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Yalosta Rickford

Date

10/2/02

2003 HOUSE TRANSPORTATION

HB 1087

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Valista Rickford

Date

10/2/03

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1087

House Transportation Committee

☐ Conference Committee

Hearing Date: January 9, 2003

Tape Number	Side A	Side B	Meter #
1	x		21.6 to end
		x	discussion briefly
Committee Clerk Signature <i>Louise L. Fark</i>			

Minutes:

Rep. Weisz, Chairman opened the hearing on HB 1087 a bill for an Act to amend and reenact sections of 54-53-02 and 54-53-03 of the North Dakota Century Code, relating to composition of the advisory transportation council and purpose of the upper great plains transportation institute. Dale Anderson serves two roles with the Upper Great Plains Transportation Institute. He appeared as Chairman of the Transportation Advisory Council. The Advisory Council was put in place when the council was formed by legislation in 1967. Initially the Institute when formed functioned under the direction of a director. The organization listed in HB 1087 was a part of that legislation. At first much of the work of the Institute focused on rural transportation issues. They dealt with freight --- one of the members being removed here was a member of the "traffic Council. that was back in the days when Grand Forks and Fargo had Traffic Councils formed in their Chambers of Commerce or some other local businesses or government entities. Those traffic councils do not exist any more. Therefore the basis for the recommendation for the lines

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10/2/03
Date

Page 2

House Transportation Committee

Bill/Resolution Number HB 1087

Hearing Date January 9, 2003

drawn through that language referencing the traffic councils. In the last ten years or so the Advisory Council has encouraged NDSU to take a more active role in terms of overall management in the leadership of the Upper Great Plains Institute. They have taken on very heavily and very actively ---- President Chapman is very actively involved in working with Gene Griffin as a director of the transportation service. That is the basis for the recommendation for adding President of NDSU specifically to the Council. I would also add that Gene Griffin who is the Chairman of the Transportation Institute, the Executive Director is in Washington --- the budget for the Institute is \$10,000 and when it first started it was only \$100,000--- the ratio of federal dollars to private fund dollars is one of the highest ratios for budgets of this type. So, Gene is in Washington working on some projects in this area. So he couldn't be here today, likewise President Chapman and his assistant, Keith Bjerke could not be here today. The Advisory Committee strongly advised that President Chapman be added to the Council. Moving down to item two, merely properly names the Public Service Commission; item seven --- Division of Economic Development and Finance which is now the Department of Commerce;--- item eleven--- names the Department of Transportation to be named to the Council; --- item twelve, is the adding of the North Dakota Agriculture Commissioner to the Council; --- item 13, adds the Association of General Contractors --they are the business entity that represents the major part of the contractors in North Dakota; --- then, item fourteen, is a representative of the railway industry -- so that is what the Advisory Committee recommends for the makeup of the Council.

Rep. Price: (29.3) Is there any reason why when naming the Ag Commissioner you didn't allow his designee?

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House Transportation Committee
Bill/Resolution Number HB 1087
Hearing Date January 9, 2003

Dale Anderson: Good point -- no I guess not.

Rep. Weiler: Is there a reason why the President of the University of North Dakota isn't represented on the Council?

Dale Anderson: The Intsitute has always been located at NDSU and the two do carry out joint programs. The Advisory Council felt the with the Institute located at NDSU it would be logical to have the President on the Council.

Rep. Hawken, Vice Chairman: What exactly does this entity do and is it necessary.

Dale Anderson: The Upper Great Plains Institute was organized initially to deal with freight issues which is now about only 5% of the budget. They now have over 9 million dollars federal money and 30 staff people. They deal with transportation issues of all types; but to discuss briefly the major programs areas-- the have programs dealing in the Ag Transportation Center; they a programs dealing with Strategic transportation issues for the state i.e. two years ago they did one dealing with grains and last year they did one is just being completed with the possibility of establishing a port in North Dakota -- that would be with rail and highway interaction in the state and one legislative item is the possibility of establishing a Port Authority; another deals with small urban and rural transit; --- regional centers and a DOT support center. The budget hearing is next Tuesday and I can provide the members of this committee with more information which I will be preparing for that hearing.

Rep. Weisz, Chairman Would please furnish a copy with the committee clerk. I noticed that you have expanded the powers and duties of the council here --- is that because you are already doing that?

