

2023 SENATE HUMAN SERVICES

SCR 4001

2023 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Lincoln Room, State Capitol

SCR 4001
1/4/2023

A concurrent resolution relating to terminology describing public institutions.

1:07 PM **Madam Chair Lee** called the meeting to order. **Senators Lee, Cleary, Clemens, K. Roers, Weston** are present. **Senator Hogan** was absent.

Discussion Topics:

- Outdated verbiage
- Oil and gas options
- Mineral lease options

1:08 **Representative J. Nelson** provided resolution addressing outdated verbiage on SB 4001 testimony in favor oral

1:11 PM **Pam Sagness, Executive Director of Behavioral Health Services**, provided testimony in favor oral

1:12 PM **Joseph Heringer, Commissioner of University and School Lands** proposed an amendment to the bill and provided testimony in favor. #12337

1:24 PM **Joseph Stegmiller, Surface Director, ND School and Trust Lands**, provided testimony oral

1:25 PM **Senator Lee** closed public hearing.

1:34 PM **Levi Kinnischtzke, Senior Fiscal Analyst**, a nonpartisan staff that is neither for or against, provided additional information on prior discussions on trust lands and suggested how to include future amendments.

1:35 PM Committee discussion.

1:40 PM **Madam Chair Lee** closed the meeting.

Patricia Lahr, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Lincoln Room, State Capitol

SCR 4001
1/9/2023

Relating to terminology describing public institutions
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3:04 PM **Madam Chair Lee** called the Committee work meeting to order. **Senators Lee, Cleary, Clemens, K. Roers, Weston** are present. **Senator Hogan** was absent.

Discussion Topics:

- Consider putting into 2 separate bills

3:05 PM **Senator Lee** expressed the possibility for a need of two separate bills.

3:19 PM **Madam Chair Lee** closed the committee meeting.

Patricia Lahr, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Lincoln Room, State Capitol

SCR 4001
1/10/2023

Relating to terminology describing public institutions.

3:12 PM **Madam Chair Lee** called the committee work meeting to order. **Senators Lee, Cleary, Clemens, K. Roers, Weston, Hogan** are present.

3:13 PM **Joseph Stegmiller, Director Surface Management ND Department of Trust Lands**, referenced constitution article 9 section 8 Public Auction, amend section 8, public land sales, testimony in favor.

Senator K. Roers moved to adopt **AMENDMENT**.

Senator Cleary seconded the motion.

Voice vote: all in favor

Senator Hogan moved **DO PASS** with **AMENDMENT**. 23.3015.01001

Senator K. Roers seconded the motion.

Roll call vote.

Senators	Vote
Senator Judy Lee	Y
Senator Sean Cleary	Y
Senator David A. Clemens	Y
Senator Kathy Hogan	Y
Senator Kristin Roers	Y
Senator Kent Weston	Y

The motion passed 6-0-0.

Senator K. Roers will carry SCR 4001.

3:19 p.m. **Madam Chair Lee** closed the meeting.

Patricia Lahr, Committee Clerk

January 10, 2023

AK
1-6-23
(1-1)

PROPOSED AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 4001

Page 2, line 3, after "Dakota" insert "hard of"

Page 2, line 3, remove "impaired"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4001: Human Services Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4001 was placed on the Sixth order on the calendar. This resolution does not affect workforce development.

Page 2, line 3, after "Dakota" insert "hard of"

Page 2, line 3, remove "impaired"

Renumber accordingly

2023 HOUSE HUMAN SERVICES

SCR 4001

2023 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee Pioneer Room, State Capitol

SCR 4001
3/20/2023

Relating to terminology describing public institutions.

Chairman Weisz called the meeting to order at 11:07 AM.

Chairman Robin Weisz, Vice Chairman Matthew Ruby, Reps. Karen A. Anderson, Mike Beltz, Clayton Fegley, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Todd Porter, Brandon Prichard, Karen M. Rohr, Jayme Davis, and Gretchen Dobervich. All present.

Discussion Topics:

- Individuals who are hard of hearing
- Development disabilities
- Constitutional measure
- Veterans home

Rep. Frelich introduced SCR 4001, speaking in support.

Chairman Weisz closed the hearing on SCR 4001 at 11:12 AM.

Rep. Dobervich moved a do pass SCR 4001.

Seconded by Rep. Frelich.

