

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2090

2007 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2090

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2090

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: 01/04/07

Recorder Job Number: 624 and 626

Committee Clerk Signature

Monica Spurling

Minutes:

Roll was taken and all members were present.

Sen. Dever, Chairman opened the hearing on SB 2090, A Bill for an Act to amend and reenact section 48-10-02 of the North Dakota Century Code, relating to use of and expenditures from the capitol building fund. John Boyle, director of Facility Management OMB introduced SB 2090. See attachment #1.

Senator Lee asked when the \$50,000.00 budget had been established. John Boyle replied that it was established in 1979.

Sen. Horne asked what projects would be done with this money.

John mentioned that in anticipation of our capitol building turning 100 years old the Capitol Grounds Planning Commission in 2006 determined that restoration work needs to be done.

They determined that it would cost 18 million but are requesting to use 750,000 at this time.

Sen Nelson said that when she served on the Capitol Grounds Planning Commission in 2000 they came up with a master plan. She asked whether that master plan was being followed.

John Boyle listed parts of the master plan that have been done but reminded them that this is a totally different budget matter. Discussion of different projects followed and whether they

pertained to this bill. It was emphasized that the money referred to in this bill is specifically for restoration of the capitol building, not expansion.

Rep. Mary Ekstrom from District 11 spoke from the viewpoint of having worked on the Capitol Grounds Planning Commission and also that she spent three days with an architect evaluating the status of needed restorations. She has been an owner of an architectural firm for 30 years and emphasized that we have a gem here but it needs to be kept up. She also emphasized that restorations take time. She did an overview of what restoration was necessary and why and mentioned liability issues with cuts in the marble steps. She referred to the state of Minnesota spending 86 million dollars to upgrade their capitol building when it hit the centennial mark.

Rep Bette Grande from Dist 41 has also served on the Capitol Grounds Planning Commission. She spoke in favor of the bill citing different surfaces that are showing wear including brass, wood, and marble.

Sen. Lee asked what amount was in the Capitol Building Fund and where it came from.

Jeff Engleson, the Investment Director for the Land Department, answered by expounding on attachment #2. The land in the trust was granted at statehood and is now valued at \$100,000.00. This is to be added to the \$750,000.00, the value of the facility on the property. The trust grows by \$100,000.00 per year. At the end of the biennium it is projected that there will still be \$200,000.00 in the trust fund.

Senator Dever asked about the growth of the trust fund.

There was discussion about the fund and the fact that it is growing by \$100,000.00 per year and it is in CD's or other safe investments which do not lose money.

Senator Horne asked what the \$750,000 will be used for. John Boyle said the details are all in SB 2015. All committee members would like a copy of SB 2015 to peruse.

Merl Paaverud, Director of the State Historical Society and member of the Capitol Grounds Planning Commission, spoke in favor of the bill and mentioned that we should make our Capitol Building a priority.

Opposition –

Neutral –

Chairman Dever closed the hearing.

Job #626

Senator Dever reopened the discussion on SB 2090.

Discussion:

Senator Nelson moved a Do Pass.

Senator Lee seconded the motion.

Discussion:

Roll Call Vote: Yes 6 No 0 Absent 0

Carrier: Senator Nelson

Date : 1-4-07
Roll Call Vote # : 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2090

Senate Government and Veteran Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken do pass

Motion Made By Nelson Seconded By Ju

Senators	Yes	No	Senators	Yes	No
Senator Dick Dever - Chairman	✓		Senator Robert Horne	✓	
Senator Dave Oehlke - VC	✓		Senator Richard Marcellais	✓	
Senator Judy Lee	✓		Senator Carolyn Nelson	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Nelson

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

REPORT OF STANDING COMMITTEE (410)
January 4, 2007 1:32 p.m.

library
Module No: SR-02-0240
Carrier: Nelson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2090: Government and Veterans Affairs Committee (Sen. Dever, Chairman)
recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2090
was placed on the Eleventh order on the calendar.

