

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

3005

2005 HOUSE AGRICULTURE

HCR 3005

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3005

House Agriculture Committee

☐ Conference Committee

Hearing Date 1--21--05

Tape Number	Side A	Side B	Meter #
TWO	A		36.9 TO 49.4
THREE	A		00 TO 10.1
Committee Clerk Signature <i>Edward D. Elyson</i>			

Minutes:

MADAM CHAIR WOMAN KINGSBURY: Committee Members, we will open on HCR3005.

BRAD FAY: This bill was reassigned to appropriations. It was not heard in that setting.

A state agency monitoring it. You have custody of bill.

This is a concurrent resolution directing the Legislative Council to study the utilization of land owned by state agencies land institutions, the best use of state-owned land, and whether the state should establish an inventory of state-owned land.

MIKE BRAND: NORTH DAKOTA LAND DEPARTMENT: Yes we do have an inventory Of our land. The land are assets. The school trust fund I can tell you with in 100th of a acre how much land we carry on our books. I am sure other agencies also have inventory's of there land, but I am assuming that from experience I will get calls from people that are interested in

land in there area. They check with the recorders office to see whose land it is. They will give us a call lots of time and we will track it down.

MIKE BRANDENBURG: When land is coming up for rent, do you advertise. How would I know it is coming up. How dose this process go. People find out that someone ends up with land.

MIKE BRAND: Under the school trust fund I can't speak for the other agencies but in the School trust plan when ever we do a lease we advertise for three weeks. Two ways to find out about it and also if you are on our mailing list you also receive a news letter that lists the locations. The same works for land fill. Those are assets. These lands are also advertised for three weeks before the date of the sale. Selling there are auction notices.

REPRESENTATIVE KREIDT: Do you develop a lease?

MIKE: BRAND: Leases are a maximum of five years. Three, four or five years.

VIRGIL LINK: Good morning. I represent the Game and Fish Department. Wild life division We are monitoring the bill because we are not sure of the intent. The situation of this Resolution. We do have an inventory of our properties. We know what land holdings we have.

REPRESENTATIVE MUELLER: Is there a single inventory of state owned land. Fish and game and every other kind of land.

VIRGIL LINK: I am not aware that there are. We manage. We have responsible management.

REPRESENTATIVE: Game and Fish puts together a booklet showing public lands for hunters. Wouldn't that be an inventory of public lands.

LINK: We do put that together. We go through the agencies. Request inventories.

We rails there are continual changes. Dose it give and acre by acre accounting?? No

But it dose give you an indication of the land out there. It is not descriptive.

REPRESENTATIVE BRANDENBURG: Who manages the weeds.

LINK: We do. State law says we will take care of weeds. We have the most up to date Ways of killing weeds. We have open reports as to what we do and what we have done in the last ten years. With staff differences. New staff always know what has been done.

We hear generalizations as to weeds but we need specific information so that we can address As situation. Like I say we keep records. We go by maps. Show us on maps where the weeds are. We would like to know about specific areas. We have grant money going to communities to help fight weeds. Start parneerships. For example salt peter that is a new weed. We are Controlling that weed. It is a community responsibility. One agency or land owner can't do it all by themselves.

MARK GAYDOS: N.D. DEPARTMENT OF TRANSPORTATION: We have a inventory of land we own. I have been asked to monitor this Resolution also. We have parcels identified. We report our owner ship by highways and county roads.

Representative Bleta: We are dwelling on inventory. This is a study resolution. My personal feeling is that these land are a tremendous asset to the state of N. D.

REPRESENTATIVE DAMSCHEN: I feel that this resolution is beyond the scope of this committee.

REPRESENTATIVE MUELLER: Who is pay taxes on land and who is not.

VICE CHAIR WOMAN KINGSBURY: WE WILL CLOSE ON HCR 3005

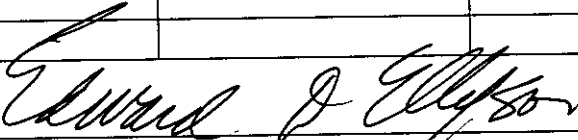
2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3005

House Agriculture Committee

☐ Conference Committee

Hearing Date 2---11---05

Tape Number	Side A	Side B	Meter #
ONE	A		3.4 TO 6.0
Committee Clerk Signature 			

Minutes:

CHAIRMAN NICHOLAS: O.K. I have some amendments for your consideration as to HCR3005 committee members. Please look the amendment. You can see where they are replacing the word "land" with "real estate" on page one line two through line 10 and then please see the changes in line 13, 17, 18, and 19. Committee members, I would like to entertain a motion on the amendment.

