

# MICROFILM DIVIDER

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ROLL NUMBER

DESCRIPTION

1119

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Dorena G. Bell  
Operator's Signature

10/2/03  
Date

2003 HOUSE EDUCATION

HB 1119

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*Dorena Hall*  
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10/2/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES  
BILL/RESOLUTION NO. HB 1119  
House Education Committee

Conference Committee

Hearing Date January 27, 2003

Tape Number	Side A	Side B	Meter #
1	x		00-3014
Committee Clerk Signature			

Minutes: **Chairman Kelsch** opened hearing on HB 1119.

**Gary Prezler, State Land Commissioner, and Secretary for the Board of University and School Lands, See Attached Testimony**

**Rep. Williams** : Prior to now, how was this land managed?

**Prezler**: Coteau Properties, and they will explain to you how is was managed.

**Dean Peterson, North American Coal Corporation., See Attached Testimony**

**Rep. Haas** In a typical situation, a large track of land in that west mine area, how many acres would be put in this trust?

**Peterson**:. I would say this is a large mining permit, it is basically will give us the right to mine coverage for the Coteau properties, up to over 43,000 acres. Management of our cultural resources, it will vary subject to the different types of agreements, subject to the donor agreement, approx. 15-1700 acres that would be involved in the transfer to this trust. That would include some of the special sites.

**Elgin Crows Breast, See Attached Testimony**

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*Dorinda Ball...*  
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House Education Committee  
Bill/Resolution Number HB1119  
Hearing Date January 27, 2003

(1520) Rep. Herbel : What kinds of money do you anticipate generating from this trust?

Crows Breast: I depends how much is put into the trust, \$250,000.

Nelson: How many sites that we are talking about, are they unique or duplicated on the reservation, or once in a lifetime site.

Crows Breast: There are over 300 sites, and they are once n a lifetime sites. You can never put these back, they are hundred of years old and there are also burial sites.

Calvin Grinell: Health, Preservation and Resource Specialist

I ask for your support in this regard. We hope that some of this money will go towards education of our young college students. To have an interest in Archeology, Anthropology, where we might be able to educate a a young person that has our Indian background. So that issues are best understood and learn the knowledge that is contained in our tribe and pass it on to the next generation.

Merle Paaverud, State Historical Society of North Dakota, See Attached Testimony

(2100) Proposed amendments and reasons why.

Rep. Hawken: Is this language in other parts of the law that deal with other lands?

Paaverud: We do have this in statute the same language in 15.2 07, in the interests of resource management going through a process by which to protect those sites.

Rep. Mueller Do you not currently have this authority?

Paaverund: We do have this authority. But we want to make it very clear in the bill so that there is no misunderstanding. We want to be part of this process.

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Hearing Date January 27, 2003

**Carol Two Eagles,**

Cultural preservation is very close to me and other Indians. Preservation of our old ways because the young children do not know all of our ways. They don't know their cultural, language, they don't know how to speak it.

We follow the buffalo, just as you follow the stations of the cross, we needed to be in certain places at certain times, these places were used more than once. We had to be in certain places to do certain ceremonies. A lot of this has been lost. Having these sites preserved, preserves a piece of that. Similar to that of other cultures like the Germans from Russia, the Polish language, are important to preserve for that culture.

I encourage your support on this bill.

**(2900) Dr. Ervin Wilson, 50 year relationship with the Three Affiliated Tribes**

The chaos when they lose their heritage. The loss of these sites are very emotional to the Indian people. It is part of their beliefs and prayers and are sacred grounds to them.

**OPPOSITION: none**

Closed hearing, Chairman Kelsch appointed Rep. Sitte to work with Dean Peterson and Paaverud on the amendments and then bring back to the committee.

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*Dorena Ballerath*  
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1/21/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES  
BILL/RESOLUTION NO. HB 1119  
House Education Committee

Conference Committee

Hearing Date January 28, 2003

Tape Number	Side A	Side B	Meter #
1		x	1575-2000
Committee Clerk Signature <i>Linda Siechter</i>			

Minutes: Chairman Kelsch opened the committee work on 1119

Chairman Kelsch asked Gary Preszler to come forward.

Gary Preszler, Secretary to the Board of University and School Lands and Commissioner State Land Department, See Attached Testimony.

We reviewed the amendments after the hearing, we recognized the role of the state historical board and their approval for an archeology sites. We wanted to have written record of this intention.

Rep. Sitte motioned a DO PASS, Rep. Hawken second

Roll vote: 14-0-0, Rep. Sitte will carry the bill to the floor.

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*Doreen Ball*  
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Date

**FISCAL NOTE**  
 Requested by Legislative Council  
 01/03/2003

Bill/Resolution No.: HB 1119

**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.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$23,000	\$0	\$23,000
Expenditures	\$0	\$0	\$0	\$2,700	\$0	\$2,700
Appropriations	\$0	\$0	\$0	\$0	\$0	\$800

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

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

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

This proposed bill will not have a fiscal impact.

**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.

Revenues have been estimated based upon information obtained from a pending coal mining permit application that precipitated the bill's introduction. Estimated revenue represents grazing lease income estimated at \$9.60 per acre and earnings from expected cash contributions.

**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.

The Department's 2001 land management administrative cost basis of 78 cents per acre and a county property tax average of \$2.00 per acre for rangeland for the in-lieu property taxes were used to calculate estimated initial expenditures.

**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.

The proposed legislation will not have an affect on the 2003-2005 biennium as the minimal expenses estimated can be absorbed within the proposed special fund budget and continuing appropriation request. In-lieu property taxes would be paid under a continuing appropriation.

<b>Name:</b> Gary D. Preszler	<b>Agency:</b> Land Department
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