

1999 SENATE EDUCATION

SB 2314

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2314

Senate Education Committee

Conference Committee

Hearing Date 2/2/99

Tape Number	Side A	Side B	Meter #
1	X		3762-6247
1		X	0-790
1		X	1790-2143
Committee Clerk Signature <i>Jinda Christman</i>			

Minutes:

SENATOR Judy Demers was unable to testify as was in a committee hearing, wanted to be on record, her support.

SENATOR St. Aubyn testified in favor and introduced the bill.

Larry Isaak, Chancellor of the University System, spoke in favor. Board of higher education has reviewed this last week and have approved and recommend the legislation and the amendments as proposed.

SENATOR KELSH: Are there any other such agreements on any other campuses right now?

Larry: No, we've not done this kind of transaction before.

SENATOR FLAKOLL: Will it effect any way the tax rolls, private versus public.

Larry: I don't know.

Peggy Lucke, Interim VP of Finance and Operation at UND spoke in favor of the bill. ALTRU proposes to construct totally at its own expense a new building for the university on the Branson property the value will be equivalent to the amount of value effective the day of transaction, 4 million. Swap.

Dr. David Wilson, Dean of Medicine at UND spoke in favor of the bill. This is a good swap and provides a place for my family medical practice to have their practice again. Will be a prime location directly across from the medical school.

SENATOR REDLIN: Will Barnes & Noble pay state taxes.

Lucke: Yes, not a 100% but the majority.

Greg Gerlyl, CEO Ex. Officer of ALTRU Health System, spoke in favor.

SENATOR KELSH: What was the valuation of the building.

Greg: \$5,300,000 for the building. We strongly support the bill.

SENATOR REDLIN: Is maintenance and operation all taken care of on the new building.

Peggy: Correct, it is already built into the budget.

Hearing closed on SB 2314.

Discussion.

SENATOR REDLIN: I move the amendment.

SENATOR FLAKOLL: 2nd.

SENATOR FREBORG: The amendment is a hoghouse to the bill so you don't have to worry about what was in the bill if we adopt the amendment. Amendment is titled 90594.0101.

Vote: 6 (yes) 0 (no)

SENATOR KELSH: Move for a Do Pass SB 2314 as amended.

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Senate Education Committee

Bill/Resolution Number Sb 2314

Hearing Date 2/2/99

SENATOR COOK: 2nd.

Vote: 6 (yes) 0 (no)

Carrier: REDLIN

PROPOSED AMENDMENTS TO SENATE BILL NO. 2314

Page 1, line 1, after "A BILL" replace the remainder of the bill with "to authorize the state board of higher education to approve a lease-purchase agreement.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Lease-purchase agreement - Approval. The state board of higher education may approve a lease-purchase agreement or modify an existing agreement between the university of North Dakota and a health services provider for the construction and lease of a medical facility to be constructed with private sector dollars on state land, and to do all things necessary and proper to approve the terms of the lease, the plans and design of the building, the title of the building, and the facilitation of its construction. The state board of higher education may approve any additional terms necessary to provide for the purchase of the medical facility by a payment-in-kind transfer provided the board deems the transfer to be in the best interests of the university and further provided that there is no negative fiscal impact to the university. For purposes of this section, payment in kind may include the subsequent donation of an existing university-owned building. The provisions of sections 54-01-05.2 and 54-01-05.5 do not apply to the transfer and conveyance authorized by this section."

Renumber accordingly

Date: 2/2/99
 Roll Call Vote #: _____

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2314

Senate EDUCATION Committee

- Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Moves on amendment 98594.0101 to accept.

Motion Made By Redlin Seconded By Flakoll

Senators	Yes	No	Senators	Yes	No
Senator Freborg, Chairman	✓				
Senator Cook, Vice Chairman	✓				
Senator Flakoll	✓				
Senator Wanzek					
Senator Kelsh	✓				
Senator O'Connell	✓				
Senator Redlin	✓				

Total (Yes) 6 No 0

Absent _____

Floor Assignment _____

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

Date: 2/2/99
Roll Call Vote #: 2

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2314

Senate EDUCATION Committee

- Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken move Do Pass 2314 as amended

Motion Made By Kelsh Seconded By Cook

Senators	Yes	No	Senators	Yes	No
Senator Freborg, Chairman	✓				
Senator Cook, Vice Chairman	✓				
Senator Flakoll	✓				
Senator Wanzek					
Senator Kelsh	✓				
Senator O'Connell	✓				
Senator Redlin	✓				