REPRESENTATIVE HEADLAND: I MOVE FOR A DO PASS ON THE AMENDMENT.

REPRESENTATIVE UGLEM: I SECOND THE MOTION.

CHAIRMAN NICHOLAS: I NEED A MOTION FOR A DO PASS AS AMENDED.

REPRESENTATIVE KINGSBURY: I MOVE FOR A DO PASS AS AMENDED.

REPRESENTATIVE .KREIDT: SECONDED THE MOTION

THE CHAIR CALL FOR THE ROLL.

Page 2

House Agriculture Committee

Bill/Resolution Number HCR 3005

Hearing Date 2---11---05

THERE WERE 13 YES

0 NO

0 ABSENT

REPRESENTATIVE NICHOLAS CARRIED THE RESOLUTION.

CHAIRMAN NICHOLAS CLOSED ON 3005.

January 27, 2005

House Amendments to HCR3005 - Agriculture Committee 02/11/2005

Page 1, line 1, after "to" insert "seek information identifying state-owned real estate and" and replace "land" with "real estate"

Page 1, line 2, replace "land" with "real estate"

Page 1, line 3, after "establish" insert "and maintain" and replace "land" with "real estate"

Page 1, line 5, replace "land" with "real estate"

Page 1, line 6, replace "land" with "real estate"

Page 1, line 8, replace "land" with "real estate"

Page 1, line 10, replace "land" with "real estate"

Page 1, line 11, after the first "the" insert "best" and replace "property" with "real estate"

Page 1, line 13, replace the first "lands" with "real estate" and replace "these lands" with "this real estate"

Page 1, line 17, after "Council" insert "seek information from state agencies and institutions identifying state-owned real estate and" and replace "land" with "real estate"

Page 1, line 18, replace "land" with "real estate" and replace "an" with "and maintain a detailed"

Page 1, line 19, replace "land" with "real estate"

Renumber accordingly

HER 3005
2-11-05

Date:
Roll Call Vote #:

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House HOUSE AGRICULTURE COMMITTEE

Committee

0102

☐ Check here for Conference Committee

Legislative Council Amendment Number

None Amended

Action Taken

Do Pass

Motion Made By

HEADLAND

Seconded By

UGLEM

Representatives	Yes	No	Representatives	Yes	No
REP. EUGENE NICHOLAS CHAIRMAN			REP. TRACY BOE		
REP. JOYCE KINGSBURY VICE CHAIRMAN			REP. ROD FROELICH		
REP. WESLEY BELTER			REP. PHILLIP MUELLER		
REP. M. BRANDENBURG			REP. KENTON ONSTAD		
REP. CHUCK DAMSCHEN					
REP. CHAIG HEADLAND					
REP. GARY KREIDT					
REP. GERALD UGLEM					
REP. JOHN WALL					

Vote
Vote
XAS

Total (Yes) 13 No

Absent

Floor Assignment

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

HR 305

2-11-05

Date:
Roll Call Vote #:

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House HOUSE AGRICULTURE COMMITTEE Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number AS Amended

Action Taken DO PASS

Motion Made By Kingsbury Seconded By KREIDT

Representatives	Yes	No	Representatives	Yes	No
REP. EUGENE NICHOLAS CHAIRMAN	✓		REP. TRACY BOE	✓	
REP. JOYCE KINGSBURY VICE CHAIRMAN	✓		REP. ROD FROELICH	✓	
REP. WESLEY BELTER	✓		REP. PHILLIP MUELLER	✓	
REP. M. BRANDENBURG	✓		REP. KENTON ONSTAD	✓	
REP. CHUCK DAMSCHEN	✓				
REP. CHAIG HEADLAND	✓				
REP. GARY KREIDT	✓				
REP. GERALD UGLEM	✓				
REP. JOHN WALL	1				

