEIN; Could we go to the governor in a heated debate without committee recommendation?

REP. BOUCHER; As I understand the governor has the final say. This is an advisory committee, so it's the governor and his office that is going to make the ultimate decision. As I understand the governor does go by what the committee recommends.

ARDEN HANER; testified in the neutral position on this bill. Agriculture interest should have an equal playing field.

The hearing was closed.

February 16, 2001

SENATOR KLEIN moved the amendments to remove the state engineer from the advisory committee.

SENATOR KROEPLIN seconded the motion.

Roll call vote: 6 Yeas, 0 No, 0 Absent and Not voting.

Discussion was held.

Page 3

Senate Agriculture Committee

Bill/Resolution Number HB 1053

Hearing Date February 15, 2001

SENATOR KLEIN moved to DO PASS AS AMENDED.

SENATOR URLACHER seconded the motion.

Roll call vote: 6 Yeas, 0 No, 0 Absent and Not voting.

SENATOR KLEIN will carry the bill.

Date: 2-16-01
Roll Call Vote #: /

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1053

Senate _____ Agriculture _____ Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number 10123.0301

Action Taken Amendments

Motion Made By Sen. Klein Seconded By Sen. Kroeplin

Senators	Yes	No	Senators	Yes	No
Senator Wanzek - Chairman	✓		Senator Kroeplin	✓	
Senator Erbele - Vice Chairman	✓		Senator Nichols	✓	
Senator Klein	✓				
Senator Urlacher	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

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

Date: 2-16-01
Roll Call Vote #: 2

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1053

Senate Agriculture Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number 10/23.0301

Action Taken Do Pass - as amended

Motion Made By Sen. Klein Seconded By Sen. Uelachor

[illegible]

Total (Yes) 6 No 0

Absent

Floor Assignment Senator Klein

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

REPORT OF STANDING COMMITTEE

HB 1053, as engrossed: Agriculture Committee (Sen. Wanzek, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1053 was placed on the Sixth order on the calendar.

Page 1, line 12, overstrike "the state engineer,"

Page 1, line 13, overstrike "commissioner of" and after "agriculture" insert "commissioner"

Renumber accordingly

2001 TESTIMONY

HB 1053

Testimony for HB 1053

House Natural Resources Committee

Representative Earl Rennerfeldt, Chairman

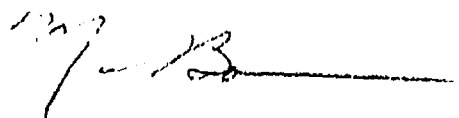
Good morning Chairman Rennerfeldt and members of the House Natural Resources Committee. For the record I am Representative Merle Boucher from District Nine.

You have before you HB 1053. House Bill 1053 came out of the Garrison Diversion Overview interim committee. The bill evolved out of discussions centering around the acquisition of farm or ranch land purchased by a nonprofit organization for the purpose of conserving natural areas and habitats.

The governor must approve such transactions. The bill does not change this. What the bill is changing is the make up of the advisory committee that consults with the governor as the decision is being made about the land acquisition.

After having visits with representatives of the counties and wildlife interests, I am offering a simple amendment which hopefully will satisfy everyone's concerns. I ask that after the respective parties concerns have been addressed and HB 1053 is properly amended that the House Natural Resources Committee will recommend a due pass.

Respectfully submitted by:

A handwritten signature in dark ink, appearing to read 'Merle Boucher', followed by a horizontal line.

Representative Merle Boucher

Bill Pfeifer
223-8501
#61053

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THE NATURE CONSERVANCY Property and Taxes

Preserve and Location	Year Acquired	Acres	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
Cross Ranch, Oliver Co.	1982	4,953	\$6,045	\$6,511	\$6,835	\$7,753	\$6,996	\$7,640	\$8,179	\$8,241	\$8,731	\$8,996
Williams Preserve, McLean Co.	1986	1,794	\$887	\$1,033	\$1,054	\$1,175	\$1,355	\$1,334	\$1,448	\$1,442	\$1,426	\$1,583
Sheridan Preserve, Sheridan Co.	1984	1,440	\$1,711	\$1,870	\$1,887	\$1,900	\$1,909	\$2,040	\$2,142	\$2,345	\$2,394	\$2,513
Davis Ranch ¹ , Sheridan Co.*	1997	8,629									\$18,096	\$17,269
Pigeon Point ² , Ransom Co.	1994	572					\$2,166	\$2,286	\$2,449	\$2,884	\$2,925	\$1,556
Brown Ranch	2000	1,531										

*TNC purchased the Davis Ranch in calendar year 1997. The 1997 property taxes totaling \$15,816 were paid by the Davis Family and TNC per the sales agreement.

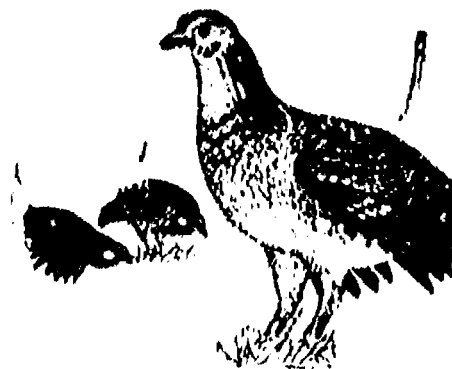
¹ Approximately 3,051 acres of Davis cropland is under contract to be sold.
² 289 acres of excess crop land at Pigeon Point were sold in 1999.



North Dakota Chapter

THE WILDLIFE SOCIETY

P.O. BOX 1442 • BISMARCK, ND 58502



**TESTIMONY OF BILL PFEIFER
NORTH DAKOTA CHAPTER OF THE WILDLIFE SOCIETY
PRESENTED TO THE SENATE AGRICULTURE COMMITTEE
ON HB 1053, FEBRUARY 15, 2001**

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I'm Bill Pfeifer representing the North Dakota Chapter of The Wildlife Society. The Wildlife Society wishes to be on record as taking a neutral position on HB 1053 as amended.

Replacement of the Garrison Diversion Conservancy District member of the advisory committee with the county commission chairman is acceptable. If, for any reason this change would be further amended, The Wildlife Society may wish to change its position.