

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1314

2007 HOUSE FINANCE AND TAXATION

HB 1314

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1314 A

House Finance and Taxation Committee

Check here for Conference Committee

Hearing Date: February 6, 2007

Recorder Job Number: 2887

Committee Clerk Signature

Micki Schmidt

Minutes:

Chairman Belter brought the committee to order and the clerk read the roll; everyone was present except Rep.'s Wrangham and Froelich. Chairman opened the hearing on HB 1314.

Representative Brandenburg: (See attachment #1) In my District it's unfortunate but true that I can't even buy a brand new suit if I wanted to, or a pair of new shoes. I could buy an Edgeley Rangers sweatshirt down at the Seed Store or go to Linton and buy a Linton Lions sweatshirt, etc... So in dealing with sales tax for education has been a big issue this session. In my case we already have sales tax for education. I've sent out an amendment. When the Bill first came out there was some concern about retailers and the business man had to deal with the issue of how do you get this money back to your home school district? So what the amendments do is, the money that comes from the City of Jamestown is turned into the Tax Dept. and I, myself or somebody else keeps your receipts that you have from the purchase that you made and you turn the receipts into the Tax Commissioner and ask that my sales certification be sent to my home school district, which in my case would be Edgeley. That's what the purpose of this Bill would do. It takes the business person off the hook for having to deal with this issue.

Representative Schmidt: When I go to the store and they ask what school I wanted it to go to, is that similar here?

Representative Brandenburg: No, what this Bill would do is that when you go to the store and if they have sales tax for education, you keep your receipts. At the end of the time given period, you take all of your receipts to the Tax Commissioner's office and they will send it to the specified school district

Representative Froseth: I kind of like this Bill. Why not include all the sales tax that is paid by a resident from outside of the larger city goes back to the hometown?

Representative Brandenburg: Yesterday we had some of the parents talking about sales tax and had some comments of that exact same thing, you know what, this might be something we should look at to deal with the issue of our people that don't want to pay their sales tax, and I'm open to it. I think there's a balance to it, sales tax being used for certain things.

Vice Chairman Drovdal: We passed a Bill out of this committee in and I believe it has passed the House that we will not allow if it passes the Senate and the Governor signs it we will not allow Home Rule to use the sales tax to go to school funding. That will pretty well eliminate that part of this Bill.

Representative Brandenburg: That's true, it's going to stop it from happening again but what we might see is in Jamestown or Valley City, I shop in both of those communities. For the next seventeen to twenty years I'm stuck paying that sales tax for education for those communities that are grandfathered in. Then they say, well go somewhere else. Where else do you go? In Edgeley we put in a 2 million dollar school and barely got it passed.

Vice Chairman Drovdal: Any other questions? Any other testimony in support of HB 1314?

Any testimony in opposition? Any testimony in neutral? We'll close the hearing on HB 1314.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1314 B

House Finance and Taxation Committee

Check here for Conference Committee

Hearing Date: February 6, 2007

Recorder Job Number: 2890

Committee Clerk Signature *Mickie Schmidt*

Minutes:

Chairman Belter opened the hearing on HB 1314. What are the committee's wishes?

Representative Grande: I move a Do Not Pass.

Representative Owens: Second it.

Chairman Belter: Is there any discussion? Will the clerk read the roll; 10-y, 2-n, 2-absent;

Rep. Grande will carry HB 1314. Closed the hearing on HB 1314.

#1
HB 1314 A
2-6-07 Am
70514.0101
Title.

Prepared by the Legislative Council staff for
Representative Brandenburg
January 22, 2007

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1314

Page 1, line 7, replace "Each retailer located" with "The purchaser in each retail sale"

Page 1, line 9, replace "shall provide the purchaser in each retail sale subject to the city" with "may file with the tax commissioner"

Page 1, line 10, remove "home rule sales tax"

Page 1, line 11, replace "city auditor" with "tax commissioner"

Page 1, line 12, after "retailers" insert "in each city that transfers revenue to a school district as provided in this section" and remove "Each retailer shall file completed forms provided by purchasers with the tax"

Page 1, line 13, remove "commissioner with the retailer's sales tax return for the taxable period."

Renumber accordingly

Date: 2-6-07 AM
Roll Call Vote #: 1314

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. Grande Seconded By Rep Owens
~~Rep. Wrangham~~

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) 10 No 2

Absent 2

Floor Assignment Rep. Grande

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

REPORT OF STANDING COMMITTEE (410)
February 6, 2007 12:15 p.m.

Module No: HR-25-2252
Carrier: Grande
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1314: Finance and Taxation Committee (Rep. Belter, Chairman) recommends DO NOT PASS (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1314 was placed on the Eleventh order on the calendar.