

15.0633.01000

FISCAL NOTE STATEMENT

Senate Bill or Resolution No. HB 1345

This bill or resolution appears to affect revenues, expenditures, or fiscal liability of counties, cities, school districts, or townships. However, no state agency has primary responsibility for compiling and maintaining the information necessary for the proper preparation of a fiscal note regarding this bill or resolution. Pursuant to Joint Rule 502, this statement meets the fiscal note requirement.

Sheila Sandness
Senior Fiscal Analyst

2015 HOUSE POLITICAL SUBDIVISIONS

HB 1345

2015 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee

Prairie Room, State Capitol

HB 1345

2/6/2015

23408

☐ Subcommittee

☐ Conference Committee

Amanda Muschel

Explanation or reason for introduction of bill/resolution:

Relating to the number of county commissioners; to repeal chapter 11-12 of the North Dakota Century Code, relating to requiring each county to have five county commissioners; and to provide an effective date.

Minutes:

Testimony 1, 2, 3

Chairman Klemin: Called the hearing on HB 1345

Representative Kempenich: Testimony 1 There is a problem with three men boards and I think we should add two. We are sending a lot of money out to local political subdivisions and maybe we could add a few more people to add some structure and maybe look at the function:

Representative Kretschmar: Do you know how many counties are 3 men?

Representative Kempenich: 18

Chairman Klemin: This repeals 11-12 and it says they can increase or decrease between 3 and 5. There is a process already in the statute.

Representative Kempenich: It wouldn't make sense if this bill passed. People know each other in the small counties and there may be power corruption. This bill is here to shed some light to see how they operate together.

Aaron Leverson: 545 It would spread out the duties of the commissioners and sometimes there is too much burden on the commission when they have to deal with all the issues. It would help with the work load and there is a broader base on decision making. There may be biasedness that plays into decisions so adding more there would be a greater variety. Another issue is the open records with two people creating a quorum. It may increase costs but it will give more ideas and a broader base.

Representative Zubke: If you have 3 members don't you feel you are tied to committees?

Aaron Leverson: I am not a commissioner.

Reo Klein: There is a lot more work and this would spread it out?

Aaron Leverson: Yes, we are prepared to have more work and we are expecting it.

Representative Klein: The environmental ruling is creating more work also.

Aaron Leverson: Yes.

Representative Kretschmar: Is yours a 3 or 5?

Aaron Leverson: 3.

Pete Reese: I support the bill. We currently have a 3 member and two are related. They do as they please because they hold the majority. There two commissioners dissolved our jobs for personal pleasure. This would give our counties even power.

Chairman Klemin: This is repealing century code that would add, has your county thought of adding?

Pete Reese: We have but the ones that have been there the longest have somewhat thought to.

Chairman Klemin: There is a local method that you could follow to add people to your commission.

Pete Reese: I still support.

Opposition:

Terry Traynor: Testimony 2 (Also provided testimony from Blanche Schumacher)

Blanche Schumacher: Testimony 2 (Last page)

Steve Lee: Testimony 3

Representative Kretschmar: In your county are the commissioners elected at large?

Steve lee: Yes

Representative Oversen: Have you had lack of transparency complaints?

Steve Lee: We have never had an issue with that. We are careful with the opening meeting rules. I have experienced long terms being replaced I don't think stuck power is a problem.

Representative Beadle: Moved a do not pass

Representative Kretschmar: Seconded the motion

Representative Strinden: I see the problems in the 3 men commission but the provision that allows for adding is a good one.