Page 4

House Transportation Committee

Bill/Resolution Number HB 1087

Hearing Date January 9, 2003

Dale Anderson Its mainly dealing with what the Institute is and has been doing the last ten years. We are one of the regional centers in the country. When you talk about transportation research, Texas is one of the outstanding centers in the country. We are very fortunate having one of the other centers recognized as such. Our director is working on making the center the best not only in the region but in the nation.

Rep. Ruby: (36.7) How often does this council meet?

Dale Anderson: Twice a year - once in the spring and then each October in conjunction with an awards banquet. More frequently if certain issues arise.

Rep. Zaiser: Is there duplication of services with the DOT -- could this all be rolled into one?

Dale Anderson: The institute is research oriented -- the Council does work with the DOT Director. We do research for them on ---for example ag product movement requirements. They are more into construction requirements, etc.

Rep. Zaiser: Are our issues here that different than those in Texas?

Dale Anderson: They really are, for example climate and seasonal conditions are different as are distances and products.

Rep. Schmidt: The wording has me puzzled a bit, --in 11, 12, 13 and 14 --these are departments you want to add -- and then you want to add the University President -- he's not named in here but why couldn't he be named as number '15' ?

Dale Anderson Most of the language goes back to the way the law was originally written. I guess we decided to leave the structure the same rather than change it.

REP. SCHMIDT Before I would vote this bill I would change it I would put that where the others are added.

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House Transportation Committee
Bill/Resolution Number HB 1087
Hearing Date January 9, 2003

REP. WEISZ, Chairman: I would make the observation the president if a person whereas the others are groups or organizations.

There being no other questions for Mr. Anderson, Rep. Weisz, Chairman asked for testimony from any who may be wishing to testify for the bill.

(Mr.) Darcy Rosendahl, Planning and Programming Engineer for the ND DOT spoke in favor of the bill. A copy of his testimony is attached to these minutes.

When Mr. Rosendahl's testimony was finished there were no others wishing to appear either for or against, Rep. Weisz, Chairman closed the hearing on HB 1087.

Rep. Price: Representation seems to heavily in favor of Agriculture -- what about other industries?

After some open discussion, Rep. Weisz, Chairman held the bill for further discussion pending committee members studying the bill further. Record continued briefly onto side B of the tape.

End of record for this date.

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1087b

House Transportation Committee

☐ Conference Committee

Hearing Date January 17, 2003

Tape Number	Side A	Side B	Meter #
2		x	4.5 to 22.0
Committee Clerk Signature <i>Laura M. L. Zide</i>			

Minutes:

Rep. Weisz, Chairman asked the committee whether they were ready to discuss any amendments to HB 1087 and whether any committee members other than Rep. Price had any amendments to propose.

Rep. Price handed out a list of proposed council members which was somewhat different than that in HB 1087. The first suggestion was to remove the President from the council as a voting member as a perception of a conflict of interest could arise in that the Institute was housed a NDSU and that NDSU contracted for some of the projects for which the president had voted for or against. The second aspect of the list was to remove some of the Agriculture related agencies which in effect heavily weighted council representation toward agriculture when in fact in the future the broadened scope of the Institute probably would be broadened as the economic development in North Dakota encompassed a more diverse group of industry and commerce.

Rep. Weisz had contacted many of the farm groups and some of the other groups proposed to be

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10/2/03
Date

Page 2
House Transportation Committee
Bill/Resolution Number HB 1087b
Hearing Date January 17, 2003

added. Several others of the committee had also spoken with several groups. One group, the Associated General Contractors of North Dakota preferred to have representation on the Council.. Following discussion and several voice votes a proposed amendment was passed.

Rep. Price moved a Do Pass as amended motion the motion. Rep. Galvin seconded the motion.

On a roll call vote the motion carried 12 Ayes 1 Nay and 0 Absent.

Rep. Ruby was designated to carry HB 1087 on the floor.

End of record. (22.0)

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10/2/03
Date

38152.0101
Title.0200

Adopted by the Transportation Committee
January 17, 2003

VR
1/18/03

HOUSE AMENDMENTS TO HB 1087 htrn 1-20-03

Page 1, line 12, remove "the North Dakota state university president or the"

Page 1, line 13, remove "president's designee", overstrike the first "and", and overstrike
"organizations"

Page 1, line 16, overstrike "farm bureau" and insert immediately thereafter "grain growers
association"

Page 1, line 17, overstrike "The North Dakota farmers union."

Page 1, overstrike lines 18 through 19

Page 1, line 20, overstrike "7."