Total (Yes) 13 No 0

Absent 0

Floor Assignment Nicholas

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

REPORT OF STANDING COMMITTEE

HCR 3005: Agriculture Committee (Rep. Nicholas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3005 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "seek information identifying state-owned real estate and" and replace "land" with "real estate"

Page 1, line 2, replace "land" with "real estate"

Page 1, line 3, after "establish" insert "and maintain" and replace "land" with "real estate"

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Page 1, line 10, replace "land" with "real estate"

Page 1, line 11, after the first "the" insert "best" and replace "property" with "real estate"

Page 1, line 13, replace the first "lands" with "real estate" and replace "these lands" with "this real estate"

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Page 1, line 18, replace "land" with "real estate" and replace "an" with "and maintain a detailed"

Page 1, line 19, replace "land" with "real estate"

Renumber accordingly

2005 HOUSE APPROPRIATIONS

HCR 3005.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR3005

House Government Performance Division

☐ Conference Committee

Hearing Date January 19,2005

Tape Number	Side A	Side B	Meter #
1		X	4579-End
Committee Clerk Signature <i>Stephan N. Shanks</i>			

Minutes:**Chair Carlson** opened the hearing on HCR 3005, a concurrent resolution directing the Legislative Council to study the utilization of land owned by state agencies and institutions, the best use of state-owned land, and whether the state should establish an inventory of state-owned land.

Rep. Bob Skarphol: The budget section during the interim visited a lot of the college campuses, and it was requested that they furnish a list of state assets that were connected with each of those facilities. In a discussion with leadership we decided that wasn't a true list of all of the property owned by the state of North Dakota. It involves all land. A survey was done over the interim, we just think there could be better utilization of properties owned by the state, better utilization of the dollars invested by the state, or the asset value of the state properties.

Chair Carlson: At various times we've had people come in. My last recollection was something in Jamestown, where they wanted to trade a piece of ground that wasn't right adjacent

to the state hospital, or there was one that was that they could trade for and they did. That made sense.

Rep. Skarphol: I'm not sure if we should quantitate just the land, maybe we should expand it to include an asset.

Chair Carlson: The Land Department had non performing asset list for the school land, where the rent is less than the cost. There was real concern about selling school land.

Rep. Monson: A lot of people didn't understand that we could make a lot more money off the money, then we could make off the piece of land sitting there doing nothing.

Rep. Monson: What are you thinking of possibly for other assets?

Rep. Skarphol: Un-utilizing state property. Rented out , whether or not it's the best utilization of that property, or would we be better off to sell it.

Hearing Closed.

Govt
Performance
HCR 3005

General Discussion

- ☐ Committee on Committees
- ☐ Rules Committee
- ☐ Confirmation Hearings
- ☐ Delayed Bills Committee
- ☒ House Appropriations
- ☐ Senate Appropriations
- ☐ Other

Date January 27, 2005			
Tape Number	Side A	B Side	Meter #
1	X		1-1840
Committee Clerk Signature <i>Stephanie N Thomas</i>			

Minutes: **Vice Chairman Skarphol** opened general discussion on HCR 3005, a concurrent resolution directing the Legislative Council to study the utilization of land owned by state agencies and institutions, the best use of state-owned land, the state should establish an inventory of state-owned land.

Amendment: Replace the word land with real-estate everywhere in the bill. Line 11, for the best future use of the property. Line 3, should establish and maintain. Line 11, future of the real-estate. Line 13, manage this real-estate instead of these lands. Line 18, establish and maintain.

Rep. Skarphol: Bring forth recommendation of better use of property. Recommend potential best use.

Govt Performance
HCR 3005

General Discussion

- ☐ Committee on Committees
- ☐ Rules Committee
- ☐ Confirmation Hearings
- ☐ Delayed Bills Committee
- ☐ House Appropriations
- ☐ Senate Appropriations
- ☐ Other

Date January 28, 2005			
Tape Number	Side A	B Side	Meter #
1	X		3220-4240
Committee Clerk Signature <i>Stephane N Thomas</i>			

Minutes: **Chair Carlson** opened the general discussion hearing on HCR 3005, a concurrent resolution directing the Legislative Council to study utilization of land owned by state agencies and institutions, the best use of state-owned land, the state should establish an inventory of state-owned land.

