

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2264

2001 SENATE NATURAL RESOURCES

SB 2264

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2264

Senate Natural Resources Committee

Conference Committee

Hearing Date 2-1-01

Tape Number	Side A	Side B	Meter #
I	X		Start -10.7
Committee Clerk Signature <i>Janet Jarnu</i>			

Minutes:

SENATOR FISCHER opened the Committee hearing.

Attendance was taken indicating all Committee member present.

SENATOR FISCHER opened the hearing on SB 2264, RELATING TO THE ISSUANCE OF BONDS FOR A FLOOD CONTROL OR REDUCTION PROJECT IN GRAND FORKS.

SENATOR DUAINE ESPEGARD of District 43 cosponsor, presented SB 2264. (See attached testimony).

DALE FRINK, Interim State Engineer for the State Water Commission testified in support of SB 2264. (See attached testimony).

SENATOR KELSH: asked if Grand Forks match funds or will bonds be used only.

DALE FRINK: SB 2188 provides a match on the basis of 45% state and 55% local.

SENATOR FREBORG: asked where the 55% funding comes from and if any of it was federal money.

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Senate Natural Resources Committee

Bill/Resolution Number SB 2264

Hearing Date 2-1-01

DALE FRINK: the federal government pays 50% and of the nonfederal portion the city pays 55% and the state pays 45%.

In answering other questions, he further explained that the dike would be grass covered earthen levies much like the one in Fargo, The corps would be responsible for the design and the city would be responsible for the maintenance.

There was no neutral or opposing testimony.

SENATOR FISCHER closed the hearing on SB 2264.

SENATOR TRAYNOR made a motion for a "Do Pass and rereferred to Appropriations Committee" of SB 2264.

SENATOR EVERY second the motion.

SENATOR FISCHER called for a roll vote. The vote indicated 7 YAYS, 0 NAYS, 0 ABSENT OR NOT VOTING.

SENATOR FREBORG will carry SB 2264.

FISCAL NOTE

Requested by Legislative Council
01/22/2001

Bill/Resolution No.: SB 2264

Amendment to:

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.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$30,000,000		
Expenditures				\$30,000,000		
Appropriations				\$30,000,000		

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

1999-2001 Biennium			2001-2003 Biennium			2003-2005 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.*

SB 2264 extends the effective date to issue bonds for only the Grand Forks flood control project through June 30, 2003. State Water Commission's appropriation bill, HB1023, also contains the bonding authority for the Grand Forks project.

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.*

The Grand Forks flood control project was approved for \$52 million. The State Water Commission expects to utilize \$22 million of previously issued bond proceeds on this project. SB 2264 provides the authority to bond for the remaining amount of \$30 million.

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.*

Although extending the effective date would allow the State Water Commission to issue \$30 million of bonds, the City of Grand Forks estimates the flood control project will only request reimbursement of \$18.4 million through June 30, 2003, with the balance needed in future bienniums.

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.

By extending the effective date of Chapter 61-02.1 appropriation authority is also provided.

Name:	Dale Frink	Agency:	State Water Commission
Phone Number:	328-4998	Date Prepared:	01/24/2001

REPORT OF STANDING COMMITTEE (410)
February 2, 2001 1:00 p.m.

Module No: SR-19-2238
Carrier: Freborg
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2264: Natural Resources Committee (Sen. Fischer, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2264 was rereferred to the Appropriations Committee.

2001 SENATE APPROPRIATIONS

SB 2264

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2264

Senate Appropriations Committee

Conference Committee

Hearing Date February 12, 2001

Tape Number	Side A	Side B	Meter #
Tape #1		x	11.8 - 17.6
Committee Clerk Signature <i>Janie Putsch</i>			

Minutes:

Senator Nething opened the hearing on SB2264.

Senator Espegard, District 43, Grand Forks, testified in support of the bill; one of the prime sponsors.

Senator Tallackson: State authority to issue bonds-- chapter 61-02.1?

Senator Espegard: Yes.

Dave Krabbenhoft, OMB Analyst: Yes.

