

**1999 HOUSE APPROPRIATIONS**

**HB 1398**

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HOUSE BILL 1398

House Appropriations Committee

Conference Committee

Hearing Date JANUARY 20, 1999

Tape Number	Side A	Side B	Meter #
one	X		0.0 - 23.0
Committee Clerk Signature <i>Kathleen Jones</i>			

Minutes:

**A BILL FOR AN ACT RELATING TO THE AUTHORITY OF A STATE AGENCY OR INSTITUTION TO CONSTRUCT A BUILDING OR EXPAND A BUILDING PROJECT; TO AMEND AND REENACT SECTION 15-10-12 AND 15-55-10 OF THE NORTH DAKOTA CENTURY CODE, RELATING TO LIMITATIONS ON BUILDINGS AND OTHER CAMPUS IMPROVEMENTS; AND TO REPEAL SECTION 15-10-12.1 OF THE NORTH DAKOTA CENTURY CODE, RELATING TO ACCEPTANCE OF THE BUILDING AND CAMPUS IMPROVEMENT UPON APPROVAL OF THE BUDGET SECTION.**

**1A:.3 - 2.0 Chairman Dalrymple** called the meeting to order with all members of the committee present. The Chairman gave a brief overview as to the need of HB1398 and the proposed amendment to section 3.

**1A: 2.0 - 8.1 Chancellor Larry Isaak, University Systems**, spoke in favor of HB1398 regarding the clarification of the ground rules in the terms of building projects and cost overruns on projects or increase use of funds from other sources. The Budget Section of the Legislative Council has given direction to the University System as to the building project during non Legislative Assembly years. Also if there is a significant change in the scope of the project, the University System's Office would like clarification as to if the Budget Section can approve these changes and costs over runs when the Legislative Assembly is not in session. The University System would like clarification when they need to go to the Budget Section or not go to the budget Section and/or when they need to go back to the Legislative Assembly regarding building projects. .

**1A: 6.1- 8.4 Chairman Dalrymple** made the comment that perhaps the first sentence of Section 3 need to end with "unless otherwise limited by the Legislative Assembly." The intend of the second sentence of this amendment is the University System may not go over a budget ever on a specific project which is included in a bill or a budget and carries a specific cost estimate. Project which are a part of a pool of funds would not be included or revenue supported project.

**1A: 8.4 -8.9 Rep. Delzer** asked if this proposed amendment would give the Budget Section of the Legislative Council the right to appropriate funds beyond what the Legislative Assembly has approved during session. Rep. Delzer expressed his concern about the Budget Section appropriating when the Legislative Assembly is not in session.

**1A: 8.9 - 9.0 Chairman Dalrymple** asked the Chancellor to explain a situation why additional funding would be needed.

**1A:9.0 - 10.5 Chancellor Isaak** stated that during any project or renovation some unforeseen things can happen where the University System office must address the situation immediate. These items would not be included in the original estimates. Once the bids are in and have been appropriated, the USO needs a place to go when to get approval to continue on with the project.

**1A: 10.5 - 19.0** Several questions were asked which need clarification regarding the legal authority and the precise need.

**1A:19.0 - 22.0 Sheila Peterson, OMB**, clarified that the Budget Section could not appropriate any of general fund or move money from NDSU to UND. There is an emergency fund within the USO for unexpected emergencies on any campus. There are several other ways which emergency funds could be available for use.

**1A: 22.1 - 23.0 Chairman Dalrymple** asked for additional comment but would like to take additional time to look at this amendment. The hearing on HB 1398 was tabled until a later date.

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HOUSE BILL 1398

House Appropriations Committee  
 Hearing Date January 29, 1999

Tape Number	Side A	Side B	Meter #
ONE	x		4.8 - 55.8
		X	1.1-6.8
Committee Clerk Signature <i>Katherine Jones</i>			

Minutes:

A BILL FOR AN ACT RELATING TO THE AUTHORITY OF A STATE AGENCY OR INSTITUTION TO CONSTRUCT A BUILDING OR EXPAND A BUILDING PROJECT; TO AMEND AND REENACT SECTION 15-10-12 AND 15-55-10 OF THE NORTH DAKOTA CENTURY CODE, RELATING TO LIMITATIONS ON BUILDINGS AND OTHER CAMPUS IMPROVEMENTS; AND TO REPEAL SECTION 15-10-12.1 OF THE NORTH DAKOTA CENTURY CODE, RELATING TO ACCEPTANCE OF THE BUILDING AND CAMPUS IMPROVEMENT UPON APPROVAL OF THE BUDGET SECTION.