2007 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2090

2007 HOUSE STANDING COMMITTEE MINUTES

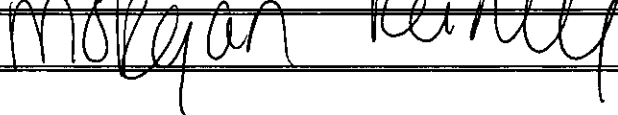
Bill/Resolution No. SB 2090

House Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: March 8, 2007

Recorder Job Number: 4637

Committee Clerk Signature 

Minutes:

John Boyle: *I'm here today to testify in favor of SB 2090. One of my duties as the director is to implement the project that are approved by the capital grounds planning commission. The capital grounds planning commission, through the office of OMB, is requesting to changes to the century code. As you can see by the bill the first change is deleting lines 17-21 of the bill. This change will permit OMB to request special funds from the capital building trust to proceed with projects that have been approved by the capital grounds commission. In the second change in the bill is found in page 2 on line 2. This one is requesting that the amount of the biennium appropriation be increased from \$50,000 to \$100,000.*

Rep. Meier: How much money is in this fund?

John Boyle: Right now there is approximately \$850,000 in the trust. It grows at about \$200,000 per biennium so we would use \$750,000. At the end of the 2007-2009 there should be about \$300,000 in the remaining balance.

Rep. Weiler: Where does the money come from?

John Boyle: That money is revenues that are generated. The capital building trust is comprised of 10,000 or more acres of land which generate revenue. Most of it is just rented out for grazing and stuff. The land that is owned attracts that money. The land department

manages those revenues and they invest those revenues into cd's. It is mainly the interest we get off the cd's and the annual revenue that comes in.

Rep. Weiler: So is that the only money that gets spent is the interest of the cd's and the revenue?

John Boyle: No. The money that gets spent in this particular interest is about \$750,000 which would be the principal amount because there is a balance right now of about \$150,000 so we are going to take the principle away. What doesn't get spent is if we were to go out and sell the lands and then I think they have it at \$1,000 an acre so \$10 million. We never sell the land, it is only the revenues that come from the land and the interest. The ongoing appropriation at \$100,000 is mainly just interest and a little bit of revenue that comes out.

Rep. Weiler: The fund has a balance of about \$850,000 in it. Your going to take \$700,000 out and use it on projects? What kind of projects are you looking at doing?

John Boyle: They are all restoration projects for the capital. They include like cleaning of the glass columns, cleaning of the marble, the staircase. They are more of things that need to be cleaned that the everyday public would come see. We would also clean some brass and bronze that is on the ground floor as well. We want to do as much of that as we can. The whole idea for us doing this is that the Capital grounds had a study that showed \$18 million worth of work that needed to be done. On the worth of work that needed to be done. The 100th year anniversary is going to be coming up in 2005. The planning commission wanted to start spending some money out of the capital building trust as well as getting money through the general fund to start taking care of the restorations.

Rep. Weiler: So the cleaning of the brass rails is not regular maintenance?

John Boyle: We wipe down the brass but as you can see your hands have natural oils and the

brass gets tarnished. Those do get wiped down but there hasn't been a restoration of those columns for a long time.

Rep. Kasper: Why was that wing never built?

John Boyle: I don't know why it was never built. That is part of the original bill. The capital grounds maintenance can use that money any way it chooses. It has never been used for the purpose of expanding the legislative wing. It has always been used for other projects. We just wanted to clean up the language because we thought the capital grounds were asking that we use the money for cleaning brass columns and other aesthetic type things. They thought we shouldn't break the law because it says not to be used for that purpose.

Rep. Kasper: I don't agree with the decisions that have been made on that. I would imagine this bill was passed 40 or 50 years ago or whenever it was, and we have been sitting around for that long and we still don't have a place fit.

Rep. Grande: That fund would have to fit into the multi million dollars then to decide where it was to be placed on the ground. Now the master plan can go out numerous years.

John Boyle: The most revised master plan was in 2000.

Rep. Grande: And that plan does include a legislative wing.

John Boyle: The actual legislative wing does not change. It includes additional buildings on the grounds which would move agencies around which could possibly free up space elsewhere.

Rep. Froseth: I guess you always learn new things. I thought all the income from state owned lands went into the land trust fund. I didn't realize that it went to this fund. Are these other specific parts of land located all over the state ?

John Boyle: I can bring you a map identifying all those lands. The land department manages that. That is something that I can provide.

Rep. Kasper: I would also like to see the master plan to see what we are supposed to be doing that we aren't doing, and what is being done that is not in the master plan. It would be interesting to find out the thinking of that committee.