House Political Subdivisions Committee

HB 1345

2/6/2015

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A Roll Call Vote Was Taken: Yes 11, No 2, Absent 1 (Koppelman)

Motion carried

Representative Becker will carry the bill

Date: 2/16/2015
Roll Call Vote #: 1

**2015 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1345**

House Political Subdivisions Committee

☐ Subcommittee ☐ Conference Committee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☐ Do Pass ☒ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Beadle Seconded By Kretschmar

Representative	Yes	No	Representative	Yes	No
Chairman Lawrence R. Klemin	X		Rep. Pamela Anderson	X	
Vice Chair Patrick R. Hatlestad	X		Rep. Jerry Kelsh	X	
Rep. Thomas Beadle	X		Rep. Kylie Oversen		X
Rep. Rich S. Becker	X		Rep. Marie Strinden	X	
Rep. Matthew M. Klein	X				
Rep. Kim Koppelman	/				
Rep. William E. Kretschmar	X				
Rep. Andrew G. Maragos		X			
Rep. Nathan Toman	X				
Rep. Denton Zubke	X				

Total (Yes) 11 No 2

Absent 1 (Koppelman)

Floor Assignment Becker

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

motion carries

REPORT OF STANDING COMMITTEE

HB 1345: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1345 was placed on the Eleventh order on the calendar.

2015 TESTIMONY

HB 1345

Office of State Treasurer
Distribution and other Funding Summary (thru 1/31/15)

County	Energy Impact Grants	HB 1358, Section 7 Townships	Oil & Gas Funding under NDCC 57-51-15 (as amended by HB 1358)							
			FY14 Counties	FY14 Cities	FY14 Schools	FY14 Townships	FY15 Counties	FY15 Cities	FY15 Schools	FY15 Townships
Adams	223,200.00									
Barnes										
Benson										
Billings	1,668,581.00		4,851,361.20	1,614,652.40	403,736.02	924,768.31	3,262,140.06	1,086,965.34	271,759.36	475,359.94
Bottineau	1,603,577.00	1,320,000.00	2,625,623.06	1,166,608.70	2,040,811.50	-	1,999,254.02	666,425.62	166,650.81	634,963.23
Bowman	5,064,842.00		6,702,240.21	2,232,885.01	558,221.25	1,102,775.30	3,795,338.28	1,265,112.84	316,278.21	541,109.28
Burke	4,607,306.00		5,432,920.12	1,809,678.25	452,376.12	1,060,597.19	3,573,681.79	1,191,235.31	297,814.85	539,790.78
Burleigh										
Cass										
Cavalier										
Dickey										
Divide	8,715,511.00		9,893,288.45	3,297,672.78	824,536.26	1,454,525.02	5,212,800.05	1,737,253.91	434,313.48	699,772.78
Dunn	14,676,952.00		26,771,743.80	8,914,299.72	2,228,572.04	2,601,232.18	12,944,222.78	4,313,774.28	1,078,440.82	1,228,175.56
Eddy										
Emmons										
Foster										
Golden Valley	4,190,371.00	570,000.00	1,664,136.72	739,527.49	1,293,973.24	-	523,267.94	232,547.79	406,923.30	-
Grand Forks										
Grant										
Griggs										
Hettinger	144,311.00									
Kidder										
Lamoure										
Logan										
McHenry	115,773.00		41,409.41	18,273.36	31,684.05	-	11,864.37	5,273.06	9,227.85	-
McIntosh										
McKenzie	42,590,991.00		56,418,243.52	18,809,177.28	4,702,294.32	4,534,005.35	29,189,991.14	9,730,620.09	2,432,655.01	2,228,087.50
McLean	366,922.00	2,010,000.00	1,074,628.95	463,667.22	780,040.11	-	333,060.02	148,058.02	259,461.28	-
Mercer	291,326.00		994.19	441.59	772.18	-	206.85	91.93	160.88	-
Morton										
Mountrail	30,133,438.00		43,929,486.30	14,623,810.98	3,655,950.26	3,354,743.78	20,026,796.19	6,680,469.81	1,669,828.31	1,547,993.41
Nelson										
Oliver										
Pembina										
Pierce										
Ramsey										
Ransom										
Renville	1,300,266.00	720,000.00	1,327,840.94	588,188.50	1,024,913.19	-	465,885.46	207,059.80	362,353.78	-
Richland										
Rolette										
Sargent										
Sheridan										
Sioux										
Slope	643,446.00	990,000.00	804,833.41	357,631.23	625,691.39	-	255,027.34	113,345.51	198,354.62	-
Stark	21,736,051.00		5,901,916.92	18,382,570.36	3,116,337.98	1,088,958.49	3,675,144.64	9,052,741.64	1,452,095.47	544,438.93
Steele										
Stutsman										
Towner										
Trail										
Walsh										
Ward	34,818,268.00		57,706.86	5,123,032.78	794,759.63	-	16,338.76	2,408,159.37	325,207.92	-
Wells										
Williams	33,841,594.00		30,039,360.75	43,217,315.55	7,876,954.64	2,861,168.92	13,868,851.83	19,653,373.61	3,239,080.17	1,316,293.39
Total	206,732,726.00	5,610,000.00	197,537,734.81	121,359,433.20	30,411,624.18	18,982,774.54	99,153,871.52	58,492,507.93	12,920,606.12	9,755,984.80