Page 1, line 22, overstrike "8." and insert immediately thereafter "5."

Page 1, line 23, overstrike "9." and insert immediately thereafter "6."

Page 1, line 24, overstrike "10." and insert immediately thereafter "7."

Page 2, line 1, replace "11." with "8."

Page 2, line 2, replace "12." with "9."

Page 2, line 3, replace "13." with "10."

Page 2, line 4, replace "14." with "11."

Page 2, after line 4, insert:

"12. The North Dakota primary sector of manufacturing, appointed by the
council."

Renumber accordingly

Page No. 1

38152.0101

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Operator's Signature

Yalosta Rickford

Date

10/2/03

Date: 1/17/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1087

House TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38152.0101

Action Taken Do Pass as Amended

Motion Made By Rep. Price Seconded By Rep. Galvin

Representatives	Yes	No	Representatives	Yes	No
Robin Weisz - Chairman	✓		Lois Delmore	✓	
Kathy Hawken - Vice Chairman	✓		Arlo E. Schmidt		✓
LeRoy G. Bernstein	✓		Elwood Thorpe	✓	
Mark A. Doach	✓		Steven L. Zaiser	✓	
Pat Galvin	✓				
Craig Headland	✓				
Clara Sue Price	✓				
Dan J. Ruby	✓				
Dave Weiler	✓				

Total Yes 12 No 1

Absent 0

Floor Assignment Rep. Ruby

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

REPORT OF STANDING COMMITTEE (410)
January 20, 2003 9:07 a.m.

Module No: HR-10-0748
Carrier: Ruby
Insert LC: 38152.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1087, as amended, Transportation Committee (Rep. Welsz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1087, as amended, was placed on the Sixth order on the calendar.

Page 1, line 12, remove "the North Dakota state university president or the"

Page 1, line 13, remove "president's designee", overstrike the first "and", and overstrike "organizations"

Page 1, line 16, overstrike "farm bureau" and insert immediately thereafter "grain growers association"

Page 1, line 17, overstrike "The North Dakota farmers union."

Page 1, overstrike lines 18 through 19

Page 1, line 20, overstrike "7."

Page 1, line 22, overstrike "8." and insert immediately thereafter "5."

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Page 2, line 1, replace "11." with "8."

Page 2, line 2, replace "12." with "9."

Page 2, line 3, replace "13." with "10."

Page 2, line 4, replace "14." with "11."

Page 2, after line 4, insert:

"12. The North Dakota primary sector of manufacturing, appointed by the council."

Renumber accordingly

2003 SENATE TRANSPORTATION

HB 1087

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10/2/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1087

Senate Transportation Committee

☐ Conference Committee

Hearing Date 3-14-03

Tape Number	Side A	Side B	Meter #
1		X	925-4640
Committee Clerk Signature <i>Mary K. Monson</i>			

Minutes:

Chairman Senator Thomas Trenbeath opened the hearing on HB 1087 relating to composition of the advisory transportation council and purpose of the upper great plains transportation institute.

Dale Anderson (Chairman of the Advisory Council of the Upper Great Plains Transportation Institute) See attached testimony in favor of HB 1087.

Senator Nething pointed out that Mr. Anderson had said they were neutral to the ND Primary Sector Manufacturing but they were excluded. (Meter 2060)

Dale Anderson replied that the manufacturing group is private sector driven and within GNDA there is a manufacturing division that is representing manufacturers and processors in the state.

Senator Nething asked about being neutral on the Grain Growers and not including them.

Dale Anderson said that they didn't make an appearance before the Advisory Council.

Page 2
Senate Transportation Committee
Bill/Resolution Number HB 1087
Hearing Date 3-14-03

(Meter 2240) Discussion about suggestions made to the House and the deletions that were made.

The list of suggested members in his testimony was what was suggested to the House. That is what was in HB 1087 as originally introduced.

(Meter 2460) Discussion relating to page 4 of original testimony. Typographical errors. There are three items in the opposed group, two items in the agrees to group, and two in the neutral group. The final recommendation is actually a group of 13. (Corrected testimony attached.)

Steve Strege (ND Grain Dealers) See attached testimony in support of HB 1087.

Senator Trenbeath asked about the support, at one time, of the Wheat Commission to the tune of \$70,000 a year contribution and to what point it has declined.

Steve Strege replied that it has declined to about \$30,000 to \$40,000.