Rep. Potter: I keep hearing of restoration and the different things you have talked about don't seem like restoration they seem more like cleaning. What is restoration? What are we doing that restoration? Are we fixing or just cleaning?

John Boyle: What we are doing far exceeds the capabilities of what our custodial staff does. We are bringing experts that are actually going to come in, strip down the coating that has been applied to the columns, and bring it back to it's original condition. Of course it is going to go all the way up to the ceiling. We have to plastic it all off and ventilate because of the chemicals they use. It is a very extensive project. It is called restoration but we are basically refurbishing every part of the column.

Rep. Meier: Do we bring them in from out of state or do we have them in our state?

John Boyle: I'm sure that there are people in the state that can do that work. We of course have to go with the lowest bid. Most likely it will be an in state company.

Rep. Amerman: How did the state get these lands or end up with them?

John Boyle: The land department is actually the one that determines which land goes in which building trust. I can get that answer for you. Originally it goes way back to the settlement. These are still lands being owned. I can get that answer.

Rep. Weiler: How are we doing on our smoking issue?

John Boyle: I know it has been discussed. I have not heard any results from any outcome.

Rep. Haas: Is there any other testimony? If not we will close the hearing on SB 2090.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2090

House Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: March 8, 2007

Recorder Job Number: 4639

Committee Clerk Signature

Morgan Penick

Minutes:

Rep. Froseth: I would move a do pass.

Rep. Potter: I second that.

Rep. Haas: Is there any further discussion?

Rep. Weiler: Is there any possible way we can wait until Rep. Kasper comes because I think he has some comments. I'm going to oppose this. There is a lot of questions I have regarding where is the money. If this fund is generating \$200,000 a biennium or year, and it is only spending \$50,000 on little projects around the grounds, where is the other \$150,000 going?

Rep. Haas: It would be building up. That is why we have \$850,000 in the funds.

Rep. Weiler: When was this fund put in place?

Rep. Haas: It looks like 1967 and modified in 1979 and 1991. The earliest date is 1967.

Rep. Weiler: If OMB is using some of this money on other restoration projects, they aren't supposed to. It says in here they can only use \$50,000 out of this every biennium.

Rep. Grande: I don't know that OMB is using it.

Rep. Weiler: It says an expenditure may be made after the capital grounds master plan for projects or planning that shall not exceed \$50,000 per biennium.

Rep. Haas: The amendment would increase that to \$100,000.

Rep. Grande: I think the commission is limited to that.

Rep. Weiler: If OMB is taking the money and spending it somewhere else, I would like to know what they are spending it on.

Rep. Grande: I think it is going to various other projects whether it was wind damage or so on.

Rep. Weiler: My question is that is why I would like to hold off on this vote. Rep. Grande is only guessing and not knowing. If this has been in effect since 1967, then there has got to be some money missing.

Rep. Haas: We had a do pass motion on the floor. We will leave that motion there and hold this bill until tomorrow morning to give you time to get answers to your questions.

Rep. Schneider: I would also be curious to know what the committee's expenditures were last biennium and are they continually hitting this cap?

Rep. Haas: They were controlled by the \$50,000 cap. That was the maximum.

Rep. Schneider: I'm wondering if the expenditures were actually close to \$50,000.

Rep. Haas: I think you better go to OMB to get your answers.

Rep. Grande: I think for awhile the expenditures were held together. I was there when it started. The memorial hall, the great seal was a capital grounds project. It took 6 years to get the money to be able to do that. They had to pool their biennium dollars.

Rep. Froseth: There must be another appropriation that deals with the expenditures to include them in the upgrading. I know that these probably haven't been replaced in years. I know that replacing all the lights and stuff can't be handled by the \$50,000. There must be another appropriation from the general fund that deals with improvements. These two meeting rooms were \$175,000. That money comes out of the general fund. I think it would be nice to know exactly where this money comes from.

Rep. Haas: We will need a report of that.

Rep. Amerman: This might be to Rep. Grande, if this fund is to keep building up and there wasn't too many expenditures, if someday we needed to build a new governor's mansion could it come out of the general fund?