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Office of State Treasurer
Distribution and other Funding Summary (thru 1/31/15)

County	Coal Conversion		Coal Severance(Incl Shortfall)		State Aid				Highway Tax			
	FY14	FY15	FY14	FY15	FY14 Counties	FY14 Cities	FY15 Counties	FY15 Cities	FY14 Counties	FY14 Cities	FY15 Counties	FY15 Cities
Adams					517,451.44	154,647.27	321,514.13	96,088.79	349,544.13	129,283.45	192,078.96	71,042.90
Barnes					1,312,179.88	828,728.57	815,312.01	514,923.58	1,365,207.75	504,939.88	756,007.49	279,619.21
Benson					1,005,329.81	149,055.00	624,653.28	92,614.09	543,792.14	201,128.61	302,266.54	111,797.21
Billings					341,151.10	12,044.84	211,971.39	7,483.96	237,497.08	87,841.37	100,097.62	37,022.41
Botineau					979,223.90	370,056.43	608,432.58	229,931.50	1,006,430.21	372,241.31	558,888.39	206,712.14
Bowman			11,435.84	13,575.99	608,766.27	227,561.60	378,251.84	141,393.51	519,874.61	192,282.37	288,254.78	106,614.77
Burke					445,424.32	117,867.43	276,760.67	73,235.94	414,345.03	153,250.90	227,990.24	84,325.15
Burleigh					4,811,096.31	6,886,426.97	2,989,334.54	4,278,823.93	7,100,484.22	4,415,752.04	4,017,579.93	2,488,299.85
Cass					8,221,743.61	15,289,107.05	5,108,511.76	9,499,758.92	7,971,724.81	9,879,998.84	4,431,968.29	5,567,432.03
Cavalier					703,923.19	268,105.41	437,376.79	166,585.06	682,456.87	252,415.55	380,984.07	140,911.91
Dickey					850,388.77	367,367.88	528,381.95	228,260.97	723,742.22	267,685.47	398,491.55	147,387.30
Divide					486,712.10	133,246.13	302,414.49	82,791.38	429,218.94	158,752.22	245,096.52	90,652.14
Dunn					613,360.33	126,040.74	381,106.31	78,314.37	722,745.38	267,316.80	423,870.17	156,773.91
Eddy					522,198.11	171,531.55	324,463.42	106,579.69	322,682.38	119,348.27	179,965.08	66,562.43
Emmons					653,858.84	197,126.84	406,269.73	122,483.12	542,362.06	200,599.68	300,929.70	111,302.79
Foster					630,465.29	244,660.96	391,734.34	152,018.06	482,296.36	178,383.58	266,171.03	98,446.84
Golden Valley					442,524.11	122,169.17	274,958.66	75,908.80	264,667.87	97,890.87	146,392.05	54,145.01
Grand Forks					4,091,456.74	6,164,596.40	2,542,192.49	3,830,320.51	3,477,170.21	3,993,568.93	1,909,409.93	2,250,397.42
Grant					523,215.92	126,040.74	325,095.84	78,314.36	406,053.04	150,184.00	223,737.63	82,752.28
Griggs					526,153.43	139,591.21	326,921.03	86,733.83	370,411.13	137,001.37	203,939.21	75,429.56
Hettinger					548,093.71	159,271.61	330,924.07	98,962.10	455,190.88	168,358.27	249,866.89	92,416.54
Kidder					527,849.34	124,750.23	327,974.78	77,512.50	407,050.27	150,552.83	228,852.65	84,644.14
Lamoure					720,423.93	233,584.02	447,629.39	145,135.48	723,422.43	267,567.20	403,947.65	149,405.30
Logan					491,054.93	124,965.30	296,726.99	77,646.14	320,716.09	118,621.03	177,597.16	65,686.62
McHenry					862,367.97	297,894.91	535,825.14	185,094.53	853,135.07	315,543.11	479,470.90	177,338.56
McIntosh					570,116.28	205,730.29	354,236.99	127,828.81	406,845.63	150,477.17	225,619.14	83,448.18
McKenzie					971,425.12	223,905.11	603,586.89	139,121.58	1,208,700.17	447,053.47	749,836.86	277,336.94