Roll Call Vote:

Representatives	Vote
Representative Robin Weisz	Y
Representative Matthew Ruby	AB
Representative Karen A. Anderson	Y
Representative Mike Beltz	Y
Representative Jayme Davis	Y
Representative Gretchen Dobervich	Y
Representative Clayton Fegley	Y
Representative Kathy Frelich	Y
Representative Dawson Holle	Y
Representative Dwight Kiefert	Y
Representative Carrie McLeod	Y
Representative Todd Porter	Y
Representative Brandon Prichard	Y
Representative Karen M. Rohr	Y

Motion carries 13-0-1.

House Human Services Committee
SCR 4001
3/20/2023
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Carried by Rep. Frelich.

Chairman Weisz adjourned the meeting at 11:14 AM.

Phillip Jacobs, Committee Clerk

REPORT OF STANDING COMMITTEE

SCR 4001, as engrossed: Human Services Committee (Rep. Weisz, Chairman)
recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).
Engrossed SCR 4001 was placed on the Fourteenth order on the calendar.

TESTIMONY

SCR 4001



**TESTIMONY OF JOSEPH A. HERINGER
COMMISSIONER
North Dakota Department of Trust Lands**

Senate Concurrent Resolution No. 4001

**Senate Human Services Committee
January 4, 2023**

Chairman Lee and members of the Senate Human Services Committee, I am Joseph Heringer, North Dakota Commissioner of University and School Lands. I am here to testify on Senate Concurrent Resolution No. 4001.

The Board of University and School Lands (Board), as established by the North Dakota Constitution, is charged with overseeing the management of state trust lands and mineral rights and investing the revenue generated therefrom to grow as a source of long-term income for the state. The Board is comprised of the Governor, Secretary of State, Attorney General, State Treasurer, and Superintendent of Public Instruction. The Department of Trust Lands (Department) is the administrative arm of the Board, serving under the direction and authority of the Board.

The Department manages approximately 2.6 million mineral acres, with their 8,300 associated oil & gas leases, and over 700,000 surface acres, with their 4,400 associated agricultural leases. Revenues generated from these leases, along with payments received from other income sources such as oil & gas lease bonuses and easements granted for pipelines, roads, and well pads, are deposited into 13 permanent trust funds and invested to provide long-term income. Beneficiaries of these trust funds include public K-12 education, various colleges and universities, and other institutions throughout North Dakota. The largest trust fund is the Common Schools Trust Fund (CSTF) which had a June 30, 2022, balance of \$5.65 billion. The Department manages five

additional funds: the Strategic Investment and Improvements Fund (SIIF), the Coal Development Trust Fund, the Capitol Building Fund, the Indian Cultural Education Trust, and the Theodore Roosevelt Presidential Library and Museum Endowment Fund.

Article IX of the North Dakota Constitution governs Trust Lands, and as such, the Board and Department have an interest in this resolution. To reduce costs and red tape, we request the Committee add a provision to the resolution removing the language from Article IX, Section 8, that requires publishing notice of trust land surface lease auctions in local newspapers for three consecutive weeks. The Department spends tens of thousands of dollars each year and allocates numerous staff hours to fulfilling this publication requirement. This change would also help bring the processes of our Surface Division and Minerals Division more into alignment and coincides with other agencies' efforts to eliminate similar statutory publication requirements when more efficient and effective methods are available.

We would propose instead an administrative rule similar to the one below that the Department currently has for oil and gas lease auctions:

85-06-01-02. Advertisement for public auction.

The department shall publish notice of an oil and gas lease auction in the official newspaper of the county where the nominated tract is located and in the Bismarck Tribune. The notice must be published once, ten days prior to the day of the auction. The advertisement must specify the date, time, and place of the auction, and how an interested person may obtain a list of the tracts to be auctioned. Should publication of any notice is inadvertently omitted by any newspaper or the notice contains typographical errors, the department may proceed with the scheduled leasing if it appears the omission or error is not prejudicial to the department's interest.

To accomplish this change, we ask that the Committee add the following provision to the resolution:

Section 8 of article IX of the Constitution of North Dakota is amended and reenacted as follows:

Section 8. The legislative assembly shall have authority to provide by law for the leasing of lands granted to the state for educational and charitable purposes; but no such law shall authorize the leasing of said lands for a longer period than five years. Said lands shall only be leased for pasturage and meadow purposes and at a public auction ~~after notice as heretofore provided in case of sale~~; provided, that all of said school lands now under cultivation may be leased, at the discretion and under the control of the board of university and school lands, for other than pasturage and meadow purposes until sold. All rents shall be paid in advance. Provided, further, that coal lands may also be leased for agricultural cultivation upon such terms and conditions and for such a period, not exceeding five years, as the legislature may provide.

Thank you for your time and consideration, I look forward to answering any questions you may have.