MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

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2001 SENATE APPROPRIATIONS

SB 2137

2001 SENATE STANDING COMMITTEE MINUTES

Eall/RESOLUTION NO. SB2137

Senate Appropriations Committee

☐ Conference Committee

Hearing Date January 15, 2001

Tape Number	Side A	Side B	Meter#
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Minutes:

The hearing on SB2137 was opened by Senator Nething.

Joseph Chapman, President of North Dakota State University (NDSU), testified in support of SB2137. This bill would provide an appropriation and authorization for the construction of a student housing apartment building and for the renovation of Robinson Hall on the campus of NDSU.

President Chapman indicated that the dollars are in place for both units. The student housing apartment building (F- Court) is to replace the unit that was destroyed in a fire this fall (with modification of facilities). This will be covered with insurance payment and reserves on hand. Robinson Hall will be funded in part by the residual pieces of federal matching not used for the small animal research building recently constructed, and overhead costs from grants/contracts. Robinson Hall houses the veterinary technician program; animals kept there are primarily dogs and cats -- Sudro Hall houses the lab animals (mice, rats etc.). Upon completion of the

renovation of Robinson Hall, all of our lab buildings will be in accreditation facilities classification for research universities.

Senator Holmberg: Ever considered naming a building after a majority party member?

President Chapman: I'll take that suggestion to heart.

Senator Solberg: Through audits, if you found for example, USDA-Department of Interiors, were \$400 short in grant payments -- would you bill them?

President Chapman: We'd probably use some of our overhead dollars to balance. Our overhead for indirect costs range is audited at 41%. The competitive grants -- over 40% of them are in the area of agriculture -- and agriculture has a ceiling (25% maximum) -- in a sense we are subsidizing. Now we have a formal research office, negotiations were done by the individual prior to this. We now have a fiscal officer who in one year has assisted us in receiving over 1 million dollars in leveraging dollars to use. Dollars used for faculty, Robinson Hall, Residences are common.

Senator Robinson: How old is Robinson Hall?

President Chapman: Not sure, but inclined to agree with Senator Solberg -- built in the early 60's.

Senator Heitkamn: Not seeking additional funding -- or additional fees?

President Chapman: Money is in hand. Insurance and reserve funds.

Jerry Doan, President of the State Board for Agriculture, Research and Education (SPARE) spoke in support of SB2137. This will help bring agriculture buildings up to speed. It's important to the veterinary technician program -- the technicians train there prior to going out in the state to assist veterinarians. The dollars are in hand, helping NDSU to bring agriculture into the forefront.

Page 3
Senate Appropriations Committee
Bill/Resolution Number SB2040 2/37
Hearing Date January 15, 2001

<u>Senator Bowman</u>: Then this isn't a matter of requesting dollars -- you have the dollars -- simply need our approval to spend it?

Benator Nething: Can't spend it until we appropriate it.

George Wallman, Vice President for Student Affairs at North Dakota State University, spoke in support of SB2137. The situation (F-Court Housing Apartment) has been described adequately by others in earlier testimony. The funding is secure -- we are here to seek legislative approval of expenditure(s).

Senator Nething: Will the F-Court be built in the same location?

Vice President Wallman: Yes, and will be a little larger.

No additional testimony, for or against, SB2137.

Senator Schobinger moved a DO PASS.

Senator Grindberg: Seconded the motion of DO PASS.

No further discussion, call for the vote by Senator Nething.

Vote: 13 yes, 0 no, 1 absent.

Senator Grindberg will carry SB2137.

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2137

Senate Appropriations Committee

☐ Conference Committee

Hearing Date January 16, 2001

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Minutes:

Hearing on SB2137 was reopened by Senator Nething.

The reason for such action: one of the Senator had to be away from his desk in the Senate Appropriations Committee, at the time which original vote action was taken on January 15, 2001. The motion, do pass by Senator Schobinger; seconded by Senator Grindberg. Motion carried 14 yes, 0 no, 0 absent on January 16, 2001.

