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10/2/03
Date

2003 HOUSE TRANSPORTATION

HB 1087

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1087

House Transportation Committee

Conference Committee

Hearing Date: January 9, 2003

Tape Number	Side A	Side B	Meter #
1	x		21.6 to end
		x	discussion briefly
Committee Clerk Signature <i>Louise L. Fark</i>			

Minutes:

Rep. Weisz, Chairman opened the hearing on HB 1087 a bill for an Act to amend and reenact sections of 54-53-02 and 54-53-03 of the North Dakota Century Code, relating to composition of the advisory transportation council and purpose of the upper great plains transportation institute. Dale Anderson serves two roles with the Upper Great Plains Transportation Institute. He appeared as Chairman of the Transportation Advisory Council. The Advisory Council was put in place when the council was formed by legislation in 1967. Initially the Institute when formed functioned under the direction of a director. The organization listed in HB 1087 was a part of that legislation. At first much of the work of the Institute focused on rural transportation issues. They dealt with freight --- one of the members being removed here was a member of the "traffic Council. that was back in the days when Grand Forks and Fargo had Traffic Councils formed in their Chambers of Commerce or some other local businesses or government entities. Those traffic councils do not exist any more. Therefore the basis for the recommendation for the lines

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House Transportation Committee

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drawn through that language referencing the traffic councils. In the last ten years or so the Advisory Council has encouraged NDSU to take a more active role in terms of overall management in the leadership of the Upper Great Plains Institute. They have taken on very heavily and very actively ---- President Chapman if very actively involved in working with Gene Griffin as a director of the transportation service. That is the basis for the recommendation for adding President of NDSU specifically to the Council. I would also add that Gene Griffin who is the Chairman of the Transportation Institute, the Executive Director is in Washington --- the budget for the Institute is \$10,000 and when it first started it was only \$100,000--- the ratio of federal dollars to private fund dollars is one of the highest ratios for budgets of this type . So, Gene is in Washington working on some projects in this area. So he couldn't be here today, likewise President Chapman and his assistant, Keith Bjerke could not be here today. The Advisory Committee strongly advised that President Chapman be added to the Council. Moving down to item two, merely properly names the Public Service Commission; item seven --- Division of Economic Development and Finance which is now the Department of Commerce;--- item eleven--- names the Department of Transportation to be named to the Council; --- item twelve, is the adding of the North Dakota Agriculture Commissioner to the Council; --- item 13, adds the Association of General Contractors --they are the business entity that represents the major part of the contractors in North Dakota; --- then, item fourteen, is a representative of the railway industry -- so that is what the Advisory Committee recommends for the makeup of the Council.

Rep. Price: (29.3) Is there any reason why when naming the Ag Commissioner you didn't allow his designee?

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Dale Anderson: Good point -- no I guess not.

Rep. Weiler: Is there a reason why the President of the University of North Dakota isn't represented on the Council?

Dale Anderson: The Intsitude has always been located at NDSU and the two do carry out joint programs. The Advisory Council felt the with the Institute located at NDSU it would be logical to have the President on the Council.

Rep. Hawken, Vice Chairman: What exactly does this entity do and is it necessary.

Dale Anderson: The Upper Great Plains Institute was organized initially to deal with freight issues which is now about only 5% of the budget. They now have over 9 million dollars federal money and 30 staff people. They deal with transportation issues of all types; but to discuss briefly the major programs areas-- the have programs dealing in the Ag Transportation Center; they a programs dealing with Strategic transportation issues for the state i.e. two years ago they did one dealing with grains and last year they did one is just being completed with the possibility of establishing a port in North Dakota -- that would be with rail and highway interaction in the state and one legislative item is the possibility of establishing a Port Authority; another deals with small urban and rural transit; --- regional centers and a DOT support center. The budget hearing is next Tuesday and I can provide the members of this committee with more information which I will be preparing for that hearing.

Rep. Weisz, Chairman Would please furnish a copy with the committee clerk. I noticed that you have expanded the powers and duties of the council here --- is that because you are already doing that?

Yolanda Rickford
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Dale Anderson Its mainly dealing with what the Institute is and has been doing the last ten years. We are one of the regional centers in the country. When you talk about transportation research, Texas is one of the outstanding centers in the country. We are very fortunate having one of the other centers recognized as such. Our director is working one making the center the best not only in the region but in the nation.

Rep. Ruby: (36.7) How often does this council meet?

Dale Anderson: Twice a year - once in the spring and then each October in conjunction with an awards banquet. More frequently if certain issues arise.

Rep. Zaiser: Is there duplication of services with the DOT -- could this all be rolled into one?

Dale Anderson: The institute is research oriented -- the Council does work with the DOT Director. We do research for them on ---for example ag product movement requirements. They are more into construction requirements, etc.

Rep. Zaiser: Are our issues here that different than those in Texas?

Dale Anderson: They really are, for example climate and seasonal conditions are different as ore distances and products.

Rep. Schmidt: The wording has me puzzled a bit, --in 11, 12, 13 and 14 --these are departments you want to add -- and then you want to add the University President -- he's not named in here but why couldn't he be named as number '15' ?

Dale Anderson Most of the language goes back to the way the law was originally written. I guess we decided to leave the structure the same rather than change it.

REP. SCHMIDT Before I would vote this bill I would change it I would put that where the others are added.

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REP. WEISZ, Chairman: I would make the observation the president if a person whereas the others are groups or organizations.

There being no other questions for Mr. Anderson, Rep. Weisz, Chairman asked for testimony from any who may be wishing to testify for the bill.

(Mr.) Darcy Rosendahl, Planning and Programming Engineer for the ND DOT spoke in favor of the bill. A copy of his testimony is attached to these minutes.

When Mr. Rosendahl's testimony was finished there were no others wishing to appear either for or against, Rep. Weisz, Chairman closed the hearing on HB 1087.

Rep. Price: Representation seems to heavily in favor of Agriculture -- what about other industries?

After some open discussion, Rep. Weisz, Chairman held the bill for further discussion pending committee members studying the bill further. Record continued briefly onto side B of the tape.

End of record for this date.

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1087b

House Transportation Committee

Conference Committee

Hearing Date January 17, 2003

Tape Number	Side A	Side B	Meter #
2		x	4.5 to 22.0
Committee Clerk Signature <i>Laura M. Zide</i>			

Minutes:

Rep. Weisz, Chairman asked the committee whether they were ready to discuss any amendments to HB 1087 and whether any committee members other than Rep. Price had any amendments to propose.

Rep. Price handed out a list of proposed council members which was somewhat different than that in HB 1087. The first suggestion was to remove the President from the council as a voting member as a perception of a conflict of interest could arise in that the Institute was housed a NDSU and that NDSU contracted for some of the projects for which the president had voted for or against. The second aspect of the list was to remove some of the Agriculture related agencies which in effect heavily weighted council representation toward agriculture when in fact in the future the broadened scope of the Institute probably would be broadened as the economic development in North Dakota encompassed a more diverse group of industry and commerce.

Rep. Weisz had contacted many of the farm groups and some of the other groups proposed to be

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