Senator Heitkamp: Minnesota seems to have done more -- has Grand Forks been avoiding the tough questions -- waiting until later often makes the cost of construct go up?

Senator Espegard: Project involved is more complicated that the East Grand Forks side -- there has been established the dike line and plan --- though neighborhoods, downtown area is easier -- there is a need to speed up project. The flood control/mediation is not because Grand Forks is slow --- there on tract for the levy systems.

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Senate Appropriations Committee
Bill/Resolution Number SB2264
Hearing Date February 12, 2001

Senator Heitkamp: Residential areas do make for hard decision -- the state funds, city funds --- but for the peace of mind -- assurance that the move is progressing-- wouldn't it be faster if some criteria were named --- doesn't putting it off cost more?

Senator Espgaard: Moving as fast as it can go.

Senator Nething indicated that the records should show that Michael Dwyer (Lobbyist #082), North Dakota Water Users Association, testified on their behalf in support of SB2256; and wished to be noted on SB2264.

No additional testimony; hearing closed.

February 15, 2001 Full Committee Action (Tape 3, Side B; first of three bills acted on 0.0-10.7)

Senator Nething reopened the hearing on SB2264.

Discussion on the bill.

Senator Holmberg moved a DO PASS, Senator Tallackson seconded.

Floor assignment was given to Senator Freborg, original carrier of the bill.

Date: 2-15-01

Roll Call Vote #: _____

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2264

Senate Appropriations Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken As Amended

Motion Made By Sen Heimbach Seconded By Sen Tallackson

Senators	Yes	No	Senators	Yes	No
Dave Nething, Chairman	✓				
Ken Solberg, Vice-Chairman	✓				
Randy A. Schobinger	✓				
Elroy N. Lindaas	✓				
Harvey Tallackson	✓				
Larry J. Robinson	✓				
Steven W. Tomac	✓				
Joel C. Heitkamp	✓				
Tony Grindberg	✓				
Russell T. Thane	✓				
Ed Kringstad	✓				
Ray Holmberg	✓				
Bill Bowman	✓				
John M. Andrist	✓				

Total Yes 14 No 0

Absent 0

Floor Assignment Senator Solberg

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

REPORT OF STANDING COMMITTEE (410)
February 15, 2001 5:22 p.m.

Module No: SR-28-3593
Carrier: Freborg
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2264: Appropriations Committee (Sen. Nething, Chairman) recommends DO PASS
(14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2264 was placed on the
Eleventh order on the calendar.

2001 HOUSE NATURAL RESOURCES

SB 2264

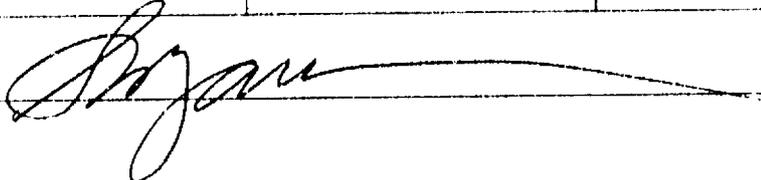
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2264

House Natural Resources Committee

Conference Committee

Hearing Date March 16, 2001

Tape Number	Side A	Side B	Meter #
2	x		1290 to 1845
Committee Clerk Signature 			

Minutes:

Chairman Earl Rennerfeldt, Vice Chair Jon O. Nelson, Rep. Brekke, Rep. DeKrey, Rep. Droydal, Rep. Galvin, Rep. Keiser, Rep. Klein, Rep. Nottestad, Rep. Porter, Rep. Weiler, Rep. Hanson, Rep. Kelsh, Rep. Solberg, Rep. Winrich.

Chairman Rennerfeldt: I will open the hearing on SB 2264.

Sen. Espgaard - District 43: I am here today to speak in favor of SB 2264. This bill simply extends the time for the issuance of bonds for the flood control project in Grand Forks. (See written testimony).

Chairman Rennerfeldt: Any other testimony in favor of this bill?

Dale Frink - Interim Engineer, State Water Commission: I appear today in support of SB 2264.

(See written testimony).

