

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2 / 22

2001 SENATE AGRICULTURE

SB 2122

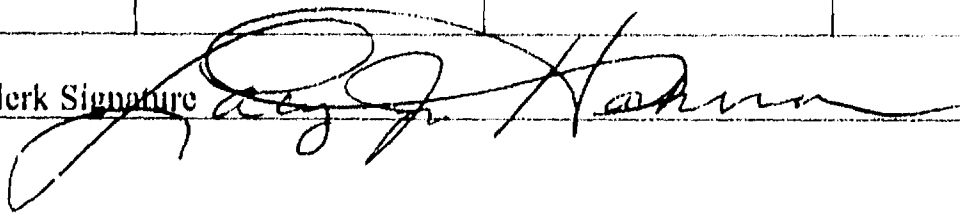
2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2122

Senate Agriculture Committee

Conference Committee

Hearing Date January 18, 2001

Tape Number	Side A	Side B	Meter #
1	X		46 - END
		X	0.0 - 20.6
Committee Clerk Signature 			

Minutes:

LARRY KOTCHMAN; State Forester testified in favor of this bill, see attached testimony.

SENATOR KROEPLIN; Is there a management fee for this program?

LARRY KOTCHMAN; There is no management fee.

SENATOR WANZEK; Do you have a figure of how many dollars come in from that one dollar check off to trust fund?

LARRY KOTCHMAN; The contributions to the Centennial Trees from individual income tax check off since July 1, 1995 to June 30, 2000 brought in \$73,988.85, which is very consistent from year to year.

TOM CLAEYS; Centennial Trees Coordinator, also testified in favor of this bill. See attached testimony.

The hearing was closed.

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Senate Agriculture Committee

Bill/Resolution Number SB 2122

Hearing Date January 18, 2001

SENATOR KLEIN moves to DO PASS. SENATOR KROEPLIN seconded the motion. Roll

call vote carried 6 - 0 - 0. SENATOR NICHOLS will carry the bill.

FISCAL NOTE
 Requested by Legislative Council
 12/26/2000

Bill/Resolution No.: SB 2122

Amendment to:

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.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$28,000		
Expenditures						
Appropriations						

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

1999-2001 Biennium			2001-2003 Biennium			2003-2005 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.*

Based on historical data on similar voluntary contributions, Section 4 of SB 2122 could result in approximately \$14,000 per year for the Trees for North Dakota Program Trust Fund.

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.*

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.*

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.*

Name:	Kathryn L. Strombeck	Agency:	Tax Dept.
Phone Number:	328-3402	Date Prepared:	01/04/2001

Date: 1-18-01
Roll Call Vote #:

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2122

Senate Agriculture Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By SEN. KLEIN Seconded By SEN. KROEPLIN

Senators	Yes	No	Senators	Yes	No
Senator Wanzek - Chairman	✓		Senator Kroeplin	✓	
Senator Erbele - Vice Chairman	✓		Senator Nichols	✓	
Senator Klein	✓				
Senator Urlacher	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment SENATOR NICHOLS

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

REPORT OF STANDING COMMITTEE (410)
January 18, 2001 12:52 p.m.

Module No: SR-08-1214
Carrier: Nichols
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2122: Agriculture Committee (Sen. Wanzek, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2122 was placed on the
Eleventh order on the calendar.

2001. HOUSE NATURAL RESOURCES
SB 2122

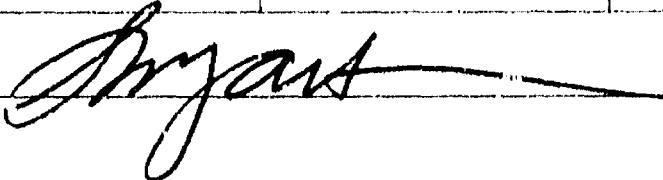
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2122

House Natural Resources Committee

Conference Committee

Hearing Date February 9, 2001

Tape Number	Side A	Side B	Meter #
1		x	408 to 2583
Committee Clerk Signature 			

Minutes:

Chairman Earl Rennerfeldt, Vice Chair Jon O. Nelson, Rep. Brekke, Rep. DeKrey, Rep. Drovdal, Rep. Galvin, Rep. Keiser, Rep. Klein, Rep. Nottestad, Rep. Porter, Rep. Weiler, Rep. Hanson, Rep. Kelsh, Rep. Solberg, Rep. Winrich.

Chairman Rennerfeldt: I will open the hearing on SB 2122.

Larry Kotchman - State Forester, ND Forest Service: I am here to speak in support of SB 2122.

(See written testimony).

Rep. Drovdal: In section 4 of the bill, it establishes a new way to contribute above your tax liability on your tax form. Is this going to appear on both the long form and short form of ND income tax?

Kotchman: This would continue an existing authority that is there, but it expires so it shows up as a new section of the bill. It does appear as a check off on both the long and short form.

Rep. Nottestad: I commend you for what you are doing. The amount of trees being ripped out for the irrigation development is huge. It certainly would replace some of that. My question would be, how much money do you get for that check-off and has it increased in the past three years?