Rep. Grande: That could be a possibility. As far as I can remember from the master plan, the building of a new governor's mansion was not on the list. One of the things is if you go over by the little building my the library, those are included. The walking path by the trees and markers, the signs, and all that are included.

Rep. Amerman: I was just curious because it is on the capital grounds.

Rep. Grande: As far as I can remember it isn't. I know a lot of people don't think it looks nice enough but it isn't near on the list of things we need.

Rep. Karls: I walk here at night and there are no lights around the oval, has that ever been discussed? It is black.

Rep. Grande: I would have to look. I could take a look at that but I don't recall anything about lighting.

Rep. Haas: We will hold this bill until we get our information.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2090

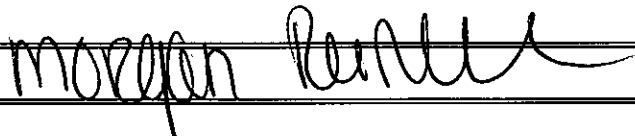
House Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: March 15, 2007

Recorder Job Number: 5136

Committee Clerk Signature



Minutes:

Rep. Haas: We had Rep. Weiler, Rep. Schneider, and Rep. Kasper working on getting some questions answered on this bill. This is the capital building fund that John Boyle came and testified on last week.

Rep. Kasper: Rep. Weiler and I have copies of this.

Rep. Schneider: Thinking back on it I think my question was answered at the time of the testimony.

Rep. Kasper: If the committee will recall a number of us were on page 1 of the bill on line 17 where we were striking out the reference to the capital building fund which has been in law since the 70's to accumulate dollars and supposedly to get a new legislative wing. Rep. Weiler and I had some visits around the area. What we are going to be handing out will be some information that shows how these facilities management dollars in the capital fund have drained out since 1979. Then we will hand out copies of the legislative appropriations bills where they siphoned the money out of this fund. With Mr. Boyle now in the head of this, since 2001 he has been very frugal on how to manage this fund. He has taken less than \$50,000 in that period of time. Now this bill wants to take it all out and do something else with it. Rep. Weiler and I were concerned about the original intent of this fund and the fact that it should be

staying there for its original intent. We will also show you a chart that shows a little more detail on how these dollars were spent and appropriated in the various years and how they were siphoned out of this fund. We've got amendments that we will share with the committee. That sort of gives you an overview of what we have done. We did do a little investigating on the smoking side of the area. We will talk about that later.

Rep. Weiler: When the other information comes back we are going to explain this. The good news from the committee is if we pass this amendment then we don't have to deal with mine. If you don't pass this we have a lot more stuff that we have to do.

Rep. Potter: We want to know the whole thing.

Rep. Kasper: You're going to know the whole thing, the beginning and the end.

Rep. Weiler: As you recall we had a bill from Rep. Kingsbury that wanted to ban the smoking on the entire capital grounds, which is a very large area. If you recall this committee dealt with that issue and basically had John Boyle come down and we were assured that Pam Sharp and OMB that this issue would be addressed fairly soon. We spoke with John Boyle and he basically said that he has mentioned it to Pam but she hasn't said anything to me about any meetings set up. I mentioned that we actually visited with Pam about the smoking issue. She said that they are kind of busy with stuff right now and they haven't discussed it or had a meeting but they intend to some time after the session.

Rep. Haas: That is consistent with what she told me.

Rep. Weiler: Correct.

Rep. Haas: She said she would have time after session.

Rep. Weiler: I guess that we both feel that things are moving just a little too slowly. So we asked Pam Sharp if she would have a problem if we did what we did. She said no. I said I did not want to step on her toes. She is fine with this. In the amendment of what we want to add as

far as smoking on the capital grounds. It starts with subsection 3. Smoking would be prohibited in the following outdoor areas of the state capital grounds. Within 100 feet on the main public entrances on the north, east and west sides of the capital. Currently on the south OMB has something in the rules that you can't smoke in that area. It's got to be way out there. We left that. It's the same that they currently have in their statute. Let's go back to the north, east, and west side. I went to the door on the east side and paced it off 100 feet. That got us to the street. I play golf and pace off my measurements and they are very correct. The east entrance is where they have the problem now because if you recall since they put the ban on the south side, the east side has become the problem. If we go 100 feet from the main public entrance, that gets you out into that driveway or street. There is currently in subsection 4, prohibition in subdivision A of subsection 3 would respect that a main public entrance on the east side of the capital does not apply to the enclosed structure and the area immediately adjacent to the structure. They put the hut there and then they have the concrete and a half wall which is an area for that hut. We thought that when it was 105 degrees you don't want to stand in that hut. That area is within 100 feet of the main door. We had to make that exception to that area.