Senator Mutch asked about the appropriation overall for the sustaining of this organization.

Steve Strege thought the general fund appropriation was around \$400,000. (Meter 2995)

There is a lot of federal money that comes in.

Neil Fischer (Administrator ND Wheat Commission) (Meter 3131) Supports testimony to reinstate the ND Wheat Commission to the Advisory Committee. Each year they have had a funding relationship with the Upper Great Plains Transportation Institute to fund specific projects that involved grain shipments, specifically wheat shipments. That funding level has decreased in recent years because of less emphasis in that area.

Senator Nething asked about reinstating funds and wondered if that included the ND Wheat Commission as well as the Farmers Union and Farm Bureau.

Neil Fischer could only speak to the relationship between the ND Wheat Commission and the Institute.

Page 3

Senate Transportation Committee

Bill/Resolution Number HB 1087

Hearing Date 3-14-03

Senator Nething asked if he knew why the House left the Wheat Commission out. (Meter 3350)

Neil Fischer did not know why. It might have been just an error.

Keith Bjerke (ND State University) Stated for the record that they have no problem with removing the President of NDSU from the Advisory Council. (Meter 3420) The three that were left off are important as a resource base.

Mark Sitz (ND Farmers Union) Ask that they be reincluded in the Advisory Council. They have played an active role in the Advisory Council since the beginning.

Paul Thomas (ND Ag Coalition) They feel involving Farmers Union, Farm Bureau, and the ND Wheat Commission is important on the Advisory Board due to the importance of agriculture to ND and also due to the importance of transportation to the movement of commodities.

Bob Fode (Assistant Planning and Programming Engineer, ND DOT) See attached testimony in favor of HB 1087.

Jon Meilke (Executive Secretary, PSC) See attached testimony.

Senator Espgaard asked Dale Anderson to describe the changes in the powers and duties.

Dale Anderson answered that changes appear on page 2, lines 16-22. (Meter 4100)

Senator Nething noticed that the bill deletes the traffic council selected by members of the council. Asked what that meant.

Dale Anderson answered that that area of expertise has pretty much gone away in the state.

Those issues aren't as critical today as they used to be.

The hearing on HB 1087 was closed.

Senator Nething asked to have an amendment drawn up adding the ND Wheat Commission, Farmers Union, and Farm Bureau back in for discussion purposes.

Yolanda Rickford
Operator's Signature

10/2/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1087

Senate Transportation Committee

☐ Conference Committee

Hearing Date 3-20-03

Tape Number	Side A	Side B	Meter #
1	X		1750-2070

Committee Clerk Signature *Mary K. Monson*

Minutes:

Chairman Senator Thomas Trenbeath opened HB 1087 for discussion.

There was a short discussion on those organizations that wanted back on the advisory transportation council. They include the ND Farm Bureau, the ND Farmers Union, and the ND Wheat Commission

Senator Nething moved to amend to include NDFB, NDFU, and the ND State Wheat Commission. Seconded by **Senator Espegard**. Roll call vote 5-0-1. **Passed.**

Senator Nething moved a Do Pass as Amended. Seconded by **Senator Mutch**.

Roll call vote 5-0-1. **Passed.** Floor carrier is **Senator Mutch**.

38152.0201
Title.0300

Adopted by the Transportation Committee
March 20, 2003

JP
3-20-03

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1087

Page 1, line 16, remove the overstrike over "~~farm bureau~~" and remove "grain growers association"

Page 1, line 17, remove the overstrike over "~~The North Dakota farmers union,~~"

Page 1, line 18, remove the overstrike over "~~5,~~", remove the overstrike over "~~The North Dakota,~~" after "~~stockmen's~~" insert "grain growers", and remove the overstrike over "~~association,~~"

Page 1, remove the overstrike over line 19

Page 1, line 20, remove the overstrike over "~~7,~~"

Page 1, line 22, remove the overstrike over "~~8,~~" and remove "5,"

Page 1, line 23, remove the overstrike over "~~9,~~" and remove "6,"

Page 1, line 24, remove the overstrike over "~~10,~~" and remove "7,"

Page 2, line 1, replace "8," with "11,"

Page 2, line 2, replace "9," with "12,"

Page 2, line 3, replace "10," with "13,"

Page 2, line 4, replace "11," with "14,"

Page 2, line 5, replace "12," with "15,"

