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Deanne Hall
Operator's Signature

10/22/03

Date

2003 SENATE EDUCATION

SB 2383

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Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2383

Senate Education Committee

☐ Conference Committee

Hearing Date 02-05-03

Tape Number	Side A	Side B	Meter #
1		x	20.4 - 27.5
2	x		9.6 - 10.8
Committee Clerk Signature <i>Deanna Waller</i>			

Minutes: CHAIRMAN FREBORG called the committee to order. Roll Call was taken with all (6) members present.

CHAIRMAN FREBORG opened the hearing on SB 2383 which will authorize the state board of higher education to convey certain land in Ramsey County, North Dakota, to the city of Devils Lake.

Testimony in support of SB 2383:

SENATOR TRAYNOR, Dist. 15, presented testimony for FRED BOTT, President of the Devils Lake Commission and from DR. SHARON ETEMAD, President Lake Region State College.(see attached) The parcel of land being considered contains about 26,000 square feet.(see attached map). Section 2 of the bill lists exemptions which 1. requires sale on steps of courthouse and 2. requires written proof of sale.

SENATOR FLAKOLL asked with the transfer of this land, who is responsible. SENATOR TRAYNOR stated the city would be responsible.

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Page 2

Senate Education Committee

Bill/Resolution Number SB 2383

Hearing Date 02-05-03

HELEN CARLSON, from the engineering Dept. for Devils Lake, stated it is in the best interest of the city of Devils Lake to acquire the land.

There was no testimony in opposition to SB2383.

Hearing no further testimony, the hearing was closed.

Tape 2, Side A, 9.6 - 10.8

SENATOR FLAKOLL moved a DO PASS. Seconded by SENATOR CHRISTENSON.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

Carrier: SENATOR LEE

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10/22/03
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FISCAL NOTE
Requested by Legislative Council
01/28/2003

Bill/Resolution No.: SB 2383

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

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

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

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

The bill allows for the transfer of a narrow strip of land that lies to the East of the highway and is adjacent to city property. This land provides no benefit to the state, and thus there would be no revenue or expenditure related to the transfer.

The purpose of the transfer is to provide access from Highway 20 to a city street. This would transfer all responsibility for the maintenance of the access road and strip of land from the state to the City of Devils Lake.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

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

Name:	Laura Glatt	Agency:	NDUS
Phone Number:	328-4116	Date Prepared:	01/30/2003

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Date: 2/5/03
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2383

Senate EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Sen. Flakoll Seconded By Sen. Christenson

Senators	Yes	No	Senators	Yes	No
LAYTON FREBORG, CHAIR.	✓		LINDA CHRISTENSON	✓	
GARY A. LEE, V. CHAIR.	✓		RYAN M. TAYLOR	✓	
DWIGHT COOK	✓				
TIM FLAKOLL	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen. Lee

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

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10/22/03
Date

REPORT OF STANDING COMMITTEE (410)
February 5, 2003 12:47 p.m.

Module No: SR-22-1708
Carrier: G. Lee
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
SB 2383: Education Committee (Sen. Freborg, Chairman) recommends DO PASS
(8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2383 was placed on the
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-22-1708

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Operator's Signature

10/22/03

Date

2003 HOUSE EDUCATION

SB 2383

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Deanna Ballerino
Operator's Signature

10/22/03

Date

2003 HOUSE STANDING COMMITTEE MINUTES
BILL/RESOLUTION NO. SB 2383
House Education Committee

☐ Conference Committee

Hearing Date March 10, 2003

Tape Number	Side A	Side B	Meter #
2	x		00-400
Committee Clerk Signature <i>Linda Guenther</i>			

Chairman Kelsch opened the hearing on SB 2383.

Sen. Jack Traynor, Devils Lake District 15, See Attached Testimony

The property to be deeded is only about 2600 sq. feet. It is a sliver of land on the east side of what used to be the Burlington Northern Railroad, north of Devils Lake. It is really of no use to the state or to the college. The city is acquiring that land of the rialroad right away to use it as a bike path. We are for you to approve the bill, the part mention in sub section 2, indicating the provision of the two sections do not apply. One would require a public auction of state land and the other a written report. Legislative Council decided that the exemption should be in.

Rep. Jon Nelson With the acquisition of this land by the city, does that change the equity of the property rich status of the Devils Lake school district. jokingly

Traynor: It would add a significant effect.

Rep. Hanson Did we not have a bill a couple of years ago to transfer some land from the college to the city or something like that

Traynor: That is true, this is not that area, this land was discovered when they surveyed it for the change of hands.

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10/22/03
Date

Page 2

House Education Committee

Bill/Resolution Number SB 2383

Hearing Date March 10, 2003

Rep. Jon Nelson is that the old farmers line by the deaf school.

Traynor: Yes it is the old farmers line, that was built from Devils Lake to Hillsboro. Use to be all the way up to Canada and was a means for transporting alochol beverage during the depression. From Cananda right down to Devils Lake. And we were well supplied.

Opposition- none

closed hearing on bill

Rep. Hanson moved a DO PASS second by Vice Chair Johnson

Roll Vote 11-0-3 Vice Chair Johnson will carry the bill to the floor.