Kotchman: The amount of contribution from the income tax check-off have remained relatively stable and steady since we have been involved with the program. In the 1995-97 biennium we received contributions from 4692 returns that total'd approximately \$29,700. Since that time, each biennium has been similar to that.

Rep. Droydal: What is a check-off as opposed to a contribution? If I owed a \$100 tax and checked this off, I would owe only \$99 to state and \$1 to fund. This is above my liability to the state, is it not?

Kotchman: Our understanding is that this is strictly voluntary on the part of the tax payer. If they do have a refund coming, they can elect to make a contribution of \$1 or more.

Vice Chair Nelson: Earlier in a bill we had, Commissioner Hildebrand talked about a program that Game and Fish is doing creating PLOTS for pheasant. Part of that program would include a tree planting. Do you partner with Game and Fish on projects like that?

Kotchman: Yes, we do partner with ND Game and Fish along with a lot of other agencies. The program you are talking about is the Cover Lot program.

Vice Chair Nelson: What is the general level of participation in cost share in programs like the living snow fence?

Kotchman: The level of participation and cost share in living snow fence is part of the program is 80/20 match and 80% is Federal and 20% is private source. Some packages we can get 100% of the cost. For example on private land adjacent to a local township, county road or highway

wanted to plant a living snow fence, they could put together a package that would cover 100% of the cost.

Vice Chair Nelson: From the Trees for ND Program, what is the usual participation level that your program goes into that with?

Kotchman: Our cost share level is 50/50. We are required to be matched using trust fund money.

Vice Chair Nelson: So if it is an 80/20 split and 80% is Federal, the 20% match the local level has to have, you will go up to 50% of the 20% match.

Kotchman: That is correct.

Rep. Keiser: In your program, how do you insure you are not competing with the local business people, the nursery people?

Kotchman: What has been done in North Dakota, there are pretty clear distinctions made on the types of tree plantings there are done. For example, in Trees for North Dakota has not only a component that involves conservation tree planting but it also does family forests geared to planting in communities using landscape trees. They are produced by the local nurseries. Our advisory members consist of several private sector members. There is not a problem in that regard. We work pretty closely with the conservation districts and the trees are produced by Lincoln Oaks Nursery. Landscape type plantings are produced by the private nursery sector and planted by them as well.

Chairman Rennerfeldt: Any other questions?

Bill Becker - ND Tax Department: I wish to address Rep. Drovda's question on check off versus contribution. In most other states it is generally a true check-off. Generally there is a box and there is a fixed amount coming off your refund. The contribution is done from the refund or

payment due side. You can designate the amount you wish to contribute. It is referred to as a check off, but it is in the nature of a contribution.

Chairman Rennerfeldt: Any other tax questions? Anyone else to speak in favor of SB 2122?

Rep. Keiser: If you contributed a \$100. Would that be a tax deduction?

Kotchman: On the tax return, if you have a refund of at least \$200. You can choose to contribute \$1 to \$200 to that fund. No, we owe the tax payer the \$200. They are just saying don't give it to me, give it to the fund. On the tax due side it works the same way, it does not affect your liability in any way.

Rep. Keiser: I was just wondering if that contribution constitutes a tax deduction?

Kotchman: You are asking if that is a charitable contribution or not? I would guess it is.

Rep. Winrich: I assume the only reason for the emergency clause is the expiration date of June 30 on the previous fund?

Kotchman: That is correct. Since you can't amend expired legislation you need to have that emergency clause.

Chairman Rennerfeldt: Any opposition to SB 2122? If not, I will close the hearing on SB 2122.

COMMITTEE WORK

Chairman Rennerfeldt: (Some discussion on handling Senate Bills before cross over). Okay, why don't we take action on this.

Rep. Droydal: I move a Do Pass.

Rep. DeKrey: I second.

Chairman Rennerfeldt: Is there any further discussion on SB 2122? Call the roll.

MOTION FOR A DO PASS

Page 5
House Natural Resources Committee
Bill/Resolution Number SB 2122
Hearing Date February 9, 2001

YES, 15 NO, 0

CARRIED BY REP. KELSH

Date: 2/9/01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2122

House Natural Resources Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Rep. Drovdal Seconded By Rep. DeKrey

Representatives	Yes	No	Representatives	Yes	No
Earl Rennerfeldt - Chairman	✓		Lyle Hanson	✓	
Jon O. Nelson - Vice Chairman	✓		Scot Kelsh	✓	
Curtis E. Brække	✓		Lonnie B. Winrich	✓	
Duane DeKrey	✓		Dorvan Solberg	✓	
David Drovdal	✓				
Pat Galvin	✓				
George Keiser	✓				
Frank Klein	✓				
Darrell D. Nottestad	✓				
Todd Porter	✓				
Dave Weiler	✓				

Total (Yes) 15 No 0

Absent _____

Floor Assignment Rep. Kelsh

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

REPORT OF STANDING COMMITTEE (410)
February 9, 2001 4:12 p.m.

Module No: HR-24-2965
Carrier: S. Kelsh
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2122: Natural Resources Committee (Rep. Rennerteldt, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, ABSENT AND NOT VOTING). SB 2122 was placed on the Fourteenth order on the calendar.