Rep. Haas: Or move the hut.

Rep. Weiler: Yeah we chose not to move the hut.

Rep. Haas: Yes you would take more money out of that fund.

Rep. Weiler: Now you are catching up. Basically you need to be 100 ft. from the north, west, and east door with the exception of the smoking hut. And what currently stands on south side is what is in statute.

Rep. Grande: Where is 100 feet out the south door?

Rep. Weiler: You would get out about halfway to the curb.

Rep. Grande: What about 100 feet west?

Rep. Weiler: Across the street.

Rep. Grande: Would that be more?

Rep. Haas: No you would be out.

Rep. Weiler: Or over by the sidewalk.

Rep. Grande: How about to the north?

Rep. Weiler: About halfway into that parking lot. If 100 feet got to a street on every side it would be great. We don't want to have 50 feet on the west side, 25 feet on the north side, and 100 feet on the east. We just figured we would make it 100 feet. If someone stands 50 feet from the door but they are on the other side of the street that will be ok. Let's let whoever controls that deal with it. At least let's get the smoking away from the main entrances.

Rep. Grande: How are they going to patrol that?

Rep. Weiler: In the same way they deal with them on the south side now. That is currently under OMB's laws. I'm not sure how they handle that.

Rep. Meier: Are they going to post signs saying that they can't smoke anymore? I'm wondering about the public that comes here. They won't know they can't smoke.

Rep. Weiler: That is a good thought. Maybe the capital will have to do that.

Rep. Kasper: If we pass this legislation they are going to do whatever it takes to enforce it. If that means putting signs up or whatever. It will be their responsibility to do that. I think we should just let them figure out how to do it. We are giving them the direction to go to.

Rep. Meier: I was just curious to see if you had a conversation about signs and stuff like that.

Rep. Weiler: The only bad thing that happened is when I was out pacing the sidewalk. John

Walstad was standing outside smoking. About 30 feet from the door he asked me a question so I put my hand up to hold off a second. He knew that we were pacing off footage.

Rep. Kasper: As we refer you back to the handouts here, if you look at this one first which has the seven numbers on it you will be able to see that the capital business fund has been rated since 1981. Those are the biannual amounts that have been taken out of the fund throughout the years. The bottom total was over \$9.5 million. We have close to \$10 million in that fund. If that would have been handled properly it would have gone a long way to accomplish the bill and the law. If you look at this handout that has more detail and goes by the biennium. The numbers don't quite match exactly because it might come out in different stages of what they were authorized. It gives you a good idea to where they are taking this money and what they are using it on. They aren't appropriating it out of the general fund. Then they did cover themselves with the appropriations bills that allowed these dollars to come out.

Rep. Haas: Is it always the capital Improvements line item?

Rep. Kasper: As an example on the first page, go to section 3, appropriations transfer. The amount appropriated in section 1 is \$866,000 that should be transferred by OMB and the capital building fund.

Rep. Froseth: What is the formula for money going into the capital improvement fund? Is that a line item appropriation as well?

Rep. Kasper: It is funds coming from a number of things. The state owns 10,000 acres of land. It is the rental income coming in that is being leased for farming. What Rep. Weiler and I did in addition to the amendment is removing the overstrike. We are actually getting rid of the ability to do what they did to them. As I think about this we maybe should have put stronger language in there that says in the future the dollar amounts can only be limited to \$50,000 and the fund must continue to grow.

Rep. Weiler: However we did leave on the back of page 2; we did allow the ability to access \$100,000 per biennium.

Rep. Grande: Today the legislative body that authorizes it cannot use it. John has done a wonderful job of what he is doing.

Rep. Kasper: All you have to do is look at the records since he's taken over since 2001.

Rep. Grande: I just want to be clear of that. I certainly do not want any of this information coming back to John. He is doing a very good job. He is great at his position.

Rep. Amerman: If we accept the amendments and look back at the language that it can only go to the wing, where would they get the money that they have been using in the funds now?