McLean	969,388.49	497,770.98	1,535,632.52	813,946.03	1,207,375.73	586,971.21	750,192.83	364,709.69	1,389,576.89	513,953.11	783,884.67	289,929.94
Mercer	3,251,097.81	1,393,168.75	4,236,594.72	2,037,058.62	1,180,576.11	692,578.81	733,541.11	430,328.04	1,120,842.52	414,558.17	624,137.81	230,845.50
Morton	450,454.41	22,142.74	248,151.67	109,679.40	2,129,352.62	2,278,304.59	1,323,055.48	1,415,605.53	2,921,684.25	1,500,372.39	1,635,534.54	845,467.86
Mountrail					1,060,693.92	506,313.80	659,053.34	314,593.85	1,354,363.98	500,929.15	796,382.41	294,552.40
Nelson					565,077.49	211,322.58	351,106.19	131,303.51	455,974.94	168,648.28	252,795.78	93,499.82
Oliver	511,105.50	262,274.15	723,601.83	351,283.18	442,092.61	61,407.21	305,806.76	38,154.87	312,985.79	115,761.85	177,291.80	65,573.67
Pembina					1,090,428.57	515,670.04	677,528.68	320,407.28	1,003,661.53	371,217.29	558,307.04	206,497.12
Pierce					745,060.44	320,156.37	462,937.08	198,926.49	590,345.10	218,346.81	325,385.07	120,347.92
Ramsey					1,331,359.38	831,202.07	827,229.04	516,460.47	1,192,385.15	441,019.16	665,172.93	246,022.88
Ransom					869,375.39	349,945.86	540,179.13	217,435.94	722,951.74	267,393.12	402,095.55	148,720.28
Renville					531,804.65	157,873.54	330,432.38	98,093.40	404,491.40	149,606.42	222,971.53	82,468.93
Richland					1,573,944.23	1,221,369.12	977,957.10	758,887.51	1,898,013.27	702,004.90	1,051,724.60	388,994.02
Rolette					1,455,191.84	323,490.22	904,171.31	200,997.95	1,038,561.35	384,125.45	581,468.96	215,063.88
Sargent					706,210.45	244,123.28	425,861.06	151,683.96	588,760.80	217,760.86	328,710.97	121,578.02
Sheridan					401,951.72	59,794.08	249,749.34	37,152.55	249,178.95	92,162.08	136,398.14	50,448.63
Sioux					739,206.65	45,920.98	448,611.93	28,532.62	230,894.24	85,399.25	124,896.55	46,194.62
Slope					334,821.59	16,776.76	208,038.80	10,424.09	164,373.27	60,795.58	91,235.70	33,744.72
Stark					1,966,366.70	2,129,787.29	1,221,785.54	1,323,325.57	3,308,010.39	1,393,041.62	2,007,902.41	784,986.39
Steele					475,862.59	89,260.92	295,673.24	55,461.52	345,113.40	127,644.68	191,732.63	70,914.81
Stutsman					1,811,998.78	1,782,314.92	1,125,870.31	1,107,426.49	2,069,074.83	1,157,838.75	1,137,708.87	652,448.30
Towner					506,490.07	150,022.88	314,703.37	93,215.48	369,833.00	136,787.55	205,372.48	75,959.69
Trail					1,165,484.31	594,391.76	724,163.95	369,320.36	960,277.80	355,171.23	535,037.17	197,890.46
Walsh					1,314,821.63	809,263.25	816,953.45	502,828.97	1,402,606.68	518,772.35	784,043.79	289,988.81
Ward					3,833,131.34	4,894,510.17	2,381,684.16	3,041,163.03	5,572,170.73	3,171,215.11	3,132,815.63	1,786,996.67
Wells					728,108.08	285,850.05	452,403.87	177,610.56	690,051.55	255,224.55	383,625.94	141,889.02
Williams			3,878.17	1,329.57	1,876,654.34	1,836,409.18	1,166,043.51	1,141,037.53	3,832,759.02	1,193,120.44	2,305,779.22	672,329.80
Total	5,182,046.21	2,175,356.62	6,759,294.75	3,326,872.79	63,021,395.98	54,461,104.60	39,147,294.46	33,838,952.77	66,496,709.55	37,890,908.74	37,511,722.62	21,311,257.70