Renumber accordingly

Page No. 1

38152.0201

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10/2/03
Date

Date: 3-20-03
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1087

Senate TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken Amendment 0201

Motion Made By Senator Nitking Seconded By Senator Espgaard

[illegible]

Total (Yes) 5 No 0

Absent /

Floor Assignment

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Operator's Signature

Date _____

Date: 3-20-03
Roll Call Vote #: 2

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1087

Senate TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38152.0201

Action Taken: Do pass as amended

Motion Made By Senator Nething Seconded By Senator Mutch

[illegible]

Total (Yes) 5 No 0

Absent /

Floor Assignment Senator Mutch

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

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10/2/03
Date

REPORT OF STANDING COMMITTEE (410)
March 21, 2003 1:07 p.m.

Module No: SR-51-5449
Carrier: Mutch
Insert LC: 38152.0201 Title: .0300

REPORT OF STANDING COMMITTEE

HB 1087, as engrossed: Transportation Committee (Sen. Trenbeath, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEARS, 0 DAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1087 was placed on the Sixth order on the calendar.

Page 1, line 16, remove the overstrike over "~~farm-bureau~~" and remove "grain growers association"

Page 1, line 17, remove the overstrike over "~~The North Dakota farmers union,~~"

Page 1, line 18, remove the overstrike over "5.", remove the overstrike over "~~The North Dakota~~", after "~~stockmen's~~" insert "grain growers", and remove the overstrike over "~~association,~~"

Page 1, remove the overstrike over line 19

Page 1, line 20, remove the overstrike over "7."

Page 1, line 22, remove the overstrike over "8." and remove "5."

Page 1, line 23, remove the overstrike over "9." and remove "6."

Page 1, line 24, remove the overstrike over "10." and remove "7."

Page 2, line 1, replace "8." with "11."

Page 2, line 2, replace "9." with "12."

Page 2, line 3, replace "10." with "13."

Page 2, line 4, replace "11." with "14."

Page 2, line 5, replace "12." with "15."

Renumber accordingly

2003 TESTIMONY

HB 1087

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Date

HOUSE TRANSPORTATION COMMITTEE

January 9, 2003

**North Dakota Transportation Department
Darcy Rosendahl, Planning & Programming Engineer**

HB 1087

Good Morning Mr. Chairman and members of the committee. I'm Darcy Rosendahl, Planning and Programming Engineer of the North Dakota Department of Transportation. I'm here to testify in favor of HB 1087 which revises the composition of the advisory transportation council and purpose of the Upper Great Plains Transportation Institute (UGPTI).

NDDOT has worked cooperatively with the UGPTI on variety of transportation issues related to rail, intermodal and freight movements impacting our transportation networks. We have also been involved in various research and economic analysis projects looking at potential impacts to our transportation system.

NDDOT supports the additions to the advisory council membership and also supports the proposed changes to the purpose-powers and duties as logical representation of current and future transportation planning needs and concepts. We look forward to continuing our positive relationship with the UGPTI.

Mr. Chairman, that concludes my testimony and I would be happy to answer any questions the committee may have.

Amended Testimony



**STATEMENT BY DALE O. ANDERSON, CHAIRMAN, UPPER GREAT PLAINS TRANSPORTATION INSTITUTE ADVISORY COUNCIL, NDSU, AND GNDA PRESIDENT, REGARDING ENGROSSED HB 1087, TO THE SENATE TRANSPORTATION COMMITTEE, MARCH 14, 2003.
(AMENDED)**

Chairman Trenbeath and members of the Senate Transportation Committee. I am Dale O. Anderson, Chairman, Upper Great Plains Transportation Institute and President, GNDA, North Dakota State Chamber of Commerce. Thank you for this opportunity to provide testimony regarding Engrossed HB 1087.

The Greater North Dakota Association is the voice for business and principal advocate for positive change for North Dakota. The organization's membership is an economic and geographic cross section of North Dakota's private sector, including statewide associations and local chambers of commerce, development organizations, convention and visitors associations, and public sector members. GNDA is governed by a Board of Directors elected by its membership.

The Upper Great Plains Transportation Institute was established by the North Dakota Legislature in 1967. The enabling legislation, Chapter 54-53 of the North Dakota Century Code, also created an advisory transportation council of 12 to consult with the Institute in matters of policy affecting the development of transportation in North Dakota. The council meets at least two times per year. Members of the council serve without pay, but may receive reimbursement for expenses.