1A: 4.8 Chairman Dalrymple explained the purpose amendment as prepared by Legislative Council. This amendment would limit the authorization of a building project to the Legislation or the Budget Section and includes expansion or the design change of a project unless it also approves by the Legislator or Budget Section. Any of the larger project would carry a total budget dollar amount and anything over budget would require approval as well. The amendment attempts to clarify

1A: 7.6 Discussion took place as to the interpretation of the bill and the amendment. The committee questioned if the Budget Sections ability to approve a new building on state land. There was discussion about other proposes amendments to HB 1398. Several areas of statue including real estate laws could provide the limits of the Budget Section. If donated and gifted money used for the soul purpose of building a new building on state land would take the full Legislative Assembly.

1A: 32.0 Rep. Delzer moved that the following amendment be adopted.

The motion is to remove under **Section 3, line 13, remove "or expansion"**.

**Page 3, line 14, remove "or budget section"**

**Page 3, line 15, remove "approval if the legislative assembly is not in session"**

The motion was seconded by Rep. Tollefson.

Discussion took place regarding several of the points.

**2A: 4.8 The Chairman** called for the vote on the purposed amendment. The Vote was nine yeas, nine nays and two absent and not voting. **The motion failed.**

**2A: Chairman Dalrymple** called for a sub committee of Rep. Delzer and Rep. Byerly to continue to work with the Chairman on HB 1398. The committee was adjourned.

## General Discussion

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

Date February 4, 1999			
Tape Number	Side A	B Side	Meter #
2	x		9.0-23.0
Committee Clerk Signature		<i>Roxanne Kohl</i>	

Minutes:

**2A: 9.0** Chairman Dalrymple opened the discussion on House Bill 1398. He briefly explained the amendments to bill. He stated the institutions may continue to receive gifts, grants, and donations and come to the budget section for approval in the interim. There are additional rules for doing that: 6 months preceding the convening of a regular session they will have to get permission from the legislative session. The council shall notify members of the assembly and have an opportunity to present testimony to the budget section. Chairman Dalrymple continued discussion on amendments.

**2A: 20.4 Chairman Dalrymple** made a motion to adopt the amendment. Rep. Byerly 2nd the motion. On a voice call vote the motion carried. One voting No - Rep. Wentz.

**2A: 21.0 Rep. Delzer** made a DO PASS MOTION AS AMENDED. Rep. Carlson 2nd the motion. On a Roll Call Vote the motion carried.

17 voting Yes  
1 voting No  
2 voting Absent

Rep. Delzer will carry the bill to the floor.



**PROPOSED AMENDMENT TO HB1398.**

Replace section 3 with the following:

**SECTION 3. Authorization of building projects by legislative assembly or budget section.** The budget section of the legislative assembly may, when the legislative assembly is not in session, authorize the receipt and use of funds to construct buildings and improvements at state institutions which are financed by donations, gifts, grants and bequests. Unless otherwise provided by law, a state agency or institution may not expend funds exceeding specific legislative or budget section appropriation or approval for a specific project, nor may an agency or institution make a significant change in the project size or scope approved by the legislative assembly or budget section unless such additional expenditure or change in scope is approved by the legislative assembly or budget section of the legislative council if the legislative assembly is not in session.. A significant change in project size or scope means an addition or building connection to or other substantial change in square feet of construction.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1398

Page 3, line 12, remove "specific"

Page 3, line 14, remove "specific"

Page 3, line 17, after "not" insert "significantly change or"

Page 3, line 19, after the second "the" insert "change or"

Page 3, line 20, after the underscored period insert "For the purposes of this section, a significant change or expansion includes the construction of an addition to a building, including skywalks or other type of enclosed walkway, or any other substantial increase in the area of the building, but does not include the construction of building entrances and stairwells."