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House Natural Resources Committee
Bill/Resolution Number SB 2264
Hearing Date March 16, 2001

Rep. Porter: If we are only looking at bonding \$18.4 M in the next biennium, why are we requesting \$30 M?

Erink: SB 2188, two years ago authorized bonding up to \$52 M. We bonded this biennium for \$22 M and all they did was to extend the date. Our appropriation bill actually includes \$18 M.

Chairman Rennerfeldt: Any further questions? Any one else care to testify in favor of SB 2264. Any opposition to SB 2264? If not, I will close the hearing.

COMMITTEE WORK

Rep. Keiser: I move a Do Pass on SB 2264.

Rep. Solberg: I second.

Chairman Rennerfeldt: Is there any discussion on this bill? I have a motion for a Do Pass on SB 2264. Sue, would you call the roll.

MOTION FOR A DO PASS

YES, 12 NO, 1

2 ABSENT AND NOT VOTING

CARRIED BY REP. NOTTESTAD

RE-REFERRED TO APPROPRIATIONS

Date: 3/16/01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2264

House Natural Resources Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken DO Pass

Motion Made By Rep. Keiser Seconded By Rep. Solberg

Representatives	Yes	No	Representatives	Yes	No
Earl Rennerfeldt - Chairman	✓		Lyle Hanson		
Jon O. Nelson - Vice Chairman			Scot Kelsh	✓	
Curtis E. Brekke	✓		Lonnie B. Winrich	✓	
Duane DeKrey	✓		Dorvan Solberg	✓	
David Drovdal	✓				
Pat Galvin	✓				
George Keiser	✓				
Frank Klein	✓				
Darrell D. Nottestad	✓				
Todd Porter		✓			
Dave Weiler	✓				

Total (Yes) 12 No 1

Absent 2

Floor Assignment Rep. Nottestad

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

re referred to appropriations

REPORT OF STANDING COMMITTEE (410)
March 16, 2001 11:59 a.m.

Module No: HR-45-5815
Carrier: Nottestad
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2264: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). SB 2264 was rereferred to the Appropriations Committee.

2001 HOUSE APPROPRIATIONS

SB 2264

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **SB2264**

House Appropriations Committee

Conference Committee

Hearing Date **March 26, 2001**

Tape Number	Side A	Side B	Meter #
2	x		1372 - 1994
Committee Clerk Signature <i>L. J. Douber</i>			

Minutes:

HOUSE APPROPRIATIONS COMMITTEE HEARING ON SB2264.

Rep. Timm: Anybody here that wants to testify on SB2264?

Dale Frink, Representative for the State Water Commission: I really don't have any testimony here today but I can answer any questions that you may have on it.

Rep. Timm: The question was, what's the bill accomplish?

Mr. Frink: Two years when the legislature passed Senate Bill 2188, they had a sunset clause on the bill to end on June 30, 2001, and all this bill does is change that to June 30, 2003. We actually also have it covered under HB1023. But basically all it does is increase the sunset clause on the Grand Forks flood control project. I can give a little bit of an update as to where we are at on that particular project, last biennium they authorized up to \$52 million for the Grand Forks flood control project of state funds, we have provided them at this point about \$10.6 million dollars, we expect that in this biennium that it will go on at about \$18 million, we also expect

that the Grand Forks flood control project will take about \$18 million in the next biennium, so we certainly don't have an objections to this bill and we fully support the project.

Rep. Warner: I understand this is a duplicate of the house bill and at some point one or the other will have to die, is there any reason this should be kept alive?

Mr. Frink: Neither one of them have to, it can go ahead, there isn't any particular problem, basically they are the same thing.

Rep. Timm: In other words the bill, all the bill does is extend the effective date for you to issue bonds, is that right? To the year June 30, 2003? What if the date wasn't extended? What if neither bill passed?

Mr. Frink: I believe it has to be extended. But our bill will cover all projects like Grafton, Whapeton, Grafton that are also needed.

Rep. Monson: So why does this bill only mention Grand Forks? If this bill passes what about all of the rest of them? There all covered by the other bill? Is not Grand Forks in the other bill?