Discussion on amendment. (SEE AMENDMENT 53010.0102)

Rep. Glassheim: Does this make a study resolution where you'd have an actual committee looking at it, or does this just instruct Legislative Council to seek the information, and make the list. If we want it in an interim committee, don't we have to have it be a study resolution?

Roxanne, Legislative Council: This is similar to other study resolutions. They will be presented to the Legislative Council at the close of the session. The council will prioritize those that they wish to actually have studied. Then it will be assigned to a committee.

Rep. Skarphol: This is the resolution that had two hearings. During our committee discussion, we decided that we would configure what we thought was a best amendment. Then give this to the Agriculture Committee and let them actually amend the bill, and send it out of their committee. So we don't actually have to take action on this.

Chair Carlson: Let the record show, that we have the amendments, and we're going to forward the amendments to the Agriculture Committee.

Closed General Discussion Hearing.

January 27, 2005

PROPOSED AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3005

Page 1, line 1, after "to" insert "seek information identifying state-owned real estate and" and replace "land" with "real estate"

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Page 1, line 19, replace "land" with "real estate"

Renumber accordingly

2005 SENATE AGRICULTURE

HCR 3005


2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3005

Senate Agriculture Committee

☐ Conference Committee

Hearing Date March 10, 2005

Tape Number	Side A	Side B	Meter #
1	x		2854 - 4633
Committee Clerk Signature 			

Minutes:

Vice Chairman Erbele opened the hearing on HCR 3005, a resolution directing the Legislative Council to seek information identifying state-owned real estate and study the utilization of real estate owned by state agencies and institutions, the best use of state-owned real estate, and whether the state should establish and maintain an inventory of state-owned real estate.

Representative Skarphol introduced the bill. The budget coders did go out and take a look at state property and get a list of state property owned by the institutions and entities they visited. However, they did not visit everywhere and they did not discuss all state property, state real estate. They thought it would be important to compile some sort of state asset list, especially since the state is in the process of implementing new software, Asset Management. There are properties that some of us are aware of that we question if it is being properly utilized as a resource of the state of North Dakota. In Fargo, there is a city block just north and west of West Acres that is used for storing salt and sand for roads. The property has substantial value and it

would seem logical to sell that property and buy less valuable property for storing sand and salt.

They have also discussed getting an appraisal done on the grounds of the state prison and the possibility of selling that area and consider building a new state prison somewhere else. This is an attempt at getting someone to compile all this information and organize it and come back to the legislature at the next session with a report and recommendation. There could be a need for an amendment on line 14, after single agency add or combination of agencies.

Senator Taylor asked about the new asset tracking system, does every agency have a listing of assets on their balance sheets and wouldn't that make this easy.

Representative Skarphol said he hopes that is correct but he does not have the comfort level that everything is listed. He would like to see a compilation in one place, a single data base of the information.

Senator Klein asked how they value that block in Fargo. Whose balance sheet is that on. Is there an appraised value.

Representative Skarphol said it is on the DOT asset list, he has heard anecdotal conversation it has a value of \$2.2 million but he doesn't know if that is the value DOT has on it.

Senator Klein said land that was on the edge of town at one time isn't on the edge any more, this would address that. (meter 3396)

Representative Skarphol said that is their hope that we would have this information available.

Senator Klein asked if we need to designate a group to really dig into this.

Representative Skarphol said he hope it would be part of one of the interim committees, the state agencies would also play a large role. For the actual mechanism, he would think that legislative management or legislative council would take care if it.

Senator Urlacher said he sees lands in the western part of the state that is not even accessible.

The maintenance of those lands is not even equal to the returns. Would this be part of what you would be looking at.

Representative Skarphol said he would want to do what anyone would do if they owned the property themselves. Determine the value and the best use of those assets.

Senator Urlacher asked if he would mean to run it like a business.

Representative Skarphol said its tough to run government like a business, we have a little different role.

Senator Erbele said he sees a lot of grasslands, even some cultivated land, where it is up for rent every five years and for generations it has only brought the minimum, no one has ever bid up the renter who has it in the middle of their farm or ranch. In his opinion it would serve the local school district better if it were to have that land back on the tax rolls. The land department could manage a school lands trust fund, the dollars, rather than managing the real estate. Any comments.