Office of State Treasurer
Distribution and other Funding Summary (thru 1/31/15)

County	Township Road & Bridge		Property Tax Relief	SB 2176 Highway	SB 2176 Township R&B amount	SB 2176 Township (equal share)	SB 2012 Township Catchup	Total
	FY14	FY15						
Adams	74,186.16	42,412.85	378,086.01	368,013.39	193,884.68	412,067.60	7,932.28	3,531,434.04
Barnes	205,431.76	117,652.34	1,847,563.70	1,432,159.08	536,893.53	618,101.40	11,898.45	11,146,618.63
Benson	155,984.86	89,013.61	613,967.17	579,348.68	407,664.60	573,951.30	11,048.57	5,461,615.47
Billings	86,897.64	49,639.05	209,124.40					15,940,094.49
Bottineau	273,081.22	158,401.53	1,130,154.75					18,117,467.90
Bowman	62,920.52	34,677.53	487,712.40					24,652,124.41
Burke	136,594.48	77,435.27	435,832.25					21,408,462.09
Burleigh	139,036.22	78,795.94	10,039,939.94	8,717,998.17	362,359.77	695,844.96	13,395.02	57,035,167.81
Cass	346,585.12	183,680.90	20,621,711.33	13,564,210.79	905,796.21	735,835.00	14,164.83	102,342,229.49
Cavalier	223,061.20	127,525.95	1,010,879.85	713,003.97	582,967.89	588,668.00	11,331.86	6,290,197.57
Dickey	135,624.95	76,724.97	950,642.36	760,719.18	354,454.23	470,934.40	9,065.49	6,269,871.69
Divide	181,120.53	105,785.78	478,026.78					34,963,490.74
Dunn	125,822.03	71,933.51	586,079.47					78,310,776.20
Eddy	75,837.94	43,357.18	326,668.70	339,542.44	198,201.57	264,900.60	5,099.34	3,066,938.70
Emmons	162,304.67	92,216.13	544,769.70	558,171.21	424,181.40	706,401.60	13,598.23	5,036,575.70
Foster	82,875.93	47,380.86	546,881.38	499,823.34	216,595.28	264,900.60	5,099.34	4,107,733.19
Golden Valley	84,312.25	48,202.02	222,680.84					11,454,599.13
Grand Forks	249,776.84	142,799.51	8,966,134.75	5,717,652.15	652,788.89	603,384.70	11,615.16	44,603,264.63
Grant	287,983.08	153,601.85	373,078.97	434,094.11	752,640.44	712,221.13	13,710.26	4,642,723.65
Griggs	78,566.97	44,917.38	515,112.16	381,633.75	205,333.83	294,334.00	5,665.93	3,391,744.79
Hettinger	129,269.21	70,798.67	512,164.15	483,391.03	337,843.59	470,934.40	9,065.49	4,260,861.61
Kidder	137,312.63	78,995.48	344,802.68	417,837.55	358,864.97	588,668.00	11,331.86	3,866,999.91
Lamoure	167,044.55	91,735.75	762,793.54	768,803.52	436,569.00	470,934.40	9,065.49	5,798,061.65
Logan	98,531.86	57,747.99	319,293.13	337,697.10	257,511.89	412,067.60	7,932.30	3,163,796.13
McHenry	238,414.09	135,707.98	855,462.41	884,884.15	623,092.44	779,985.10	15,014.72	7,472,736.18
McIntosh	112,464.20	69,880.61	387,604.88	429,612.57	293,923.92	412,067.60	7,932.30	3,837,788.57