Mr. Frink: They are all covered under HB1023, because all we did is change the dates in that one to. But the sponsors of this bill felt they wanted to have a separate hearing on this particular bill.

Rep. Wald: Last year in the Tobacco bill we authorized \$52 million dollars for the Grand Forks flooding projects. In House Bill 1023 we re authorized the \$22 million and this ups it from \$22 million and an additional \$30 million to get up to the \$52 million, and so you are extending the timeline for the entire \$52 million, if we don't past this we are not extending the timeline for \$30 million? So we have to pass this to give you two more years to bond the remaining \$30 million.

Mr. Frink: If one of the two doesn't pass that is correct.

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House Appropriations Committee

Bill/Resolution Number SB2264

Hearing Date March 26, 2001

Rep. Carlisle: Rep. Monson asked the question , if we put the other entities in, it would be the same as 1023 so why the bill?

Mr. Frink: The sponsors may not have understood what we were doing on HB1023 either, that's probably the short answer.

Rep. Timm: Are there any other questions for Mr. Frink? Any other testimony on SB2264?

Any opposition to SB2264? If not we will close the hearing on SB2264.

House Appropriations Committee hearing on SB2264 was closed.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **SB2264A.**

House Appropriations Committee

Conference Committee

Hearing Date **March 27, 2001**

Tape Number	Side A	Side B	Meter #
1		x	1960 - 2430
Committee Clerk Signature <i>L. J. Jansen</i>			

Minutes:

HOUSE APPROPRIATIONS ACTION ON SB2264A.

Rep. Timm: How about SB2264, it relates to Grand Forks. There has been a motion for a do not pass by Rep. Byerly, seconded by Rep. Monson. Sen. Espgard has a little ownership in this bill and he asked if we would please pass this bill and if we do pass it, it doesn't really hurt anything. its duplicated we think in the budget of the water commission, nobody has really checked on that to make sure that it is.

Rep. Byerly: When the head of the water commission gets up and says its in there, I would suspect that it is probably in there.

Rep. Glasshelm: During the break, I called back to Grand Forks and asked the city attorney to check both bills to see if for some reason this was needed and I don't have an answer yet.

Rep. Timm: Any other discusson? We have a motion for a do not pass. Call the roll.

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House Appropriations Committee

Bill/Resolution Number SB2264

Hearing Date March 27, 2001

(9) Yes (11) NO (1) absent and not voting. Motion fails. Rep. Kliniske moves a DO PASS.

Seconded by Rep. Wentz. Call the roll. (13) YES (7) NO (1) absent and not voting. Motion

passes. Rep. Kliniske will carry the bill to the floor.

End of House Appropriations Committee Action on SB2264

Date: 3/27/1
Roll Call Vote #: 2

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB2264

House APPROPRIATIONS Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken DO NOT PASS

Motion Made By Byerly Seconded By MONSON

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman		✓			
Wald - Vice Chairman	✓				
Rep - Aarsvold	✓		Rep - Koppelman		✓
Rep - Boehm		✓	Rep - Martinson	✓	
Rep - Byerly	✓		Rep - Monson	✓	
Rep - Carlisle	✓		Rep - Skarphol	✓	
Rep - Delzer		✓	Rep - Svedjan		✓
Rep - Glassheim	✓		Rep - Thoreson		✓
Rep - Gulleason	✓		Rep - Warner		✓
Rep - Huether		✓	Rep - Wentz		✓
Rep - Kempenich		✓			
Rep - Kerzman		✓			
Rep - Kliniske		✓			

Total (Yes) 9 No 11

Absent 1

Floor Assignment _____

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

FAILED

Date: 3/27/12

Roll Call Vote #: 22

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2264

House APPROPRIATIONS

Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By KLINISKE Seconded By WENTZ

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman	✓				
Wald - Vice Chairman	✓				
Rep - Aarsvold	✓		Rep - Koppelman	✓	
Rep - Boehm	✓		Rep - Martinson		✓
Rep - Byerly		✓	Rep - Monson		✓
Rep - Carlisle		✓	Rep - Skarphol		✓
Rep - Delzer		✓	Rep - Svedjan	✓	
Rep - Glassheim	✓		Rep - Thoreson	✓	
Rep - Gullieson		✓	Rep - Warner	✓	
Rep - Huether	✓		Rep - Wentz	✓	
Rep - Kempenich	✓				
Rep - Kerzman					
Rep - Kliniske	✓				