Renumber accordingly

*Written plan for costs of maintenance*

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1398

Page 1, line 1, remove "construct a building"

Page 1, line 2, remove "or", after the semicolon insert "and", and replace "15-10-12" with "15-10-12.1"

Page 1, line 4, replace "; and to repeal section 15-10-12.1 of the North Dakota Century Code, relating to" with a period

Page 1, remove line 5

Page 1, line 7, replace "15-10-12" with "15-10-12.1"

Page 1, replace lines 9 through 24 with:

**"15-10-12.1. Acceptance of buildings and campus improvements - ~~Approval of budget section~~ Legislative approval.** The state board of higher education may not authorize the construction of buildings and campus improvements on land under the control of the board which are financed by donations, gifts, grants, and bequests without the consent of the legislative assembly. During the time the legislative assembly is not in session, except for the six months preceding the convening of a regular session, and unless otherwise restricted by previous legislative action or other law, the state board of higher education may, with the approval of the budget section of the legislative council, may authorize the use of land under the control of the board and construct buildings and campus improvements thereon which are financed by donations, gifts, grants, and bequests. The budget section approval must include a specific dollar limit for each building or campus improvement project. The budget section may establish guidelines regarding the types of gifts for minor improvements which do not require the approval of the budget section based upon the financial impact of such construction projects upon the state of North Dakota. The state board of higher education may, with the approval of the budget section, may authorize the sale of any real property or buildings which an institution of higher learning has received by gift or bequest. The budget section may prescribe such conditions for the sale of the property as it deems determines necessary, including, but not limited to, requiring an appraisal and the advertisement for bids. If the state board of higher education submits a request to the budget section for approval, the legislative council shall notify each member of the legislative assembly of the date of the budget section meeting at which the request will be considered and provide a copy of the meeting agenda to each member of the legislative assembly. The chairman of the budget section shall allow any member of the legislative assembly an opportunity to present testimony to the budget section regarding any such request."

Page 2, remove lines 1 through 14

Page 2, line 18, remove the overstrike over "No" and remove "Except as provided in section 3 of this Act, no"

Page 2, line 19, after "constructed" insert "under this chapter"

Page 2, line 26, after "improvement" insert "undertaken under this chapter"

Page 3, line 11, after "of" insert "**expansion of**"

Page 3, line 12, remove "A state agency or institution may not commence a building project without specific"

Page 3, remove lines 13 through 15

Page 3, line 16, remove "funds or any other funds."

Page 3, line 17, after "not" insert "significantly change or"

Page 3, line 19, after the second "the" insert "change or"

Page 3, line 20, after the underscored period insert "For the purposes of this section, a significant change or expansion includes the construction of an addition to a building, including skywalks or other type of enclosed walkway, or any other substantial increase in the area of the building, but does not include the construction of building entrances and stairwells."

Page 3, remove lines 21 and 22

Renumber accordingly

Date: 2.4.99  
 Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1398

House APPROPRIATION Committee \_\_\_\_\_

Subcommittee on \_\_\_\_\_  
 or

Conference Committee

Legislative Council Amendment Number 90652.0104

Action Taken ~~DO PASS~~ ADOPT AMENDMENT

Motion Made By DALRYMPLE Seconded By BYERLY

Representatives	Yes	No	Representatives	Yes	No
Rep. Ole Aarsvold	✓		Rep. Ronald Nichols	✓	
Rep. LeRoy G. Bernstein	✓		Rep. Jim Poolman		
Rep. James Boehm	✓		Rep. Ken Svedjan	✓	
Rep. Rex R. Byerly	✓		Rep. Mike Timm		
Rep. Al Carlson	✓		Rep. Ben Tollefson	✓	
Rep. Ron Carlisle	✓		Rep. Janet Wentz		✓
<del>Rep. Al Carlson</del>	<del>✓</del>		Chairman Jack Dalrymple	✓	
Rep. Jeff Delzer	✓				
Rep. Pam Gulleon					
Rep. Serenus Hoffner	✓				
Rep. Robert Huether	✓				
Rep. James Kerzman	✓				
Rep. Ed Lloyd	✓				
Rep. David Monson	✓				