Senator Grindberg accepted the floor assignment.

REPORT OF STANDING COMMITTEE (410) January 15, 2001 3:40 p.m.

Module No: SR-05-1012 Carrier: Grindberg Insert LC:. Title:.

REPORT OF STANDING COMMITTEE

SB 2137: Appropriations Committee (Sen. Nething, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2137 was placed on the Eleventh order on the calendar.

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REPORT OF STANDING COMMITTEE

SB 2069: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2069 was rereferred to the Appropriations Committee

REPORT OF STANDING COMMITTEE

SB 2070: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends DO PASS and BE REREFERED to the Appropriations Committee (7 YEAS, 0.AYS, 0.ABSENT AND NOT VOTING). SB 2070 was rereferred to the Appropriations Committee

REPORT OF STANDING COMMITTEE

SB 2071: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2071 was receiened to the Appropriations Committee.

REPORT OF STANDING COMMITTEE

SB 2072: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2072 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2091: industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2091 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2092: Human Services Committee (Ser. Lee, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2092 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2093: Human Services Committee (Sen. Lee, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2093 was placed on the Sixth order on the

Page 1, line 3, after "program" insert "; to provide an effective date; and to declare an emergency

Page 1, after line 10, insert

SECTION 2. EFFECTIVE DATE. This Act becomes effective on July 1, 2001.

This Act is declared to be an emergency EMERGENCY. SECTION 3.

Renumber accordingly

SB 2096: Human Services Committee (Sen. Lee, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2096 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2118: Judiciary Committee (Sen. Traynor, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2118 was placed on the Sixth order on the

Page 1, line 13, after "ings" insert "by a preponderance of the evidence"

Regumber accordingly

REPORT OF STANDING COMMITTEE
77. Appropriations Committee (Sen. Nething, Chairman) recommends DO PASS
74 YEAS. 0 NAYS. 0 ABSENT AND NOT VOTING). SB 2137 was placed on the Eleventh order on the calendar. SB 2137:



TUESDAY, JANUARY 16, 2001



SB 2217: A BILL for an Act to create and enact a new chapter to title 14 of the North Dakota Century Code, relating to a North Dakota human rights connession; to amend and reenact sections 14-02.4-19 and 14-02.4-21 of the North Dakota Century Code, relating to actions, limitations, and mediation for discriminatory practices; to repeal section 14-02.4-12.1 and chapter 14-02.5 of the North Dakota Century Code, relating to housing discrimination; to provide a penalty; to provide an appropriation; and to provide Sens. Berder, Christenson, Lyson, T. Mathem and Reps. Cleary, Jensen introduced: an effective date.

Was read the first time and referred to the Political Subdivisions Committee.

Sens. Kroeplin, Klein and Reps. Brandenburg, DeKrey, Niemeiar introduced:

SB 2218: A BILL for an Act to create and eract a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a sales and use tax exemption for office furniture and computer and telecommunications equipment in a new or expanding primary sector ousiness; and to provide an effective date.

Was read the first time and referred to the Finance and Taxation Committee.

Sens. T. Mathem, Heitkamp, Thane and Reps. Koppang, Gulleson, Cleary introduced:
SB 2219: A BILL for an Act to amend and reenact section 25-03.1-11 of the North Dakota
Century Code, relating to involuntary treatment and commitment procedures.
Was read the first time and referred to the Judiciary Committee.

Sens. Nething, Lyson introduced:
SB 2229: A BILL for an Act to amend and reenact subsection 2 of section 27-20-49 of the North Dakota Century Code, relating to costs and expenses of transporting juveniles for medical care and treatment.

Was read the first time and referred to the Political Subdivisions Committee.

Sens. Heitkamp, G. Nelson and Reps. Belter, Gulleson introduced:
SB 2221: A BILL for an Act to create and enact a new subsection to section 57-35.3-05, a new section to chapter 57-38, and a new subsection to section 57-38-30.3 of the North.
Dakota Century Code, relating to a credit against financial institutions taxes and corporate, individual, estate, and trust income taxes for chantable contributions; and to provide an effective date.