Total (Yes) 6 No 0

Absent _____

Floor Assignment Redlin

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

REPORT OF STANDING COMMITTEE

SB 2314: Education Committee (Sen. Freborg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2314 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "to authorize the state board of higher education to approve a lease-purchase agreement.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Lease-purchase agreement - Approval. The state board of higher education may approve a lease-purchase agreement or modify an existing agreement between the university of North Dakota and a health services provider for the construction and lease of a medical facility to be constructed with private sector dollars on state land, and to do all things necessary and proper to approve the terms of the lease, the plans and design of the building, the title of the building, and the facilitation of its construction. The state board of higher education may approve any additional terms necessary to provide for the purchase of the medical facility by a payment-in-kind transfer provided the board deems the transfer to be in the best interests of the university and further provided that there is no negative fiscal impact to the university. For purposes of this section, payment in kind may include the subsequent donation of an existing university-owned building. The provisions of sections 54-01-05.2 and 54-01-05.5 do not apply to the transfer and conveyance authorized by this section."

Renumber accordingly

1999 HOUSE EDUCATION

SB 2314

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2314

House Education Committee

Conference Committee

Hearing Date 3-8-99

Tape Number	Side A	Side B	Meter #
Tape # 2		x	34.0 to 49.9
Committee Clerk Signature <i>Joan Diers</i>			

Minutes:

Chairman R Kelsch , Vice Chair Drovdal , Rep Brandenburg , Rep Brusegaard , Rep Haas , Rep Johnson , Rep Nelson , Rep Nottestad , Rep L Thoreson , Rep Grumbo , Rep. Hanson , Rep. Lundgren , Rep. Mueller , Rep. Nowatzki , Rep. Solberg .

Chairman R Kelsch : We will open the hearing on SB 2314 and ask the clerk to read the title.

Senator StAubyn: District 43 sponsor of the bill. Introduced the bill and explained the reason for the bill. This bill would approve a lease-purchase agreement for UND with ALTRU Hospital. The building is the present Rehab building and ALTRU would build a building on University property and then would swap building for building.

Dr Ken Baker: from UND. explained the university's position on the building and the trade of another building to be built.

Dr David Wilson: Dean of the School of Medicine at UND spoke in favor of SB 2314.

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House Education Committee

Bill/Resolution Number Sb 2314

Hearing Date 3-8-99

Dennis Reismour: Representing ALTRU Health systems. spoke in favor of SB 2314.

Earl Strinden: CEO of UND Foundation. Spoke in favor of SB 2314.

Chairman R Kelsch : Anyone wishing to speak in opposition of SB 2314. We will close the hearing on SB 2314.

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2314-3-15-99

House Education Committee

Conference Committee

Hearing Date 3-8-99

Tape Number	Side A	Side B	Meter #
Tape # 3	x		18.5 to 26.1
Committee Clerk Signature <i>Joan Diers</i>			

Minutes:

Chairman R Kelsch , Vice Chair Drovdal , Rep Brandenburg , Rep Brusegaard , Rep Haas , Rep Johnson , Rep Nelson , Rep Nottestad , Rep L Thoreson , Rep Grumbo , Rep. Lundgren , Rep. Mueller , Rep. Nowatzki , Rep. Solberg .

Chairman R Kelsch : We will take up SB 2314, what are the wishes of the committee.

Rep Nottestad : Moved a DO PASS .

Rep L Thoreson : seconded the motion. .

Chairman R Kelsch : Committee discussion. Have the clerk call the roll on a DO PASS on SB 2314. DO PASS motion passes 13 YES 1 NO 1 Absent Floor assignment Rep Nottestad .

Date: 3-8-99
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO: ^{SB}23/4

House Education Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Nottestad Seconded By Thoreson

Representatives	Yes	No	Representatives	Yes	No
Rep. ReaAnn Kelsch-Chairperson	✓		Rep. Dorvan Solberg	✓	
Rep. David Drovdal-Vice Chair	✓				
Rep. Michael D. Brandenburg		✓			
Rep. Thomas T. Brusegaard	✓				
Rep. C. B. Haas	✓				
Rep. Dennis E. Johnson	✓				
Rep. Jon O. Nelson	✓				
Rep. Darrell D. Nottestad	✓				
Rep. Laurel Thoreson	✓				
Rep. Howard Grumbo	✓				
Rep. Lyle Hanson					
Rep. Deb Lundgren	✓				
Rep. Phillip Mueller	✓				
Rep. Robert E. Nowatzki	✓				

Total (Yes) 13 No 1

Absent 1

Floor Assignment Nottestad

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

REPORT OF STANDING COMMITTEE (410)
March 8, 1999 5:22 p.m.

Module No: HR-41-4289
Carrier: Nottestad
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2314, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends DO PASS (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2314 was placed on the Fourteenth order on the calendar.