The original statutory members of the council included:

- 1. A Traffic Counsel,**
- 2. Representative of the Railways Serving North Dakota,**
- 3. The Greater North Dakota Association,**

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North Dakota's State Chamber of Commerce

1

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10/2/03
Date

5. North Dakota Farm Bureau,
6. North Dakota Farmers Union,
7. North Dakota Stockmen's Association,
8. North Dakota State Wheat Commission,
9. North Dakota Department of Commerce Division of
Economic Development and Finance,
10. North Dakota Grain Dealers Association,
11. North Dakota Motor Carriers Association, and
12. The North Dakota Aeronautics Commission.

The goal of the Institute is to make an important contribution to North Dakota's economy and socialization through improving mobility of freight and people. The Institute achieves its goal as follows:

1. Carrying on the development of knowledge, information, and innovation and assisting in applying it to private and public sector interests to improve competitiveness, efficiency, safety, and personal mobility;
2. Continuing to educate, train, and mentor the transportation practitioners and leaders for the future in a rapidly advancing and increasingly complex field with sophisticated technology applications; and
3. Enhancing our status as a nationally recognized center of excellence that attracts the necessary talent and funding enabling the Institute to contribute to North Dakota's economy and society, and the state's image.

The Institute accomplishes its goals through the nine interdisciplinary programs:

1. Agriculture Transport Center,
2. Strategic Transportation Analysis Program,
3. Small Urban and Rural Transit Center,
4. Advanced Traffic Analysis Center (ATAC),
5. Department of Transportation Support Center,

6. Transportation Safety Systems Center,
7. Tel8 Distance Learning System,
8. Education, and
9. Mountain Plains Consortium (MPC)

During the past two years, the Advisory Council reviewed its mission, powers and duties and makeup in light of the new economy. The Council recommended a minor change in powers and duties and changes to the council makeup. These changes were introduced as HB 1087, as reflected in the underlined wording on lines 18 and 19 on page 2 of HB 1087.

The council recommended the following changes regarding the group makeup through HB 1087:

1. Change reference regarding railroads to North Dakota Railway Industry,
2. Change Public Service Commission to North Dakota Public Service Commission,
3. Change Division of Economic Development and Finance to North Dakota Department of Commerce,
4. Add the North Dakota Department of Transportation,
5. Add the North Dakota Agriculture Commissioner,
6. Add the North Dakota Association of General Contractors,
7. Add NDSU President, and
8. Delete the Traffic Counsel Position.

The total number of members is 15.

The House of Representatives made the following amendments to HB 1087 which results in Engrossed HB 1087, which you are discussing:

1. Delete the President of NDSU,
2. Delete the North Dakota Farm Bureau,
3. Delete the North Dakota Farmers Union,

4. Delete the North Dakota Stockmen's Association,
5. Delete the North Dakota State Wheat Commission,
6. Add the North Dakota Grain Growers Association, and
7. Add the North Dakota Primary Sector of Manufacturing.

The total number of members is 12.

GNDA divided the recommendations in Engrossed HB 1087 into three groups as follows:

GNDA SUPPORTS TO:

1. Delete the President of NDSU,
2. Delete the North Dakota Stockmen's Association,

GNDA OPPOSES TO:

1. Delete the North Dakota Farm Bureau,
2. Delete the North Dakota Farmers Union,
3. Delete the North Dakota State Wheat Commission,

GNDA IS NEUTRAL TO:

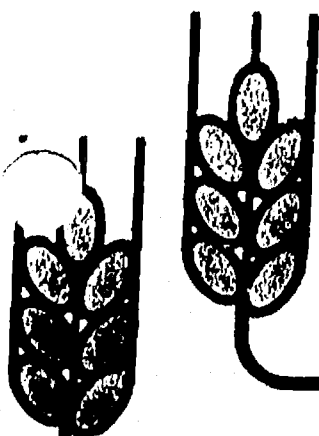
1. Add the North Dakota Grain Growers Association, and
2. Add the North Dakota Primary Sector of Manufacturing.

GNDA recommends that the makeup of the Council shall consist of at least the following 13 members, depending on the action of Senate Transportation Committee:

1. Greater North Dakota Association,
2. North Dakota Public Service Commission,
3. North Dakota Farm Bureau,
4. North Dakota Farmers Union,
5. North Dakota State Wheat Commission,
6. North Dakota Department of Commerce,
7. North Dakota Grain Dealers Association,
8. North Dakota Motor Carriers Association,

9. **The North Dakota Aeronautics Commission,**
10. **The North Dakota Department of Transportation,**
11. **The North Dakota Agriculture Commissioner,**
12. **The North Dakota Association of General Contractors,**
and
13. **The North Dakota Railway Industry, appointed by the**
Council.