Representative Skarphol said he doesn't disagree with that but to sell most of that land would require a constitutional amendment because it is constitutionally protected. This study would give us a list of what property is constitutionally protected. Part of what they have discussed in the house was to try to compile more summary documents, on a lot of different issues, that we think we need to deal with more adequately than we have, primarily more budgetary, financial things. This is one that got picked up because of its financial implications.

Senator Erbele asked if the interim committee would be capable enough to make these determinations or should there be specific people addressed that should be at the table on this.

Representative Skarpohl said giving authority to legislative council will allow leadership to determine the most appropriate course. We would not want to restrict or direct them.

Vice Chairman Erbele closed the hearing on HCR 3005. (meter 3907)

Senator Klein moved an amendment to add "or a combination of agencies" to line add 14.

Senator Urlacher seconded the motion.

Senator Seymour said he does not think the amendment is necessary, later in testimony

Representative Skarpohl said he wanted one data base so he really doesn't need the amendment.

Senator Klein said the idea is that one single agency may not be able to establish the inventory by themselves, we might need a combination of agencies to work together. What we need to do now is establish the inventory. The final result is the legislature will determine what we will do with the information.

Senator Urlacher said the legislative council will have to bring together the different agencies.

Senator Seymour said we know a lot of agencies have to be contacted but we have to develop one database and the legislative council will bring everyone together.

Senator Flakoll asked if **Representative Skarpohl** said why the house did not make the amendment.

Senator Klein said he thought one agency might not be able to handle it and it does say or, giving them some flexibility.

Senator Seymour said we are missing the point. This is an afterthought of the sponsor. The bill as it is is as solid as a rock.

Senator Klein said as one of the sponsors he will listen to the wishes of the prime sponsor.

The motion passed on a roll call vote 4-2-0.

Page 5

Senate Agriculture Committee

Bill/Resolution Number HCR 3005

Hearing Date March 10, 2005

Senator Klein moved a do pass as amended on HCR 3005.

Senator Taylor seconded the motion.

Senator Flakoll asked if there was discussion on what this would cost.

Senator Klein said no.

Senator Flakoll asked if this is a shall consider. Is this a trojan horse.

Senator Klein said there has been some discussion about this in fiscal review the last year or two. They have discussed requiring an audit of all state real estate. The fiscal review committee thought they would look at it through the legislature.

The motion passed on a roll call vote 6-0-0.

Senator Klein will carry the bill.

PROPOSED AMENDMENTS TO ENGROSSED HOUSE CONCURRENT RESOLUTION NO.
3005

Page 1, line 14, after "agency" insert "^aor combination of agencies"

Renumber accordingly

Date: 3/10/05
Roll Call Vote # 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. Engrossed 3005

Senate Agriculture Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Amend - line 14 add "or combinations of agencies"

Motion Made By Sen. Klein Seconded By Sen. Urlacher

Senators	Yes	No	Senators	Yes	No
Senator Flakoll		✓	Senator Seymour		✓
Senator Erbele	✓		Senator Taylor	✓	
Senator Klein	✓				
Senator Urlacher	✓				

Total (Yes) 4 No 2

Absent 0

Floor Assignment _____

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

Date: 3/10/05
Roll Call Vote # 2

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. *Engrossed 3005*

Senate Agriculture Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass As Amended

Motion Made By Sen. Klein Seconded By Sen. Taylor

Senators	Yes	No	Senators	Yes	No
Senator Flakoll	✓		Senator Seymour	✓	
Senator Erbele	✓		Senator Taylor	✓	
Senator Klein	✓				
Senator Urlacher	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen. Klein

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

REPORT OF STANDING COMMITTEE (410)
March 10, 2005 3:20 p.m.

Module No: SR-44-4699
Carrier: Klein
Insert LC: 53010.0201 Title: .0300

REPORT OF STANDING COMMITTEE

HCR 3005, as engrossed: Agriculture Committee (Sen. Flakoll, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3005 was placed on the Sixth order on the calendar.

Page 1, line 14, after "agency" insert "or a combination of agencies"

Renumber accordingly