

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

2110

2005 SENATE POLITICAL SUBDIVISIONS

SB 2110

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2110

Senate Political Subdivisions Committee

Conference Committee

Hearing Date January 13, 2005

Tape Number	Side A	Side B	Meter #
1	X		1092 -1450
Committee Clerk Signature <i>Shirley Borg</i>			

Minutes:

Senator Cook opened the hearing on SB 2110 relating to removal of the duty of county treasurers to collect payments for the leasing of school lands. All committee members (6) are present.

Gary Preszler, Commissioner, North Dakota State Land Department, testified in support of SB 2110. (See Attachment #1)

No further testimony for or against SB 2110.

Senator Cook closed the hearing.

Senator Dever moved a Do Pass on SB 2110.

Senator Hacker second the motion.

Roll call vote: 6 Yes 0 No 0 Absent

Carrier: **Senator Hacker**

FISCAL NOTE
 Requested by Legislative Council
 12/22/2004

Bill/Resolution No.: SB 2110

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.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues		\$0		\$0		\$0
Expenditures		\$0		\$0		\$0
Appropriations		\$0		\$0		\$0

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

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0			\$0			\$0		

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

This change has no fiscal impact on either the State or counties.

Various other statutes relating to the county treasurer's responsibilities were changed approximately eight years ago. Those changes removed any responsibility of the treasurers for collecting lease payments or providing reports for lands leased by the Board of University and School Lands. This section was overlooked when those changes were originally made.

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:	Keith Bayley	Agency:	Land Dept.
Phone Number:	328-1912	Date Prepared:	12/22/2004

Date: 1-13-05
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2110

Senate Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Senator Dever Seconded By Senator Hacker

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman	✓				
Senator Nicholas P. Hacker, VC	✓				
Senator Dick Dever	✓				
Senator Gary A. Lee	✓				
Senator April Fairfield	✓				
Senator Constance Triplett	✓				

Total Yes 6 No 0

Absent _____

Floor Assignment Senator Hacker

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

Done
1-13-05

REPORT OF STANDING COMMITTEE (410)
January 13, 2005 1:01 p.m.

Module No: SR-08-0410
Carrier: Hacker
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2110: Political Subdivisions Committee (Sen. Cook, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2110 was placed on the Eleventh order on the calendar.

2005 HOUSE POLITICAL SUBDIVISIONS

SB 2110

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2110

House Political Subdivisions Committee

Conference Committee

Hearing Date February 24, 2005

Tape Number	Side A	Side B	Meter #
1		x	46.9 to 55.0
Committee Clerk Signature <i>Lauren R. Zide</i>			

Minutes: **Rep. Devlin, Chairman** opened the hearing on SB 2110, A bill for an Act to amend and reenact section 15.1-28-02 of the North Dakota Century Code, relating to removal of the duty of county treasurers to collect payments for the leasing of school lands.

Gary D. Preszler, North Dakota State Land Commissioner sponsor of the bill explained that the 1995 Legislature removed the County Treasurers from the auction process but the section of law directing the County Treasurers to deposit school land lease payments with the State Treasurer was never changed --- thus this bill. A copy of his prepared remarks is attached.

Rep. Koppelman (49.7) asked permission to ask State Treasurer Kelly Schmidt who was in the audience a question -- his question was how many fund accounts the State Treasurer is responsible for agencies like the State Land Department.

Kelly Schmidt , State Treasurer -- I haven't been office long enough to have fixed a number in her mind but she did say that thus far in February they had transferred \$491 million dollars plus all the Ag commodity funds.

Page 2
House Political Subdivisions Committee
Bill/Resolution Number SB 2110
Hearing Date February 24, 2005

Rep. Devlin, Chairman inquired of Commissioner Preszler what the effect would be if SB 2109 failed. The response was 'nothing'.

There being no further testimony **Rep. Devlin, Chairman** closed the hearing on SB 2110. (54.9)

Rep. Kaldor moved a 'Do Pass' motion for SB 2110. **Rep. N. Johnson** seconded the motion.

On a roll call vote the motion carried **10 ayes 0 nays 2 absent**.

End of record (55.0)

Date: 2/24/05
Roll Call Vote:

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 6B 210

House POLITICAL SUBDIVISIONS Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Rep Kaldor Seconded By Rep Johnson

Representatives	Yes	No	Representatives	Yes	No
Rep. Devlin, Chairman	✓		Rep. Ekstrom	✓	
Rep. Herbel, Vice Chairman	✓		Rep. Kaldor	✓	
Rep. Dietrich	✓		Rep. Zaiser	✓	
Rep. Johnson	✓				
Rep. Koppelman	✓				
Rep. Kretschmar	A				
Rep. Maragos	A				
Rep. Pietsch	✓				
Rep. Wrangham	✓				

Total (Yes) 10 No 0

Absent 2

Floor Assignment Rep. Dietrich

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

REPORT OF STANDING COMMITTEE (410)
February 24, 2005 3:44 p.m.

Module No: HR-34-3629
Carrier: Dietrich
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2110: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends DO PASS (10 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2110 was placed on the Fourteenth order on the calendar.

2005 TESTIMONY

SB 2110

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Gary D. Preszler, Commissioner

**TESTIMONY OF GARY D. PRESZLER
COMMISSIONER
North Dakota State Land Department**

IN SUPPORT OF SENATE BILL NO. 2110

**Senate Political Subdivisions Committee
January 13, 2005**

Prior to 1995, statutes required that County Treasurers clerk the surface lease auctions and collect lease payments on behalf of the Land Department. Although the statute also required County Treasurers to send the lease payments directly to the State Treasurer, they instead usually sent payments to the Land Department and we deposited the rents into the applicable trust fund. The rents were later included with systematic distributions to fund beneficiaries.

In 1995, the Legislative Assembly removed the County Treasurers from the auction process, but the law directing the County Treasurer to deposit school land lease payments with the State Treasurer was never changed.

The Senate has already acted on a related bill, SB2109, which directs the State Treasurer to deposit the lease payments attributable to the Common Schools Trust Fund into the State Tuition Fund. This requirement was also overlooked when the change was made in 1995. The bill passed the Senate by a vote of 43-0 on a 6-0 "do pass" committee recommendation.

I ask the committee to grant favorable consideration and give SB2110 a "do pass" recommendation.

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February 24, 2005**

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In 1995, the Legislative Assembly removed the County Treasurers from the auction process, but the law directing the County Treasurers to deposit school land lease payments with the State Treasurer was never changed.

The Senate has also passed a related bill, SB2109, which directs the State Treasurer to deposit the lease payments attributable to the Common Schools Trust Fund into the State Tuition Fund. This requirement was also overlooked when the change was made in 1995. The bill has been referred to the House Education Committee.

The Department-prepared Fiscal Note shows no fiscal impact on either the state or counties.

I ask the committee to grant favorable consideration and give SB2110 a "do pass" recommendation.