

**FISCAL NOTE**  
**Requested by Legislative Council**  
**01/19/2015**

Bill/Resolution No.: HB 1379

- 1 A. **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.*

	2013-2015 Biennium		2015-2017 Biennium		2017-2019 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations			\$(4,492)		\$(4,492)	

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

	2013-2015 Biennium	2015-2017 Biennium	2017-2019 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

We believe this bill will dissolve the Yellowstone-Missouri River Confluence Commission and give authority to the State Historical Society Board to do projects that preserve and enhance sites of historical importance in the confluence area, and give them authority to request legislative funding.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Section 2. - Chapter 55-06 of the North Dakota Century Code is repealed.

This section repeals NDCC Chapter 55-06 which establishes the Yellowstone-Missouri Rivers Confluence Commission. Currently there is \$4,492 appropriated in SB2018 for this commission to use.

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.*

NA

- 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.*

NA

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

Section 2. - Chapter 55-06 of the North Dakota Century Code is repealed.

This section repeals NDCC Chapter 55-06 which establishes the Yellowstone-Missouri Rivers Confluence Commission. Currently there is \$4,492 appropriated in SB2018 for this commission to use.

**Name:** David Skalsky

**Agency:** State Historical Society of ND

**Telephone:** 701-328-3562

**Date Prepared:** 01/23/2015

**2015 HOUSE ENERGY AND NATURAL RESOURCES**

**HB 1379**

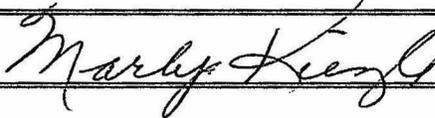
# 2015 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Pioneer Room, State Capitol

HB 1379  
2/5/2015  
Job # 23310

- Subcommittee  
 Conference Committee

Committee Clerk Signature



### Explanation or reason for introduction of bill/resolution:

Relating to interference with the taking of wildlife.

### Minutes:

Attachments #1

**Chairman Porter:** Opened the hearing of 1379.

**Denton Zubke Representative from District 39:** (Attachment #1)

HB 1379 would repeal Chapter 55-06 of the North Dakota Century Code which provides for Yellowstone-Missouri Rivers confluence commission.

**Chairman Porter:** For reference to the committee the new section of the code that would replace the board is being written into the State Historical Society so they would still be a vehicle for issues dealing with the confluence.

**Chairman Porter:** Closed the hearing on 1379.

**Rep Hofstad:** Moved a due pass on HB 1379

**Rep Devlin:** Seconded the motion

Vote of Do Pass Yes 12 No 0 Absent 1

Carrier is Rep Lefor

**2015 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. HB 1379**

House Energy and Natural Resources Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

- Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Rep Hofstad    Seconded By Rep Devlin

Representatives	Yes	No	Representatives	Yes	No
Chairman Porter	✓		Rep Hunskor	✓	
Vice Chairman Damschen	✓		Rep Mock	✓	
Rep D Anderson	✓		Rep Muscha	✓	
Rep Brabandt	✓				
Rep Devlin	✓				
Rep Froseth	✓				
Rep Hofstad	✓				
Rep Keiser		A			
Rep Lefor	✓				
Rep Nathe	✓				

Total (Yes) 12    No 0

Absent 1

Floor Assignment Rep. Lefor

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

**REPORT OF STANDING COMMITTEE**

**HB 1379: Energy and Natural Resources Committee (Rep. Porter, Chairman)**  
recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).  
HB 1379 was placed on the Eleventh order on the calendar.

**2015 SENATE ENERGY AND NATURAL RESOURCES**

**HB 1379**

# 2015 SENATE STANDING COMMITTEE MINUTES

**Energy and Natural Resources**  
Fort Lincoln Room, State Capitol

HB 1379  
3/27/2015  
25538

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Kate Oliver*

## Explanation or reason for introduction of bill/resolution:

"Click here to type reason for introduction of bill/resolution"

## Minutes:

*Attachment*

Chairman Schaible opened the public hearing. Denton Zubke was on hand to intro the bill.