Rep. Haas: General funds.

Rep. Amerman: So they would have to ask for an additional appropriation.

Rep. Kasper: What we have experienced since we've come here is it's so easy to tap those funds that have been set aside for other purposes when you get down to the end of the section and the appropriations committee is looking for more money. Rather than using these trust funds for what they were meant to be originally. I would almost like to go back and add another amendment.

Rep. Grande: A lot of times we put this into code thinking that it's going to be a good idea. If we get a few years down the road and we find out that it probably was unnecessary and we find something to be used differently or in a better fashion. Or the new legislators come in and make adjustments to the law. It happens all the time. This happens to be the case that a master plan has been drawn up and a 30 year schedule has been put together. The priorities were laid out in a full sense and a readjustment of that has taken place. It's for repair of the building and improvement. We need to see how that fund should be used. I think that the current facility manager has done a very good job and has been good with the management of that fund. He has the authority to use it. He has proven he is conservative with it. I think we can leave that authority to him.

Rep. Kasper: The intent of this fund is very clear in the law. It says on line 20 that it shall take necessary steps to accumulate and conserve the money and property in the capital building fund for the purpose of capital building fund. I don't dispute the fact that the capital building grounds needs money. They need to get it from the general fund, not robbing this fund. We are allowing on the back \$100,000 per biennium to come out of the fund anyway. That is plenty. The long term capital grounds plan used to have a legislative wing. If we had been following the law we would have over \$10 million in there today. I would suggest that when statute is implemented that it should be followed and make the legislator in the future sessions change the statute if they wish to.

Rep. Weiler: I do want to comment on Rep. Grande's comments on Mr. John Boyle. He has been very strict with this and I understand that. Over the last 5 bienniums that he's been here he has not asked for more than \$50,000. The problem existed prior to his arrival. You can see the total dollar amount that was taken out. What happens is that at the end of the session the OMB bill gets added in. It would be my guess that at the bottom of the OMB bill your going to see appropriated out of the capital building fund and how much. Nobody sees it because we have about 2 hours to look at the entire bill. No one sees it and no one notices it. Nobody cares. That is why this fund has no money in it. Rep. Grande you talked about the capital grounds plan. You know I was impressed by that. If you go up there it has the whole thing laid out. It's pretty impressive. I would suggest for you to take a few minutes out of your day and go look at the plan. The problem is that they have a plan and that will not happen unless we protect this fund. You are making the case as far as I'm concerned on why we have to keep money in this fund and not rob it for other projects that it shouldn't be there.

Rep. Potter: I'd agree with what you said. A lot of the money went missing in the 1980's. I'm not pointing fingers at anyone in my view. I can see how they can construe what it says in law

that they can take it. It does say that it provides for money and property in the capital building fund. To me this is the problem. If they want to otherwise appropriate something right on out of there, they can do that. It seems like it gives us the ability to do that. If we want to take that out and amend it to make it stronger, it seems smart to me. It keeps it right there. I just don't see how we are ever going to get enough money to build any kind of offices. We need to have a fund and start saving.

Rep. Haas: My impression is that sometime probably back in the late 80's the legislator made the decision that a new legislative wing was not a real high priority. They were going to start using this money for something else. I personally believe that if and when the legislative wing becomes a high priority, the money will be appropriated out of the general fund. I don't have a problem with the way this is.

Rep. Kasper: If I recall history in ND, there were difficult budget times back in those late 80's. I think in the 89-91 biennium the appropriation to higher education or K-12 actually had to be cut back because there was no money. My guess is that back in those days the budgets were a lot tighter and they were looking for ways to fulfill their current spending. That is why this fund was used. I think now that what is going on with the economy and where we are moving, the more we can preserve these funds for the future. If we do get to tough times again we will still see a legislative wing down the road when we do see the money.

Rep. Haas: Is there any further discussion? This is all pre motion discussion.

Rep. Kasper: I think we would like to go see John Walstad about a small change in the amendment that we passed out.

Rep. Weiler: If we look at the bill the way it is, the amendment strips the overstrike language on line 17-21 on page 1. If we go back and overstrike the words on line 17 except as, and go to line 18 and overstrike otherwise appropriated. If we would do that then it would read