Was read the first time and referred to the Finance and Taxation Committee.

Sens. Urlacher, Krauter, Wardner and Rep. Haas introduced;

SB 2222: A BILL for an Act to amend and reenact section 61-24.5-10 of the North Dakota Century Code, relating to the mill levy for the southwest water authority. Was read the first time and referred to the Natural Resources Committee.

Sens. Urtacher, Krauter, Wardner and Rep. Haas introduced:

North Dakota Century Code, relating to the board of directors of the southwest water authority, and to repeal section 61-24.5-05 of the North Dakota Century Code, relating SB 2223: A BILL for an Act to amend and reenact sections 61-24.5-04 and 61-24.5-08 of the to the initial board of directors of the southwest water authonty.

Was read the first time and referred to the Natural Resources Committee.

SB 2224: A BILL for an Act to create and enact a new section to chapter 24-01 of the North Dakota Century Code, relating to haying of no-mow areas. Sens. Nichols, O'Connell, Soiberg and Reps. Delzer, Onstad. Soiberg introduced:

Was read the first time and referred to the Agriculture Committee.

Sens. Nichols, Every, Urlacher and Rep. Onstad introduced:

SB 2225: A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakola Century Code, relating to small game hunting by certain norresidents born in North Dakota; and to amend and reenact section 20.1-03-07 of the North Dakota entury Code, relating to hunting by nonresidents.

Was read the first time and referred to the Natural Resources Committee.

Sens. Watne, Mutch and Rep. N. Johnson introduced:

North Dakota Century Code, relating to prohibited employer retaliation for employee SB 2226: A BiLL for an Act to amend and reenact sections 34-01-20 and 34-11.1-04 of the Was read the first time and referred to the Judiciary Committee. reporting of violations of laws, ordinances, or regulations.

Sens. Heitkamp, Traynor and Rep. Carlson introduced: SB 2227: A BILL for an Act to amend and reenact section 49-23-06 of the North Dakota Century Code, relating to damages to underground facilities.



2001 HOUSE APPROPRIATIONS

SB 2137

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2137

House Appropriations Committee

☐ Conference Committee

Hearing Date January 22, 2001

Tape Number	Side A	Side B	Meter #
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Minutes:

Chairman M. Timm, Vice-Chair F. Wald, Rep. Aarsvold, Rep.Bochm, Rep. Byerly,
Rep. Carlisle, Rep. Delzer, Rep.Glassheim, Rep. Gulleson, Rep. Heuther,
Rep. Kempenich, Rep. Kerzman, Rep. Kliniske, Rep Koppleman, Rep. Martinson,
Rep. Monson, Rep. Skarphol, Rep. Svedjan, Rep Thoreson, Rep. Warner, Rep. Wentz
Rep. Mike Timm: House Appropriations Committee is called to order at 9:30 a.m.
Clerk will take the roll. A quorum is present. The Senate had passed this bill last week and I scheduled it for the first thing this morning.

Joe Chapman, President of NDSU to give testimony on SB2137.

Gave an overview and perspective of where NDSU is going and relate that to the two projects that are stated in SB2137. No written testimony presented.

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House Appropriations Committee
Bill/Resolution Number SB2137
Hearing Date January 22,2001

Rep. Mike Timm: The bill says the State Board of Higher Education authorized these projects, Have they authorized these projects yet? Response was yes. Your intention is not to use any state money or state funding at all. Response was no, funds are already in hand.

Rep. Kon Carlisle: The authorizations are in place and there are no general fund dollars used is a motion in order?

Rep. Francis Wald: The apartment building, how many units will that consist of? And will it be one bedroom or two bedroom? What mix of students in that project? What was amount of insurance recovery on that F court building?

Response:

Rep. Jeff Delzer: You can guarantee us there will be no increase in operating costs that would fall on the state? And how do you do that?