McKenzie	159,301.32	92,689.11	1,177,025.50					176,686,047.28
McLean	249,489.58	94,806.89	991,486.14					16,474,952.30
Mercer	60,325.63	52,496.68	834,453.25	1,161,772.93	157,660.34	515,084.50	9,915.38	19,431,030.30
Morton	143,053.62	81,088.60	3,380,313.33	3,328,289.19	373,868.98	1,473,002.00	16,997.79	23,676,418.99
Mountrail	181,941.77	105,169.91	1,491,051.29					132,887,562.86
Nelson	101,081.34	59,390.31	611,473.66	479,876.10	264,174.92	397,350.90	7,649.01	4,150,724.83
Oliver	65,640.03	41,804.37	264,893.62	318,364.97	171,549.47	349,040.74	6,719.04	4,585,351.46
Pembina	227,047.01	130,174.20	1,327,703.06	1,034,180.89	593,384.73	353,200.80	6,799.12	8,416,207.36
Pierce	149,665.02	85,975.33	680,508.11	612,828.41	391,147.80	441,501.00	8,498.90	5,351,629.85
Ramsey	144,781.52	82,567.51	1,349,871.96	1,257,115.46	378,384.82	529,801.20	10,198.68	9,803,572.23
Ransom	117,347.72	67,601.89	828,766.62	756,325.51	306,686.90	353,200.80	6,799.12	5,954,825.57
Renville	127,976.52	73,001.01	442,909.46					8,618,136.91
Richland	265,289.14	151,659.82	2,538,073.85	1,985,760.88	693,330.13	529,801.20	10,198.68	14,747,008.45
Rolette	114,618.71	64,625.20	405,982.45	1,136,377.54	299,554.65	367,917.50	7,082.41	7,499,229.42
Sargent	116,198.67	65,117.89	836,849.18	619,770.40	303,683.85	353,200.80	6,799.12	5,086,309.31
Sheridan	120,651.26	66,639.50	243,895.33	265,728.87	315,320.69	412,067.60	7,932.30	2,709,071.04
Sioux	45,100.59	26,318.14	76,867.44	273,725.34	117,869.88	523,981.67	10,086.65	2,823,606.55
Slope	88,800.76	37,054.79	157,514.82					5,191,910.38
Stark	148,659.60	84,989.93	3,675,489.60					82,994,600.47
Steele	115,767.76	66,185.39	694,065.51	359,050.31	302,557.70	294,334.00	5,665.93	3,489,290.39
Stutsman	256,671.20	147,780.66	2,734,586.31	2,445,601.87	670,807.22	941,868.80	18,130.98	18,060,128.29
Towner	94,797.42	58,544.51	531,675.77	388,839.36	247,751.97	412,067.60	7,932.30	3,593,993.45
Trail	174,369.80	99,688.68	1,270,582.20	1,004,567.59	455,713.47	367,917.50	7,082.41	8,281,658.69
Walsh	231,607.33	130,092.08	1,567,808.83	1,452,721.43	605,303.10	529,801.20	10,198.68	10,966,811.58
Ward	230,637.82	131,036.41	8,152,568.50	6,540,322.00	602,769.27	838,851.90	16,147.90	87,869,493.96
Wells	202,378.13	110,540.29	770,614.06	718,188.53	528,912.92	529,801.20	10,198.68	5,985,397.43
Williams	185,225.61	107,575.10	3,960,572.27					174,196,706.62
Total	8,169,465.79	4,605,634.84	94,464,769.82	63,528,003.76	15,882,000.94	20,589,995.30	385,000.00	1,339,705,050.34