Representative Zubke: District 39. See attachment #1. (:09-2:25)

Senator Triplett: What is chapter 55.01 is that the chapter we are putting it into?

Representative Zubke: I do not know.

Senator Murphy: Can you speak to the fiscal note?

Representative Zubke: There was \$4,000 in an account and I don't think the sections that we are repealing specifically give the governor direct control over those funds I do not know where they came from but I understand that they have been in an account and they would like to clean that up

Senator Triplett: For your information, it is in the state historical society's powers and limitations.

Senator Triplett: District 18. I can provide some background on this. My husband was on the commission from 1988-1998. The commission was very active during those years it is controlled the lieutenant governor and I am not sure why it has lapsed. During that time they met quarterly and had input into rebuilding Fort Union and Fort Buford at the confluence. It's worthiness for reactivation is worth discussing and given the level of activity that is going on around there should be opportunities to recommending land at the confluence. Before 5 years ago I think is under the control of state game and fish.

Senator Laffen: There also was a new visitor's center called the confluence center, was that the shepherded by the state Historical Society?

Senator Triplett: The Historical Society is in charge of the site and they had more of an assisting function and they never had a budget beyond the stipend for the members to attend meetings. I think that is what the \$4,000 is, if they stopped having meetings at some point I am sure that there is a small bit left for expenses. It was a pretty low cost operation but I know they put a lot of energy into it.

Jon Patch: Private Citizen. I think that it is interesting of the confluence of North Dakota. It is a little known fact that the Yellowstone River is forgotten in North Dakota if you look at water coming into our state the biggest source of water is the Yellowstone River and there is 80 miles of it before it hits the confluence with the Missouri. It is a huge resource to our state.

Senator Murphy: There is only 2-3 miles of flow of the Yellowstone before it hit the Missouri, correct?

Jon Patch: No, there is 80 miles of flow. The 2-3 miles is the distance from the state line before the Missouri hits the confluence of the Yellowstone. Those 2 rivers come together in the confluence; more annual flow comes from the Yellowstone than does from the Missouri. In the past there has been testimony from downstream waters being in the Dakotas

Senator Laffen: The flow from where they meet is greater than the Missouri?

Jon Patch: Yes, the mean annual flow from the Yellowstone is greater than the mean annual flow from the Missouri.

Senator Laffen: Any idea why it is not called the Yellowstone the whole way down?

Jon Patch: Not the flow but the length of the river and the number of tributaries that come into it.

There was no further discussion and Chairman Schaible closed the public hearing on HB 1379.

# 2015 SENATE STANDING COMMITTEE MINUTES

**Energy and Natural Resources**  
Fort Lincoln Room, State Capitol

HB 1379  
4/2/2015  
25757

- Subcommittee  
 Conference Committee

Committee Clerk Signature <i>Kate Oliver</i>
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**Explanation or reason for introduction of bill/resolution:**

Relating to Yellowstone-Missouri Rivers confluence projects; relating to the Yellowstone-Missouri Rivers confluence commission."

**Minutes:**

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Chairman Schaible opened committee work on HB 1379.

Senator Murphy: I believe this is a bill that we heard during the conversation during testimony that there was 80 miles of the Yellowstone River in North Dakota.

Senator Armstrong made a motion for a do pass on HB 1379 with a second by Vice Chair Unruh, there was no further discussion, roll was taken and the motion passed on a 7-0-0 vote with Senator Murphy carrying the bill to the floor.

There was no further discussion and Chairman Schaible closed the committee work on HB 1379.