Response: Yes and it is a replacement building.

End of testimony by Mr. Joe Chapman

Mr. George Wallman, Vice President of Student Affairs for NDSU.

Gave an overview and information in relation to the F Court Complex that was destroyed by fire in October of 2000.

Rep. John Warner: How will the new complex differ from what's already on campus? Will There be any changes in design from what's there?

Response: There already is a footprint from the original site and there is space behind that to expand that slightly and this units are for single students, the other ones that you are referring to are part of the University Village and Bison Court.

Rep. Rex Byerly: You said that \$1.4 million of this comes from the reserves, can you tell us where that money came from.

Page 3
House Appropriations Committee
Bill/Resolution Number SB2137
Hearing Date January 22,2001

Response: Those are reserves that are acquired out of the operation of the residents life system and some of that is required for the bond holders and some of that we set aside for repair and maintenance, and we have a 10 year maintenance plan to take care of the facilities. We are very good stewards of those facilities for the state, they are in suburb condition and we feel that we can afford to take this out and continue with our ten year plan.

Rep. Mike Timm: Are you soliciting any private funds? Response: No

Rep. Bob Skarphol: The \$1.4 million, how long did it take to accumulate that? And how much more do you have in that reserve fund to fall back on?

Response: That reserve fund is over \$4 1/2 million and that has been accumulated over the years its somewhat of a rotating fund. If we have funds left out of the budget we put it in there and then we spend out of there to keep the facility up.

Rep. Jeff Delzer: Do you take a certain percentage of the cost to the students for staying in each of the dorm rooms and put into that funds. Response was yes.

Rep. Ole Aarsvold: What is the reaction to building a state owned housing facility in light of a burgeoning of rental properties in Fargo. Are developers concerned about that on losing potential customers for their rental units?

Response: We house a relatively small number of students on campus, and were under 30% of the entire student body so there is 6000 Plus students living in the Fargo area, and we have not had any negative comments from developers.

Rep. Francis Wald: Are freshman required to stay on campus their first year? Response was yes. It is a Coed type dorm? Yes it is.

Rep. Jeff Delzer: How does the cost to the students compare to public costs?

Page 4
House Appropriations Committee
Bill/Resolution Number SB2137
Hearing Date January 22,2001

Response: We are very cognizant of our position in the market from a cost standpoint and our cost to the students are less that what they would pay in the community.

Rep. Bob Skarphol: I would suspect that it shouldn't be all that difficult to put together an amortization schedule based on the these costs for us and give it to us. Response was yes.

Rep. Mike Timm: Calculating \$415 per unit and 30 units for 12 months is about \$160,000 a year, and then 160 times 50, you could probably pay it off in 30 years with just student fees.

Response: Yes, that is how it was planned that. It is amortized over a 30 year period.

Rep. Rex Byerly: I have a question about Robinson Hall because we really didn't talk about that one specifically. In the budget book that we have, which is the Schafer budget and effectively the Hoven budget also, it appears though Robinson Hall is already on the list of projects that are to be completed in the 2001-2003 biennium. Is that what your looking for? To move that up and do it sooner?

Response: Yes

Rep. Mike Timm: Any opposition to SB2137? Any other questions or comments? Hearing none the hearing is closed on SB2137. Rep Carlisle made a motion for a Do Pass for SB2137. Seconded by Rep Koppleman. Any Discussion? This bill has an emergency clause on it as well Roll Call vote take on SB2137: (19 - Yea) (0 -Nay) (2 - absent) Motion passes. Rep Koppleman will carry bill to the floor.

Hearing on SB2137 was closed.