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Deanna Hallen
Operator's Signature

10/22/03
Date

Date: 3/10/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2383

House HOUSE EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken

Do Pass

Motion Made By

Hanson

Seconded By

Johnson

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓				
Rep. Johnson	✓				
Rep. Nelson	✓				
Rep. Haas	✓				
Rep. Hawken	✓				
Rep. Herbel	AB				
Rep. Meier	✓				
Rep. Norland	AB				
Rep. Sitte	✓				
Rep. Hanson	✓				
Rep. Hunsakor	✓				
Rep. Mueller	✓				
Rep. Solberg	AB				
Rep. Williams	✓				

Total (Yes) 11 No 0

Absent 3

Floor Assignment Johnson

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

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10/22/03
Date

REPORT OF STANDING COMMITTEE (410)
March 10, 2003 1:58 p.m.

Module No: HR-42-4342
Carrier: D. Johnson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2383: Education Committee (Rep. R. Kelsch, Chairman) recommends DO PASS
(11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2383 was placed on the
Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-42-4342

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10/22/03
Date

2003 TESTIMONY

SD 2383

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Deanna Walker
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10/22/03
Date

- CITY OFFICES -

423 Sixth Street
P.O. Box 1048
Devils Lake, ND 58301-1048

Fax (701) 662-7612
TDD (701) 662-7610



- CITY COMMISSION -

Fred Bott, President
Dick Johnson
Tim Heisler
Barry Gage
Craig Stromme

February 3, 2003

Honorable Layton Freborg
State Senator
Chairman, Senate Education Committee
600 E. Boulevard Ave.
Bismarck, ND 58505

RE: SB 2383 - Conveyance of Land to City of Devils Lake

Dear Chairman Freborg & Senate Education Committee Members:

On Wednesday, February 5, 2003, you will be hearing testimony in regards to the State Board of Higher Education transferring property to the City of Devils Lake. Enclosed is a letter from Lake Region State College recommending a "do pass" on this bill, as well as a map of the property in question. I, too, respectfully request you grant this request by recommending passage SB 2383.

Last year the City of Devils Lake took steps to obtain abandoned railroad property within the city limits in order to develop roadways for a new subdivision. During this process, it was determined that Lake Region State College and the State of North Dakota owned a strip of property approximately 8 feet wide adjacent to that the City was acquiring from the railroad. Portions of both properties will be impacted by future roadway development. The City is also investigating use of this property for development of pedestrian facilities.

The City of Devils Lake contacted Lake Region State College to inquire about the property and subsequently worked out an arrangement for the City to obtain the property owned by the college. This arrangement included the City maintaining other property owned by the College throughout last summer in exchange for the College recommending donation of the aforementioned parcel.

Thank you for taking action necessary to convey this parcel of property to the City of Devils Lake.

Sincerely,

Fred Bott, President
Devils Lake City Commission

FB:MEG

c: Sharon Etemad, Lake Region State College
Honorable John T. Traynor, State Senator, District 15

TODD E. DALZIEL Auditor (701) 662-7600 E-mail: todd_d@ci.devils-lake.nd.us	GARY A. MARTINSON Assessor/Building Official (701) 662-7607 E-mail: gary_m@ci.devils-lake.nd.us	MICHAEL E. GRAFSGAARD Engineer (701) 662-7614 E-mail: mike_g@ci.devils-lake.nd.us	LYLE P. JAEGER Public Works Director (701) 662-7618 E-mail: lyle_j@ci.devils-lake.nd.us	J. THOMAS TRAYNOR, JR. City Attorney (701) 662-4077 E-mail: tomtraynor@traynor-rutten.com
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Operator's signature

10/22/03
Date



Lake Region

STATE COLLEGE

1801 College Drive, Devils Lake ND 58301-1598

(701) 662-1600 • fax (701) 662-1570 • 1-800-443-1313
TDD (701) 662-1572 • www.lrscc.ndak.edu

To: Senate Education Committee Chairman Layton Freborg and Committee Members
From: Dr. Sharon L. Etemad, President of Lake Region State College
Corry G. Kenner, V.P. for Administrative Services
Date: February 5, 2003

Re: Testimony for the passage of SB 2383

Dear Senator Freborg and Committee Members:

Senate Bill 2383 proposes the transfer of a strip of land, owned by Lake Region State College (LRSC) and the State of North Dakota, to the city of Devils Lake, North Dakota. The land, eight feet wide by twenty-nine hundred feet long, is located across Highway 20 to the east of LRSC. LRSC requests a "do pass" recommendation from this Committee for SB 2383.

LRSC has an excellent working relationship with the City of Devils Lake (the City). Two recent projects that were accomplished in consort with the City involved the establishment and maintenance of a new city street entering the north end of the LRSC campus and a joint effort, with the City assuming the role of general contractor, that involved LRSC, the Devils Lake Public School District, the City, and FEMA whereby an extensive subsurface draining system was installed.

The City has maintained the strip of land, at no cost to LRSC or the State, since the new campus location was established in 1966. The strip of land is needed by the City to establish a frontage road and facilitate additional residential expansion east of LRSC. Since the land, due to its narrow dimension and location, has no conceivable use to LRSC and the fact that future costs of liability and maintenance could be incurred, we recommend the transfer of the property to the City at no cost.

Thank you.

Respectfully Submitted,

Dr. Sharon L. Etemad, President

Corry G. Kenner, V.P. for Administrative Services

"a comprehensive community college"

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