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OMB/RECORDS MANAGEMENT DIVISION
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ROLL NUMBER

DESCRIPTION

1187

2007 HOUSE FINANCE AND TAXATION

HB 1187

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1187 A

House Finance and Taxation Committee

Check here for Conference Committee

Hearing Date: January 16, 2007

Recorder Job Number: 1191

Committee Clerk Signature *Mickie Schmidt*

Minutes:

Chairman Belter opened the hearing on HB 1187.

Rep. Aarsvold: If you recall, several years ago, this body authorized a ten mill levy for school districts to deal with asbestos that was in their buildings, and I know that a number of school districts took advantage of that opportunity to remove asbestos from their school buildings. A unique situation has arisen across the State whereby certain property's that are asbestos laden, that have little property value as a consequence and have been turned back to the county on a tax deed. So the county has the building, they have the asbestos issue to deal with, they have no resource with which to deal with other than the general fund. So what this Bill would do would be to authorize the county to levy up to 1 mill for purposes of asbestos abatement for those properties that have been turned back to them for tax deeds. I know that the counties are strapped for general fund dollars and this one mill will help them provide their obligation to take care of the building and then remove the asbestos and then demolish the building as appropriate. Many of these buildings because of the asbestos issue have little or no market value and as a consequence they are turned back to the county for them to deal with.

Rep. Alon Wieland: I'm only here today to ask for your support of HB 1187. As a former County Commissioner I can understand particularly in the smaller counties where they may

have some difficulty in raising dollars to take care of the abatements. We did have a similar thing in Cass County with the Buffalo School where we did have some difficulty, however the county was able to absorb any costs in connection with that and eventually resolved that.

Chairman Belter: Wouldn't the counties if they wanted to put this measure on the ballot and ask for funding for this particular issue?

Rep. Alon Wieland: I suppose they could do that, I hadn't really thought about that, but of course that takes a lot more effort to be able to do that. It's certainly an option.

Rebecca Braaten, County Auditor for Hillsboro; HB 1187 probably came when I received a Laundromat back. The City that the Laundromat is located in asked permission to do a survey report which they did and they paid for it. Then they wanted to report back to the Board of County Commissioners with their findings. When push came to shove, they asked if we'd pick up anywhere from \$5500 to \$8000 dollars for the removal of the asbestos and the demolition and then they would buy the property back from the county. The County in the general fund did not have \$8000 dollars to work with. I would just ask for consideration and support of HB 1187.

Representative Weiler: How much is that building worth?

Rebecca Braaten: That building is worth maybe \$8000 now...maybe. It had \$3000 in back taxes on it, but a major portion of that are special assessments.

Representative Weiler: Is it an individual owner who owns the building?

Rebecca Braaten: Yes

Representative Weiler: And they had turned it back to the County or the City?

Rebecca Braaten: The County owns it because of the tax foreclosure procedure.

Terry Traynor, Assistant Director of NDAC; Our association wants to support this Bill as well. It's an issue that comes up consistently every year after we go through the process of taking property for back taxes particularly in these smaller towns. Raising taxes with a vote,

Counties don't have the authority even to put a measure on the ballot for the general fund.

Most Counties are at their general fund limit right now and there aren't any provisions to allow them to increase that and there are no specific levies that many are available but they are very specific for extension service, and can't be used for this purpose. That is the reason this Bill was drafted to address this specific need.

Representative Wrangham: Does this Bill specifically deal with asbestos or does it include lead paint?

Terry Traynor: As written, I believe that it only applies to asbestos, lead paint is another issue.

Representative Froseth: Is there a mistake here, it says removal on buildings or is it supposed to be removal of buildings?

Terry Traynor: It should be read as of buildings.

Representative Froseth: It changes the definition to me the way it reads. It doesn't say that you can demolish a building, it just says you could remove the asbestos.

Chairman Belter: Is there any further testimony in support? Is there any opposition? Is there any neutral testimony? Hearing none, we'll close the hearing on HB1187.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1187 B

House Finance and Taxation Committee

Check here for Conference Committee

Hearing Date: January 15, 2007

Recorder Job Number: 1227 00min 49sec

Committee Clerk Signature

Mickie Schmidt

Minutes:

Committee Work:

Chairman Belter: Let's look at HB 1187. This removal of asbestos and a tax deed. Someone brought to my attention that last time we combined some mill levies and one of those, I thought was this very thing, wasn't it?

Vice Chairman Drovdal: I thought this was one of the items that was jack pot together.

Chairman Belter: We can get a clarification for this.

Representative Weiler: I'm thinking that we killed that Bill on the floor, as I recall.

Chairman Belter: That's a possibility. We'll check on that. We'll close the meeting on HB 1187.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1187 C

House Finance and Taxation Committee

Check here for Conference Committee

Hearing Date: January 22, 2007

Recorder Job Number: 1592

Committee Clerk Signature *Mickie Schmidt*

Minutes:

Chairman Belter opened the hearing on HB 1187 and asked what the committee's wishes were?

Representative Brandenburg: I move a Do Not Pass.

Representative Weiler: Second it.

Chairman Belter: Is there any discussion?

Representative Grande: My only concern that this should be taken up with the vote of the people.

Chairman Belter: Any other discussion? There was discussion with Rep. Froseth and Rep. Pinkerton on contamination.

Chairman Belter: Any other discussion? Will the clerk take the roll; 13-y, 1-n, 0-absent; Rep. Owens will carry HB 1187. The hearing was closed on HB 1187.

Date: 1-22-07
Roll Call Vote #: 1187

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House Finance & Tax Committee

Check here for Conference Committee

Legislative Council Amendment
Number

Action Taken Do Not Pass

Motion Made By Rep. Brandenburg Seconded By Rep. Weiler

Representatives	Yes	No	Representatives	Yes	No
Chairman Belter	✓		Rep. Froelich	✓	
Vice Chairman Drovdal	✓		Rep. Kelsh		✓
Rep. Brandenburg	✓		Rep. Pinkerton	✓	
Rep. Froseth	✓		Rep. Schmidt	✓	
Rep. Grande	✓		Rep. Vig	✓	
Rep. Headland	✓				
Rep. Owens	✓				
Rep. Weiler	✓				
Rep. Wrangham	✓				

Total (Yes) 13 No 1

Absent 0

Floor Assignment Rep. Owens

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

REPORT OF STANDING COMMITTEE (410)
January 22, 2007 5:18 p.m.

Module No: HR-14-0999
Carrier: Owens
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1187: Finance and Taxation Committee (Rep. Belter, Chairman) recommends DO NOT PASS (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1187 was placed on the Eleventh order on the calendar.