Page 1, fine 18, remove "or procured by the building supplier"

Renumber accordingly

HB 1171: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1171 was placed on the Sixth order on the calendar. REPORT OF STANDING COMMITTEE

Page 2, Line 9, remove and replace available with appropriated

Renumber accordingly

HB 1175, as amended, Transportation Committee (Rep. Weisz, Ch.2irman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). placed on the Sixth order on the REPORT OF STANDING COMMITTEE Calendar

Page 3, line 26, after the comma Insert "tailing"

Renumber accordingly

HB 1181, as amended, Agriculture Committee (Rep. Nicholas, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (9 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING). placed on the Sixth order on the REPORT OF STANDING COMMITTEE

calendar

Page 1, line 1, after "reenact" insert "subsection 1 of section 4-05.1-16," and after "4-05.1-19" insert a comma

Page 1, after line 5, insert

SECTION 1. AMENDMENT. Subsection 1 of section 4-05.1-16 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

- The state board of agnoultural research and education consists of:
- The president of North Dakota state university or the president's designee ત્વં
- The vice president of agricultural affairs at North Dakota state STATE SAY d
- The administrator of the agricultural experiment station; J
- The five persons appointed to the agricultural consultation board by the ag coalition and serving in that capacity on July 1, 1997 d
- The five persons appointed to the agricultural consultation board by the extension service's multicountly program units and serving in that capacity on July 1, 1997; نه
- The two persons appointed to the agricultural consultation board by the president of North Dakota state university as representatives of the state's research extension centers and serving in that capacity on July 1, 1997
- The agriculture commissioner, who serves in an ex officio nonvoting capacity: and φ
- The cirector of the North Dakota state university extension service.

Renumber accordingly

HB 1189, as ang:ossed: Transportation Committee (Rep. Weisz, Chairman) recommends AMENDMENTS AS FOLL CWS and when so amended, recommends DO PASS REPORT OF STANDING COMMITTEE



MONDAY, JANUARY 22, 2001

168

(12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1189 was placed on the Sixth order on the calendar.



Page 3, line 15, remove excess points pursuant to section 39-06-01.1

Renumber accordingly

HB 1195, as amended, Political Subdivisions Committee (Rep. Froseth, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). placed on the Sixth order on the calendar

Page 1, line \S , overstrike "five" and insert immediately thereafter "six"

Page 2, remove lines 1 through 5

Henumber accordingly

REPORT OF STANDING COMMITTEE

HB 1296: Human Services Committee (Rep. Price, Chairman) recommends DO PASS (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1296 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2137: Appropriations Committee (Rep. Timm, Chairman) recommends DO PASS (19-YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2137 was placed on the Fourteenth order on the calendar.

Notable Made Take

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK) MR. PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1174.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has passed and your favorable consideration is requested
on: HB 1032, HB 1049, HB 1062, HB 1070, HB 1080, HB 1090, HB 1093, HB 1104, HB 1122. HB 1124, HB 1154.

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2051, SB 2055, SB 2058, SB 2060, SB 2094, SB 2102, SB 2116, SB 2135, SB 2172. MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2122. MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

FIRST READING OF HOUSE BILLS

Reps. Herbel, Kingsbury, Monson, Tieman and Sens. Tallackson, Trenbeath introduced: HB 1362: A BILL for an Act to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to limiting the value of agricultural property for property tax purposes; to provide for a legislative council study; to provide an effective date; and to provide an expiration date.

Was read the first time and referred to the Finance and Taxation Committee.

Reps. Delmore, Carlisle, Mahoney and Sens. Lyson, C. Nelson introduced:

North Dakota Century Code, relating to a mandatory assessment process for simple assault in domestic violence cases; to amend and reenact subsection 2 of section 12.1-17-01 of the North Dakota Century Code, relating to the penalty for assault in a HB 1363: A BILL for an Act to create and enact a new subsection to section 12.1-17-01 of the domestic violence case; and to provide a penalty.

Was read the first time and referred to the Judiciary Committee.

Reps. Wald, Boucher, Haas and Sens. Lyson, Robinson, Wardner introduced:

HB 1364: A BILL for an Act to amend and reenact sections 19-03.1-23 and 19-03.1-23.2 of the North Dakota Century Code, relating to mandatory terms of imprisonment. Was read the first time and referred to the Judiciary Committee.