1.3

Testimony to the
House Political Subdivisions Committee

Prepared February 6, 2015 by
Terry Traynor, Assistant Executive Director
North Dakota Association of Counties

RE: HB1345 – County Commission Size

Mr. Chairman and members of the committee, I am Terry Traynor, assistant executive director of the North Dakota Association of Counties, and I would like to speak on behalf of our county official members in opposition to House Bill 1345.

As you can see from the map and table, there are 18 counties with 3-member commissions. These 18 have an average population of 2,564 compared to an average population of 17,898 in the 5-commissioner counties. Similarly, these 18 have an average of 38 full-time employees, compared to an average of 98 in the other counties. The 18 are generally smaller in size, taxable value, and budget.

The commissioners from these 18 counties were queried about this bill, and the overwhelming response was one of opposition. There were several that acknowledged that moving to a 5-member board could have its benefits, but even these firmly stated that it would cost the county taxpayers more, and that there already exists a mechanism to accomplish this change. The responses can be characterized by an Eddy County Commissioner:

Eddy County has gotten along with 3 commissioners since the county was formed. As far as I know, there has never been an issue where the need for two more commissioners was of great importance.

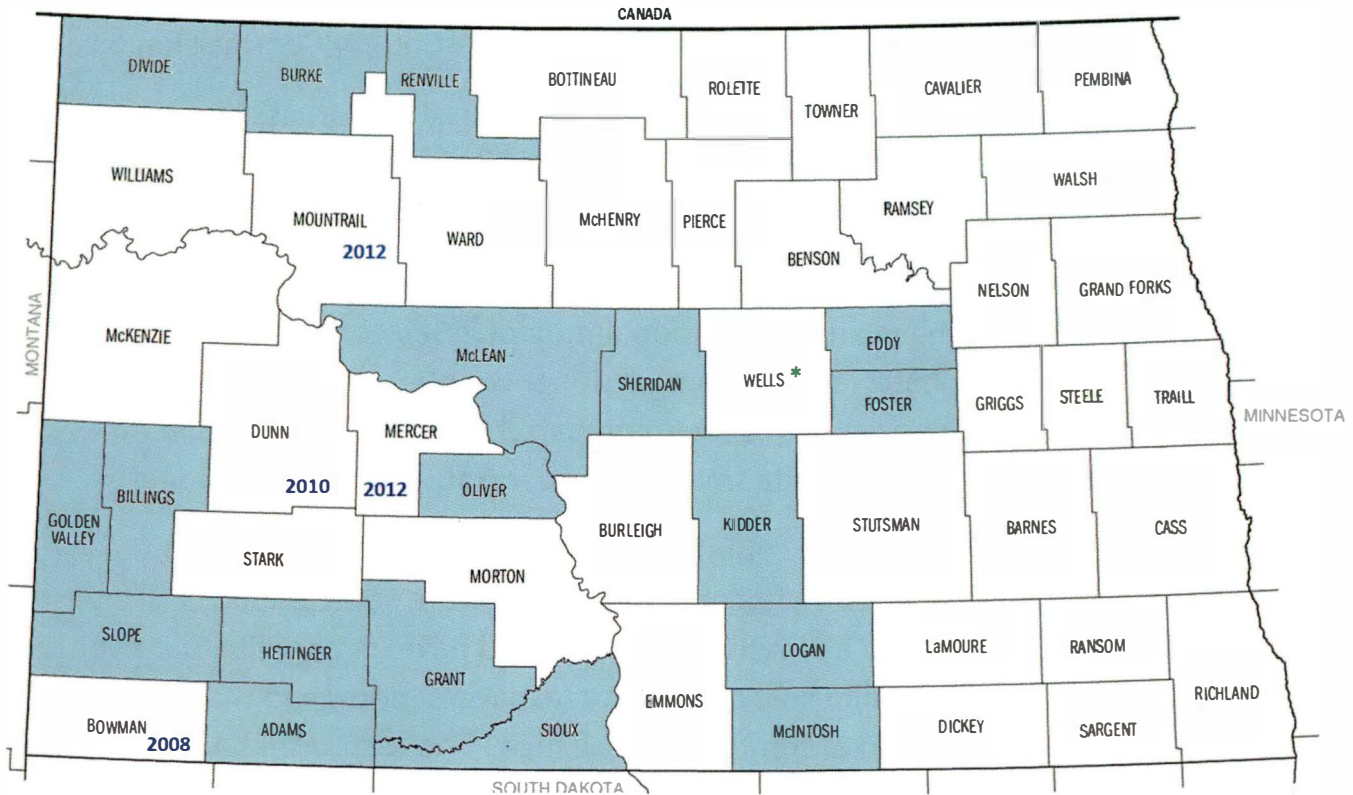
In our case all this would accomplish would be to cost the county approximately \$50,000.00 yearly for the two extra commissioners for pay and insurance, training, etc.