Total (Yes) 13 No 7

Absent 1

Floor Assignment KLINISKE

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

2001 TESTIMONY

SB 2264

TESTIMONY IN SUPPORT OF SENATE BILL
2264 BEFORE THE COMMITTEE ON NATURAL
RESOURCES
FEBURARY 1, 2001

My Name is Duaine Espegard and I am the Senator
from District 43 in Grand Forks.

I am here today to speak in favor of Senate bill 2264.

Senate bill 2264 is an extension of time for the
issuance of bonds for the flood control or reduction
project in Grand Forks. This bill extends the
authority of the commission to issue bonds as
provided in chapter 61-02.1 and extends the time
through June 30, 2003.

Flood mitigation projects of this size and scope take a
long time to complete some may estimate that this
project will not be complete for another 5 years

The Grand Forks flood control project was approved
for 52 million. The State water commission expects
to utilize \$22 million of previously issued bond
proceeds on this project. This bill provides the
authority to bond for the remaining amount of \$30
million.

This concludes my testimony and asks for your support on SB 2264

Thank you

Duaine Espegard

TESTIMONY ON SENATE BILL 2264

Senate Natural Resources Committee

**Dale Frink, Interim State Engineer
North Dakota State Water Commission**

Mr. Chairman and Members of the Senate Natural Resources Committee, I am Dale Frink, Interim State Engineer for the State Water Commission and I appear today in support of the Grand Forks flood control project.

The Water Commission fully supports the Grand Forks flood control project. Last biennium the legislature authorized up to \$52 million for the project. To date, the Water Commission has provided \$10.1 million to Grand Forks for the project and we expect to provide a total of \$18 million this biennium. The Water Commission's appropriation bill, HB 1023, includes another \$18.4 million for Grand Forks for the 2001-03 biennium, including bonding authority for Grand Forks and other statewide water projects.

Mr. Chairman and Members of the Committee, I request your continued support of the project.

TESTIMONY IN SUPPORT OF
SENATE BILL 2264

House Natural Resources
Chairman: E. Rennerfeidt
March 16, 2001

My Name is Duaine Espegard and I am the Senator from District 43 in Grand Forks.

I am here today to speak in favor of Senate bill 2264.

Senate bill 2264 extends the time for the issuance of bonds for the flood control project in Grand Forks. This bill extends the authority of the commission to issue bonds as provided in chapter 61-02.1 and extends the time through June 30, 2003.

Flood mitigation projects of this size and scope take many years to complete. It is estimated that this project will not be complete for another 5 years. The first two years of this project were spent purchasing property, engineering and some construction. The project works under the direction of the Corp of Engineers and they set the timetable.

The Grand Forks flood control project was approved for 52 million and was part of the State wide water bill passed in the last legislative session.

The State water commission expects to utilize \$22 million of previously issued bond proceeds on this project. This bill provides the authority to bond for the remaining amount of \$30 million.

This concludes my testimony and asks for your support on SB 2264

Thank you

Duaine Espegard

TESTIMONY ON SENATE BILL 2264

House Natural Resources Committee

**Dale Frink, Interim State Engineer
North Dakota State Water Commission**

March 16, 2001

Mr. Chairman and Members of the House Natural Resources Committee, I am Dale Frink, Interim State Engineer for the State Water Commission and I appear today in support of the Grand Forks flood control project.

The Water Commission fully supports the Grand Forks flood control project. Last biennium the legislature authorized up to \$52 million for the project. To date, the Water Commission has provided \$10.1 million to Grand Forks for the project and we expect to provide a total of \$18 million this biennium. The Water Commission's appropriation bill, HB 1023, includes another \$18.4 million for Grand Forks for the 2001-03 biennium, including bonding authority for Grand Forks and other statewide water projects.

Mr. Chairman and Members of the Committee, I request your continued support of the project.