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ROLL NUMBER

DESCRIPTION

4027

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Deanna Hall  
Operator's Signature

10/23/03  
Date

2003 SENATE INDUSTRY, BUSINESS AND LABOR

SCR 4027

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 4027

Senate Industry, Business and Labor Committee

☐ Conference Committee

Hearing Date 02-11-03

Tape Number	Side A	Side B	Meter #
1		xxx	870
Committee Clerk Signature <i>Lisa VanBerkem</i>			

Minutes: Chairman Mutch opened the hearing on SCR 4027. All Senators were present.

SCR 4027 directs the Legislative Council to study whether the use of Bank of North Dakota and State Mill and Elevator profits and the use of moneys in trust funds for general fund purposes is jeopardizing the future economic viability of the Bank of North Dakota and the State Mill and Elevator and reducing the amount of funds available for the dedicated purposes of the trust funds.

Representative Boucher introduced the bill. Legislative Council needs to take a look at what impact State Mill and BND would have on the operations. There are undivided profits of \$140 million. (tape 1, side B, meter no. 950)

Senator Espgaard: What will this study show? You are taking profits out and not touching the capitol.

Rep. Boucher: We have moved into the undivided profits. In a study, that would be looked at.

Senator Nething: We should amend this to include that.

Hearing closed. No action taken.

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10/23/03  
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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 4027

Senate Industry, Business and Labor Committee

☐ Conference Committee

Hearing Date 03-06-03

Tape Number	Side A	Side B	Meter #
1	xxx		0
Committee Clerk Signature			

Minutes: Chairman Mutch opened discussion on SCR 4027. All Senators were present.

SCR 4027 directs the Legislative Council to study whether the use of Bank of North Dakota and State Mill and Elevator profits and the use of moneys in trust funds for general fund purposes is jeopardizing the future economic viability of the Bank of North Dakota and the State Mill and Elevator and reducing the amount of funds available for the dedicated purposes of the trust funds.

Senator Nething proposed amendments. See attached. The committee looked over the amendments.

Senator Heitkamp stated his dislike for "hog house" amendments to the resolution. He stated that if you don't like the resolution, kill it. Don't "hog house" it and change everything it says and leave the sponsors names on it. It is not right to do that. That is not the resolution that the sponsors intended. I urge a DO NOT PASS on the amendments.

Senator Heitkamp: Senator Nething, have you ran these amendments by the sponsors?

Senator Nething: No.

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10/23/03  
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Page 2

Senate Industry, Business and Labor Committee

Bill/Resolution Number 4027

Hearing Date 03-04-03

The discussion is closed.

Senator Nething moved to amend. Senator Klein seconded.

Roll Call Vote: 5 yes. 2 no. 0 absent.

Senator Nething moved a DO PASS AS AMENDED. Senator Espegard seconded.

Roll Call Vote: 4 yes. 3 no. 0 absent.

Carrier: Senator Nething

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Deanna Williams  
Operator's Signature

10/23/03  
Date

33061.0101  
Title.0200

Prepared by the Legislative Council staff for  
Senator Nething  
February 19, 2003

*JB*  
3-6-3

PROPOSED AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 4027

Page 1, line 1, replace "directing the Legislative Council to study whether the use of" with "urging Governor John Hoeven to continue his efforts to provide for the needs of the state's most vulnerable citizens by using"

Page 1, line 2, remove "the use of"

Page 1, line 3, replace "is jeopardizing the future economic viability of the Bank of North Dakota" with "without requiring any general tax increase in the budget submitted to the Fifty-eighth Legislative Assembly."

Page 1, remove lines 4 and 5

Page 1, line 13, replace the second "funds" with "fund" and replace "may be jeopardizing the future viability of the Bank of" with "has made it possible for a balanced budget without the need for any general tax increases while continuing to provide for the needs of our most vulnerable citizens;"

Page 1, remove lines 14 and 15

Page 1, line 18, after the first "the" insert "Fifty-eighth" and replace "Council study whether the use of " with "Assembly urges Governor John Hoeven to continue his efforts to provide for the needs of the state's most vulnerable citizens by using"

Page 1, line 19, remove "the use of" and replace "is" with "without requiring any general tax increase in the budget submitted to the Fifty-eighth Legislative Assembly; and"

Page 1, remove lines 20 through 22

Page 1, line 23, replace "Legislative Council report its findings and" with "Secretary of State present an enrolled copy of this resolution to Governor John Hoeven."