Thank you Chairman Trenbeath and members of the Senate Transportation Committee for this opportunity to discuss GNBA's position regarding the new composition of the advisory transportation council of 13 members for the Upper Great Plains Transportation Institute at North Dakota State University. We recommend that Engrossed HB 1087 be amended as outlined above and a do pass after the changes outlined above have been included. I welcome your questions.



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HB 1087 SENATE TESTIMONY Senate Transportation Committee -- Friday March 14, 2003 Senator Tom Trenbeath, Chairman

The North Dakota Grain Dealers Association supports amending HB 1087 to restore the North Dakota Wheat Commission, North Dakota Farmers Union, and North Dakota Farm Bureau to membership on the Advisory Council. Grain Dealers has been a member of that Council since it was created back in 1967. I dare say we have been one of the most active members. We can only conclude that something really ran off the track over in the House when those three organizations were removed from the Advisory Council membership. The Wheat Commission has been involved in transportation matters since before the Institute was created. Over the years it has provided megabucks funding to the Institute, to the tune of \$70,000 a year a decade ago. That has now declined.

North Dakota Farmers Union has worked with the Institute, PSC, Grain Dealers and the Wheat Commission over the years on transportation matters. One of its representatives was the Chairman of the Advisory Council for about a decade in the late 80's and early 90's. Farmers Union has a strong commitment to the Transportation Institute.

The North Dakota Farm Bureau has also been a longstanding and active member of the Council.

Please put those organizations back on the Council for its benefit and for the benefit of the state. Thank you.

H.B. 1087

Presented by: Jon Mielke, Executive Secretary
Public Service Commission

Before: Senate Committee on Transportation
Thomas L. Trenbeath, Chairman

Date: March 14, 2003

TESTIMONY

Mr. Chairman and committee members, my name is Jon Mielke. I am the Public Service Commission's executive secretary. I also serve as the director of the Commission's Licensing Division and as the primary staff person on railroad matters.

State law provides that the Public Service Commission is the state agency that is charged with representing North Dakota's rail interests before federal agencies. The Commission takes this assignment very seriously and has taken part in numerous Interstate Commerce Commission and Surface Transportation Board proceedings over the years. These cases involve service and rate matters that are vitally important to North Dakota farmers and shippers and to the transportation of North Dakota products.

It is important to note, however, that the Commission has very limited resources to carry out this mandate. Given this fact, the Commission routinely partners with other entities to represent North Dakota's interests. In addition to the Transportation Institute, regular partners in these undertakings have included the North Dakota Grain

Dealers Association, the Wheat Commission, the Farmers Union, and the Farm Bureau. These are the entities that have devoted the time and the resources to become informed on the issues and to get directly involved.

Given this fact, the Commission suggests that these entities should remain as statutory members of the Institute's advisory council. The Commission certainly does not object to adding additional members to the council but it should not be done at the expense of removing entities that has been actively involved in representing the state over the years.

Thank you, Mr. Chairman. I would be happy to respond to any questions that you or your committee's members may have.

Yolanda Rickford
Operator's Signature

10/2/03
Date

SENATE TRANSPORTATION COMMITTEE

March 14, 2003

**North Dakota Transportation Department
Bob Fode, Acting Planning & Programming Engineer**

HB 1087

Good morning, Mr. Chairman and members of the committee. I'm Bob Fode, Acting Planning and Programming Engineer of the North Dakota Department of Transportation. I'm here to testify in favor of HB 1087, which revises the composition of the advisory transportation council and the purpose of the Upper Great Plains Transportation Institute (UGPTI).

NDDOT has worked cooperatively with the UGPTI on variety of transportation issues related to rail, intermodal, and freight movements affecting our transportation network. We have also been involved in various research and economic analysis projects to determine potential impacts to our transportation system.

NDDOT supports the additions to the advisory council membership. We also support the proposed changes to the purpose, powers, and duties because we feel that they represent current and future transportation planning needs and concepts. We look forward to continuing our positive relationship with UGPTI.

Mr. Chairman, that concludes my testimony. I would be happy to answer any questions the committee may have.

Yalosta Rickford
Operator's Signature

10/2/03
Date