**2015 SENATE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1379**

Senate Energy and Natural Resources Committee

Check here for Conference Committee

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

Action Taken Do Pass

Motion Made By Senator Armstrong Seconded By Vice Chair Unruh

Senators	Yes	No	Senators	Yes	No
Chairman Schaible	X		Senator Murphy	X	
Vice Chair Unruh	X		Senator Triplett	X	
Senator Armstrong	X				
Senator Hogue	X				
Senator Laffen	X				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Senator Murphy

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

**REPORT OF STANDING COMMITTEE**

**HB 1379: Energy and Natural Resources Committee (Sen. Schaible, Chairman)**  
recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
HB 1379 was placed on the Fourteenth order on the calendar.

**2015 TESTIMONY**

**HB 1379**

16

2/5/15  
1379

1

**House Bill 1379**

Chairman Porter and members of the Energy and Natural Resource Committee.

My name is Denton Zubke and I am the Representative from District 39 which constitutes the counties of Mckenzie, Billings, Golden Valley, Slope, Bowman, Adams, and part of Dunn.

House Bill 1379 would repeal chapter 55-06 of the North Dakota Century Code which provides for a Yellowstone-Missouri Rivers Confluence commission.

**CHAPTER 55-06**

**HISTORICAL STUDY OF YELLOWSTONE AND MISSOURI RIVER CONFLUENCE**

**55-06-01. Yellowstone-Missouri Rivers confluence commission.**

There is a Yellowstone-Missouri Rivers confluence commission. The commission is a governmental agency with the authority to exercise the powers specified herein, or which may be reasonably implied. The commission is composed of the governor as chairman, the president of the senate, the speaker of the house, the director of the state historical society, the commissioner of commerce, all ex officio, and five citizens of the state to be appointed by the governor who shall serve without compensation for the purpose of investigating, in cooperation with the state of Montana and the national park service, the historical importance and significance of the confluence area and for formulating and executing plans for the preservation of the historic sites illustrative of the history of the United States. The commission may expend its operating expenses and other funds provided by legislative appropriations and public and private grants for programs, improvements, and facilities to preserve and improve the Yellowstone-Missouri confluence area.

**55-06-02. Organization of commission - Powers and duties.**

Upon call of the governor, the commission shall meet and select from among its members a vice chairman and a secretary. All commission employees are entitled to be reimbursed for actual expenses incurred while attending meetings or otherwise engaged in the official business of the commission at the same rates as other state officers. The commission may establish such committees and subcommittees as it may deem desirable and necessary to carry out its purposes and adopt such rules as deemed appropriate. It may accept funds, property, and services and other assistance, financial or otherwise, from federal, state, county, municipal, and other public or private sources for the purpose of assisting and promoting its functions. It shall enlist the aid of all departments of the state and may call upon civic, patriotic, educational, fraternal, professional, and religious bodies and organizations for assistance.

This bill was prepared by the Governor's office and my understanding is this commission was active a number of years ago, but has become inactive or dormant for quite for quite some time. My investigation locally confirmed this. OMB made me aware that there is approximately \$4000.00 in an account that OMB would like to do clean up. This bill does not change much in way of Governor control but does allow direct control over the funds and still provide for any opportunities that may be arise in the confluence area.

Thank you, Chairman Porter and members of the committee. I will try to answer any questions you may have.

1

Chairman Schaible and members of the Senate Energy and Natural Resource Committee.

My name is Denton Zubke and I am the representative from District 39 which constitutes the counties of McKenzie, Billings, Golden Valley, Slope, Bowman, Adams, and part of Dunn.

House Bill 1379 would repeal chapter 55-06 of the North Dakota Century Code which provides for a Yellowstone-Missouri Rivers Confluence commission.

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This bill was prepared by the Governor's office and my understanding is this commission was active a number of years ago, but has become inactive or been dormant for quite some time. My investigation locally confirmed this. OMB also made me aware that there is approximately \$4000.00 in an account that OMB would like to clean up.

This bill does not change much in way of Governor control but does allow direct control over the funds and still provide for any opportunities that may be arise in the confluence area.

Thank you, Chairman Schaible and members of the committee.

Attachment 1  
3/27/15

1.1