

2021 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1097

2021 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

HB 1097
1/14/2021

Relating to the state parks gift fund; and to provide a continuing appropriation

Chairman Kasper opened the hearing on HB 1097 at 2:00 p.m.

Representatives	Roll Call
Representative Jim Kasper	P
Representative Ben Koppelman	P
Representative Pamela Anderson	P
Representative Jeff A. Hoverson	P
Representative Karen Karls	P
Representative Scott Louser	P
Representative Jeffery J. Magrum	P
Representative Mitch Ostlie	P
Representative Karen M. Rohr	P
Representative Austen Schauer	P
Representative Mary Schneider	P
Representative Vicky Steiner	P
Representative Greg Stemen	P
Representative Steve Vetter	P

Discussion Topics:

- Language clarity on use of gift fund

Andrea Travnicek, Director, ND Parks and Recreation Dept. testified in support.
Testimony #753

Chairman Kasper closed the hearing at 2:11 p.m.

Carmen Hart, Committee Clerk

HB1097

North Dakota Parks and Recreation Department

Government and Veterans Affairs Committee

Pioneer Room, 2:00

Thursday, January 14, 2021

Good afternoon Chairman Kasper, members of the committee, my name is Andrea Travnicek, Director of the North Dakota Parks and Recreation Department. I am testifying on behalf of the Department in support of HB1097 relating to the state parks gift fund, and to provide a continuing appropriation.

The North Dakota Parks and Recreation Department (NDPRD) has had a gift fund for over thirty years. The fund was established with one very large gift in mind. This donation was the Gunlogson Trust associated with Icelandic State Park. The agency didn't have a way to ensure the funds would be spent in accordance with the gift, so this fund was established. Since then, the Department has received donations of various sizes from friends' groups, private companies, and endowment funds through the Community Foundation. Entities use the gift fund as a way to invest in North Dakota's state parks.

Over the years, the Department has received conflicting interpretations related to the authority and the continuing appropriation ability. With this language, the Department would have clarity on the use of the fund. As more entities are looking for ways to invest in North Dakota state parks, the Department would like to have clear guidance on the fund.

The proposed language changes identified in HB1097 would continue to allow individuals, and other entities, a way to invest in North Dakota State Parks while providing clear guidance and flexibility for the Department on expenditures from the fund.

Mr. Chairman this concludes my remarks; I would be pleased to answer any questions that the committee may have. Thank you for your time and consideration.

2021 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

HB 1097
1/28/2021

Relating to the state parks gift fund; and to provide a continuing appropriation

Chairman Kasper opened the committee work meeting at 9:31 a.m.

Representatives	Roll Call
Representative Jim Kasper	P
Representative Ben Koppelman	P
Representative Pamela Anderson	P
Representative Jeff A. Hoverson	P
Representative Karen Karls	P
Representative Scott Louser	P
Representative Jeffery J. Magrum	A
Representative Mitch Ostlie	P
Representative Karen M. Rohr	P
Representative Austen Schauer	P
Representative Mary Schneider	P
Representative Vicky Steiner	P
Representative Greg Stemen	P
Representative Steve Vetter	P

Discussion Topics:

- State parks donations
- Legislative oversight

Rep. B. Koppelman explained the proposed amendment 21.8085.01002, #5249, and moved to adopt it. **Rep. Steiner** seconded. **Voice vote-motion passed.**

Rep. Rohr moved for a **Do Pass as amended.** **Rep. Stemen** second the motion.

Representatives	Vote
Representative Jim Kasper	Y
Representative Ben Koppelman	Y
Representative Pamela Anderson	Y
Representative Jeff A. Hoverson	Y
Representative Karen Karls	Y
Representative Scott Louser	Y
Representative Jeffery J. Magrum	A
Representative Mitch Ostlie	Y
Representative Karen M. Rohr	Y
Representative Austen Schauer	Y
Representative Mary Schneider	Y
Representative Vicky Steiner	Y
Representative Greg Stemen	Y
Representative Steve Vetter	Y

Motion passed 13-0-1. **Rep. Louser** is the carrier.

Chairman Kasper closed the meeting at 9:37 a.m.

Carmen Hart, Committee Clerk

DR 1/28/21
1081

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1097

Page 1, line 6, after "**appropriation**" insert "**- Emergency commission and budget section approval**"

Page 1, line 8, after the period insert "The director may seek and accept any gift, private grant, trust, bequest of money, or donation of funds to the gift fund for the purpose of furthering the objectives of the parks and recreation department."

Page 1, line 8, after the first comma insert "private grants."

Page 1, line 8, overstrike the second "and"

Page 1, line 10, after "~~authority~~" insert ", or donation of funds."

Page 1, line 11, overstrike "hereby"

Page 1, line 13, after "director" insert ", except any expenditure in excess of fifty thousand dollars from funds the donor has not designated or conditioned the use of for a specific purpose is subject to approval by the emergency commission and the legislative assembly or the budget section if the legislative assembly is not in session. Any request considered by the budget section must comply with section 54-35-02.9. The department shall notify the office of management and budget biennially regarding the current amount of moneys in the fund and any expenditures from the fund in the past biennium"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1097: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1097 was placed on the Sixth order on the calendar.