Total (Yes) 16 No 1

Absent 3

Floor Assignment \_\_\_\_\_

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

Date: 2-4-99  
 Roll Call Vote #: 2 1

**1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 1398**

House **APPROPRIATION** Committee \_\_\_\_\_

Subcommittee on \_\_\_\_\_  
 or  
 Conference Committee

Legislative Council Amendment Number 90652. 0104

Action Taken DO PASS

Motion Made By DELZER Seconded By CARLSON

Representatives	Yes	No	Representatives	Yes	No
Rep. Ole Aarsvold	✓		Rep. Ronald Nichols	✓	
Rep. LeRoy G. Bernstein	✓		Rep. Jim Poolman		
Rep. James Boehm	✓		Rep. Ken Svedjan	✓	
Rep. Rex R. Byerly	✓		Rep. Mike Timm		
Rep. Al Carlson	✓		Rep. Ben Tollefson	✓	
Rep. Ron Carlisle	✓		Rep. Janet Wentz		✓
<del>Rep. Al Carlson</del>	<del>✓</del>		Chairman Jack Dalrymple	✓	
Rep. Jeff Delzer	✓				
Rep. Pam Gulleason	✓				
Rep. Serenus Hoffner	✓				
Rep. Robert Huether	✓				
Rep. James Kerzman	✓				
Rep. Ed Lloyd	✓				
Rep. David Monson	✓				

Total (Yes) 17 No 1

Absent 2

Floor Assignment Rep. DELZER

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

REPORT OF STANDING COMMITTEE

HB 1398: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1398 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "construct a building"

Page 1, line 2, remove "or", after the semicolon insert "and", and replace "15-10-12" with "15-10-12.1"

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Page 3, remove lines 21 and 22

Renumber accordingly



**1999 SENATE APPROPRIATIONS**

**HB 1398**

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1398

Senate Appropriations Committee

Conference Committee

Hearing Date March 11, 1999

Tape Number	Side A	Side B	Meter #
1	X		765-2658
3/30/99 1	X		7792-5204
Committee Clerk Signature <i>Ketty C. Kottelerook</i>			

Minutes:

**SENATOR NAADEN:** Opened the hearing on HB1398; A BILL FOR AN ACT RELATING TO THE AUTHORITY OF A STATE AGENCY OR INSTITUTION TO EXPAND A BUILDING PROJECT; AND TO AMEND AND REENACT SECTIONS 15-10-12.1 AND 15-55-10 OF THE NORTH DAKOTA CENTURY CODE, RELATING TO LIMITATIONS ON BUILDINGS AND OTHER CAMPUS IMPROVEMENTS.

**JACK DALRYMPLE:** Representative from District 22 to testify in support of HB1398. This bill is a result of discussion during the interim, it came out of the budget section and is not particularly my idea but, I think something that the House of Representatives is interested in. We have had a number of Legislatures concerned that the budget section has a lot of power to move building projects forward during the interim and also major improvements to existing buildings. We've seen where that could be argued. This bill is an attempt to allow some of those fears and yet, keep the authority firmly in the hands of the budget section. We know these things do need to go forward in the interim, in many cases they cannot be delayed, so we want to do what we have to do to maintain the authority. Section one simply says that, on land that is under control of the Board of Higher Education, which would be basically State land, they may not authorize construction without the consent of the Legislative Assembly. During the time the Assembly is not in session, except for the six months preceeding the convening of a regular session, the Board of Higher Education may proceed with the approval of the budget section. The first point in the bill, is that anybody is within six months of the beginning of a regular session, we're asking them to postpone their request for approval. It also requires, that the members of the Assembly be notified of an agenda involving the authorization of the construction project. It further allows that any member wishes to provide input, may do so. Section two is the chapter on the bill that deals with the issuance of bonds. This section in the original bill contained some language that was removed. All that is left in section two is basically an update of the code,

removal of some lines that are no longer relevant. Section three, is all new language. This deals with a situation where, a building is being expanded or it is being altered significantly from the original Legislative approval. In other words, the blueprint or whatever design was presented to the appropriation committee, would be considered the original project. It says, the State agency or institution, in my mind that would not include institutions directly under the governance or the Industrial Commission, may not make significant changes or expand a project without Legislative approval. That approval in the interim again, may include the budget section and, the last sentence attempts to refine a bit more of what we consider to be a significant change or expansion. This all may seem a little bit overly fussy to some of you and a little bit overly protective but, I must emphasize that this is important to some Legislatures. They feel this is a significant issue and I think we do need to address it.