Page 1, remove lines 24 and 25

Renumber accordingly

Page No. 1

33061.0101

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*Deanna Williams*  
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10/23/03  
Date

Date: 3-06-03  
Roll Call Vote #: 1

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

Senate 4027 Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Amend

Motion Made By Nething Seconded By Klein

Senators	Yes	No	Senators	Yes	No
Sen. Mutch, Chairman	X				
Sen. Klein, Vice Chairman	X				
Sen. Krebsbach	X				
Sen. Nething	X				
Sen. Heitkamp		X			
Sen. Every		X			
Sen. Espgaard	X				

Total (Yes) 5 No 2

Absent 0

Floor Assignment \_\_\_\_\_

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

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10/23/03  
Date

Date: 3-6  
Roll Call Vote #:

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

Senate 4027 Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken Do Pass As Amended

Motion Made By Nothing Seconded By Espgaard

Senators	Yes	No	Senators	Yes	No
Sen. Mutch, Chairman	X				
Sen. Klein, Vice Chairman	X				
Sen. Krebsbach	X	X			
Sen. Nething	X				
Sen. Heitkamp		X			
Sen. Every		X			
Sen. Espgaard	X				

Total (Yes) 4 No 3

Absent 0

Floor Assignment Nothing

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

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10/23/03  
Date



**REPORT OF STANDING COMMITTEE (410)**  
March 6, 2003 5:07 p.m.

Module No: SR-40-4175  
Carrier: Nothing  
Insert LC: 33061.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**

**SCR 4027: Industry, Business and Labor Committee (Sen. Mutch, Chairman)**  
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends  
**DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SCR 4027 was placed  
on the Sixth order on the calendar.

Page 1, line 1, replace "directing the Legislative Council to study whether the use of" with  
"urging Governor John Hoeven to continue his efforts to provide for the needs of the  
state's most vulnerable citizens by using"

Page 1, line 2, remove "the use of"

Page 1, line 3, replace "is jeopardizing the future economic viability of the Bank of North  
Dakota" with "without requiring any general tax increase in the budget submitted to the  
Fifty-eighth Legislative Assembly."

Page 1, remove lines 4 and 5

Page 1, line 13, replace the second "funds" with "fund" and replace "may be jeopardizing the  
future viability of the Bank of" with "has made it possible for a balanced budget without  
the need for any general tax increases while continuing to provide for the needs of our  
most vulnerable citizens;"

Page 1, remove lines 14 and 15

Page 1, line 18, after the first "the" insert "Fifty-eighth" and replace "Council study whether the  
use of " with "Assembly urges Governor John Hoeven to continue his efforts to provide  
for the needs of the state's most vulnerable citizens by using"

Page 1, line 19, remove "the use of" and replace "is" with "without requiring any general tax  
increase in the budget submitted to the Fifty-eighth Legislative Assembly; and"

Page 1, remove lines 20 through 22

Page 1, line 23, replace "Legislative Council report its findings and" with "Secretary of State  
present an enrolled copy of this resolution to Governor John Hoeven."

Page 1, remove lines 24 and 25

Renumber accordingly

2003 TESTIMONY

SCR 4027

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10/23/03  
Date

Attn: Stan Benson

33061.0100

Fifty-eight  
Legislative Assembly  
of North Dakota

**SENATE CONCURRENT RESOLUTION NO.**

Introduced by

Senators Berciers, O'Connell, Taylor

Representatives Boucher

1 A concurrent resolution urging Governor Hoeven to continue his efforts to provide for the  
2 needs of the state's most vulnerable citizens by using moneys in trust funds for general fund  
3 purposes without requiring any general tax increase in the budget submitted to the Fifty-eighth  
4 Legislative Assembly.

5 **Whereas**, Bank of North Dakota and State Mill and Elevator profits have been used  
6 frequently  
7 to supplement the state general fund; and

8 **Whereas**, the Governors proposed budget included spending of \$60 million from the  
9 profits of the Bank of North Dakota, \$5 million from the profits of the State Mill and  
10 Elevator

11 \$26 million from the student loan trust fund, \$14.3 million from the Permanent Oil Trust  
12 Fund, and \$38 million from the Health Care Trust Fund; and

13 **Whereas**, the use of Bank of North Dakota and State Mill and Elevator profits and trust  
14 funds for general funds proposes has made it possible for a balanced budget without the need  
15 for any general tax increases while continuing to provide for the needs of our most  
16 vulnerable citizens.

17 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH**  
18 **DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

19 That the Fifty-eighth Legislative Assembly urges Governor John Hoeven to continue his  
20 efforts to provide for the needs of the state's most vulnerable citizens by using the Bank of  
21 North Dakota and State Mill and Elevator profits and moneys in trust funds for general fund  
22 purposes without requiring any general tax increase in the budget submitted to the  
23 Fifty-eighth Legislative Assembly.

24 **BE IT FURTHER RESOLVED**, that the Secretary of State present an enrolled copy of  
25 this resolution to Governor John Hoeven.

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