Page 1, line 6, after "**appropriation**" insert "**- Emergency commission and budget section approval**"

Page 1, line 8, after the period insert "The director may seek and accept any gift, private grant, trust, bequest of money, or donation of funds to the gift fund for the purpose of furthering the objectives of the parks and recreation department."

Page 1, line 8, after the first comma insert "private grants."

Page 1, line 8, overstrike the second "and"

Page 1, line 10, after "authority" insert ", or donation of funds."

Page 1, line 11, overstrike "hereby"

Page 1, line 13, after "director" insert ", except any expenditure in excess of fifty thousand dollars from funds the donor has not designated or conditioned the use of for a specific purpose is subject to approval by the emergency commission and the legislative assembly or the budget section if the legislative assembly is not in session. Any request considered by the budget section must comply with section 54-35-02.9. The department shall notify the office of management and budget biennially regarding the current amount of moneys in the fund and any expenditures from the fund in the past biennium"

Renumber accordingly

21.8085.01002
Title.

Prepared by the Legislative Council staff for
Representative Delzer
January 22, 2021

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1097

Page 1, line 6, after "appropriation" insert "- Emergency commission and budget section approval"

Page 1, line 8, after the period insert "The director may seek and accept any gift, private grant, trust, bequest of money, or donation of funds to the gift fund for the purpose of furthering the objectives of the parks and recreation department."

Page 1, line 8, after the first comma insert "private grants."

Page 1, line 8, overstrike the second "and"

Page 1, line 9, after "money" insert ", or donation of funds."

Page 1, line 11, overstrike "hereby"

Page 1, line 13, after "director" insert ", except that any expenditure in excess of fifty thousand dollars from funds that the donor has not designated or conditioned the use of those funds to a specific purpose is subject to approval by the emergency commission and the legislative assembly or the budget section if the legislative assembly is not in session. Any request considered by the budget section must comply with section 54-35-02.9. The department shall notify the office of management and budget biennially regarding the current amount of moneys in the fund and any expenditures from the fund in the past biennium"

Renumber accordingly

2021 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1097

2021 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Room JW216, State Capitol

HB 1097
2/19/2021

Relating to the state parks gift fund; provide continuing appropriation

Chair Vedaa opened hearing at 9:00 a.m. with Sen Vedaa, Meyer, Elkin, K Roers, Wobbema, Weber, and Marcellais

Discussion Topics:

- Ensuring funds
- Park's authority
- Language clarity
- Endowments

Andrea Travnicek – ND Parks/Rec Director: testified in support #6857

Sen Meyer: I move a Do Pass

Sen Elkin: I second

Roll Call Vote: 7 -- YES 0 -- NO -0-ab Motion Passed

Senators	Vote
Senator Shawn Vedaa	Y
Senator Scott Meyer	Y
Senator Jay R. Elkin	Y
Senator Richard Marcellais	Y
Senator Kristin Roers	Y
Senator Mark F. Webber	Y
Senator Michael A. Wobbema	Y

Sen Elkin will carry the bill.

Adjourned at 9: 07 a.m.

Pam Dever, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1097, as engrossed: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1097 was placed on the Fourteenth order on the calendar.

HB1097
North Dakota Parks and Recreation Department
Government and Veterans Affairs Committee
Rm 216, 9:00
Friday, February 19, 2021

Good morning Mr. Chairman, members of the committee; my name is Andrea Travnicek, Director of the North Dakota Parks and Recreation Department. I am testifying on behalf of the Department in support of HB1097 relating to the state parks gift fund, and to provide a continuing appropriation.

The North Dakota Parks and Recreation Department (NDPRD) has had a gift fund for over thirty years. The fund was established with one substantial gift in mind. This donation was the Gunlogson Trust associated with Icelandic State Park. The agency didn't have a way to ensure the funds would be spent in accordance with the gift, so this fund was established. Since then, the Department has received donations of various sizes from friends' groups, private companies, and endowment funds through the North Dakota Community Foundation. Entities use the gift fund as a way to invest in North Dakota's state parks.

Over the years, the Department has received conflicting interpretations related to the authority and the continuing appropriation ability. With this language, the Department would have clarity on the use of the fund. As more entities are looking for ways to invest in North Dakota state parks, the Department would like to have clear guidance on the fund.

The proposed language changes identified in HB1097 would continue to allow individuals, and other entities, a way to invest in North Dakota State Parks while providing clear guidance and flexibility for the Department on expenditures from the fund.

Furthermore, the changes would provide a reporting requirement to OMB and the approval of the emergency commission and the legislative assembly for any expenditure in excess of fifty thousand dollars from funds the donor has not designated.

Mr. Chairman, this concludes my remarks; I would be pleased to answer any questions that the committee may have. Thank you for your time and consideration.