**SENATOR BOWMAN:** In section three; but does not include the construction of building entrances and stairwells. Why would you submit a plan for a building, without putting the entrance or a stairwell on that plan?

**JACK DALRYMPLE:** That sentence is intended to apply to the situation where you're making a capital improvement. The Board of Higher Education said that they do have quite a few situations where an older building on the college campus might have three stories and what they have been doing in a lot of instances is; when they receive notification that this is not in compliance with the Fire Marshall safety standards, they're forced to do something in the way of providing additional exits. The way they have solved that, rather internally build more staircases, they build a new structure around the end of the building, opened up doorways at the end of the halls of each floor and constructed a stairwell outside the original building. That solves the compliance problem for fire code and it's actually more economical to do that rather than remodel the building. They were concerned that since that does involve additional square footage, it is technically a new structure. They were concerned that would be interpreted as an expansion.

**SENATOR LINDAAS:** If an institution had the idea to expand, how far could they proceed in their idea without seeking Legislative authority? Could they contact an Architect?

**JACK DALRYMPLE:** The language refers to construction specifically. It doesn't address preliminary work.

**SENATOR NAADEN:** We used to have a revolving fund for that specific purpose.

**CELESTE KUBASTA:** Last biennium there was money put into OMB's budget to use for that purpose. It continues to be in their, no one has used it to date and I think it was \$200,000.

**LAURA GLATT:** Vice Chancellor for Administrative Affairs with the North Dakota University System to testify on HB1398 (testimony attached (tape 1, side A, meter 1710-1990). Before I start my testimony, if I might respond to the last question regarding Architectural planning. In the last session, you did appropriate \$200,000 to OMB for a revolving planning fund, separate and apart from the appropriation you provided for the new staff position. None of

that money has been used this biennium because, OMB has not yet established guidelines for the use of that money. Certainly that will be a place we will look extensively for funding to assist us on planning, our only concern is whether it will be adequate to address all of the needs across the State of North Dakota. In my estimation, there certainly exists the possibility where we will have to commit to some architectural planning costs prior to receiving approval on a construction project because, we do know it's critically important when we bring projects forward to the Legislature for funding that we have fairly concrete plans before you in terms of the cost estimates. That would be important for us to at least be allowed to engage in the preplanning process, even if it might occur in some expenditure.

**SENATOR BOWMAN:** On item 4, the last sentence, isn't that contradicting everything that were doing?

**LAURA GLATT:** What item four particularly refers to is, in each subdivision in HB1003, each campus has a capital improvement line item. As part of the budget request process, OMB asks each agency to identify a list of projects that could be potentially funded from that capital improvement line item. Those are what we would consider the more minor repair replacement issues, not major new construction. There are others in State Government at this time who believe that once you set the capital improvement appropriation in that line item, that we must follow that project list verbatim. If we said we were going to do the roof on roof "A" and the roof on roof "B" collapses, we can't do roof "B" we have to do roof "A" because that's what was on that list on the budget request. Our contention all along, and I believe the intention of the Legislature, is that you see that money as a pool of resources available to the institutions to use at their discretion based upon emergencies as they arise and priorities as they change. What we are suggesting, it is still our intent that the capital improvement list we submitted as part of the budget request is just for guidance, it is not a mandatory list that we must follow and if we need to do a project that's not on the list because an emergency happens or it becomes a higher priority, we have that flexibility. It really addresses that capital improvement line item.

**SENATOR BOWMAN:** When we look at budgeting the money for these projects, that you submitted to us and we ok those projects, we don't know if you've changed your mind six months from now on a project. All we know is the money was given to you to do the project. When you comeback to the budget later on and change and request more dollars, it becomes confusing to understand why you do that. It's hard for me to understand why you need flexibility if your giving us the priorities to begin with.

**LAURA GLATT:** In my mind it's a distinction between a major capital project and an ordinary repair/replacement. In a case of a major capital project, the Legislature has always specifically defined a project with a dollar amount. For example, in House Bill 1022, there is a project for the State College of Science for a specific dollar amount. If that's approved, we could not deviate from that, we would have to use that money for those projects as defined. In House Bill 1003, the State College of Science has a capital improvement line item, which is driven by a formula calculation and is used for the more minor items. It is in those instances where we're talking about being able to have the flexibility to move dollars around between more minor projects as priorities change. I agree with you, it is difficult from a Legislative perspective to keep track of how the projects and priorities are changing and that's been an issue in the past.

We instituted a couple years ago, bringing to the budget section a report called a Capital Improvements Tracking Report. We layout those projects we intended to do at the time we submitted the budget request and how eventually those dollars were spent. In general we've pretty much spent them the way we said we were going to but, there were instances, like the water main broke in the middle of the campus. We've tried to get at that issue of at least informing you how things have changed over the one and two year period after you've left town.

**KARLENE FINE:** Executive Director and Secretary for the Industrial Commission appearing in a neutral position on HB1398 (testimony attached (tape 1, side A, meter 2565-2650).

**SENATOR NAADEN:** Closed the hearing on HB1398.

=====  
**3/30/99          Tape 1, Side A, Meter 4792-5204**

**SENATOR NETHING:** Reopened the hearing on HB1398.

**SENATOR ST. AUBYN:** Explained the bill.

**SENATOR NETHING:** Called for the motion on HB1398.

**SENATOR ST. AUBYN:** Moved A Do Pass on HB1398.

**SENATOR KRAUTER:** Seconded the motion.

**ROLL CALL: 13 YEAS; 0 NAY; 1 ABSENT & NOT VOTING.**

Absent & Not Voting: Senator Tallackson.

The motion of Do Pass carried on HB1398.

**CARRIER: SENATOR TOMAC.**

**SENATOR NETHING:** Closed the hearing on HB1398.

Date: 3-30-99  
 Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. Engrossed HB 1398

Senate APPROPRIATIONS Committee

Subcommittee on \_\_\_\_\_  
 or  
 Conference Committee

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

Action Taken NO PASS

Motion Made By Senator St. Aubyn Seconded By Senator KRAUTER

Senators	Yes	No	Senators	Yes	No
Senator Nething, Chairman	✓				
Senator Naaden, Vice Chairman	✓				
Senator Solberg	✓				
Senator Lindaas	✓				
Senator Tallackson					
Senator Tomac	✓				
Senator Robinson	✓				
Senator Krauter	✓				
Senator St. Aubyn	✓				
Senator Grindberg	✓				
Senator Holmberg	✓				
Senator Kringstad	✓				
Senator Bowman	✓				
Senator Andrist	✓				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Senator TOMAC

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

REPORT OF STANDING COMMITTEE (410)  
March 30, 1999 10:51 a.m.

Module No: SR-57-5965  
Carrier: Tomac  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

HB 1398, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1398 was placed on the Fourteenth order on the calendar.

**1999 TESTIMONY**

**HB 1398**





# INDUSTRIAL COMMISSION OF NORTH DAKOTA

Edward T. Schafer  
Governor

Heidi Heitkamp  
Attorney General

Roger Johnson  
Commissioner of Agriculture

Testimony on Engrossed House Bill No. 1398  
By Karlene Fine  
Executive Director & Secretary  
Industrial Commission of North Dakota  
March 11, 1999 – Senate Appropriations Committee

Mr. Chairman and members of the Senate Appropriations Committee, my name is Karlene Fine and I am Executive Director and Secretary for the Industrial Commission. I am appearing today in a neutral position on House Bill No. 1398.

I have had some discussions with one of the sponsors of the bill, Representative Dalrymple to obtain a clarification on how this bill would apply to the North Dakota Mill. The intent of my testimony is to place in the record my understanding of those conversations.

As I understand it, Section 3 of this bill applies to all state agencies except the State Mill and Elevator. This Section provides that there may not be a significant change to a building project that has been authorized by the Legislature or in the interim the Budget Section. Based on previous actions by the Legislature, the State Mill does not include capital projects within its budget. Therefore, in visiting with Representative Dalrymple it is my understanding that this bill would not apply to the State Mill.

As I indicated earlier, the Industrial Commission has not taken a position on this bill and I am appearing in a neutral position. Thank you for the opportunity to appear and include this testimony in the record.