With Eddy County's population base, we have a commissioner for every 900 citizens. How many citizens do each commissioner in Cass or Ward county serve? I hardly think the citizens of Eddy County are underserved. If the citizens do have an issue, they could certainly petition to have the number increased.

Numerous county commissioners noted that the citizens of four counties have used the existing statutory tools to move to a five member board in the last several years (as indicated on the map). It was also noted that in 2008, the

citizens of Wells County sought to lower county costs by eliminating two commissioners – this effort failed, but not by much – 3% of the vote.

Counties with Three-Member Commissions



Citizens in four counties have fairly recently petitioned and voted to increase their commission size from 3 to 5 - Year of Change Indicated

* Wells county citizens, in 2008, petition to DECREASE their commission from 5 to 3. Ballot measure failed 1097/1260

The chapter of Century Code providing for a change in commission size is attached to this testimony. You will note that in the first section, the petition threshold is identified – 20% of votes cast for governor. The table indicates what it would take to get this issue on the ballot in each of the counties. As five counties have so recently had the issue of commission size petitioned, it does not seem to be an obstacle if the citizens are engaged.

County commissioners are elected by our citizens, and in this issue the citizens have the power to decide how many of them they would like to elect. In the words of a McLean County commissioner; *"Why fix something that is not broken?"*

Our Association urges a Do Not Pass recommendation on HB1345.

Analysis of County Characteristics by Commission Size

County	Population 2010 Census	Square Miles	2012 County Taxable Value	CY2012 Expenditures All Funds	Full-Time Employees 2014	20% of Votes for Gov. 2012*
Counties with 3 Commissioners						
Adams	2,343	988	9,909,748	3,629,582	29	258
Billings	783	1,152	8,353,309	12,902,201	61	114
Burke	1,968	1,104	16,727,742	10,800,769	47	205
Divide	2,071	1,259	19,505,166	10,959,759	55	232
Eddy	2,385	632	10,243,203	2,552,921	37	233
Foster	3,343	635	16,845,447	3,802,278	27	335
Golden Valley	1,680	1,002	8,674,954	7,394,886	34	185
Grant	2,394	1,660	13,548,787	3,945,811	41	285
Hettinger	2,477	1,132	18,617,056	3,732,647	41	273
Kidder	2,435	1,352	13,662,306	3,935,989	26	266
Logan	1,990	993	11,010,197	3,369,122	17	217
McIntosh	2,809	975	13,768,510	4,464,289	30	308
McLean	8,962	2,110	49,547,323	13,541,142	108	986
Oliver	1,846	724	10,017,962	2,960,387	24	204
Renville	2,470	875	18,366,731	7,709,541	47	254
Sheridan	1,321	972	9,616,250	1,874,436	20	166
Sioux	4,153	1,094	3,190,870	2,023,458	24	224
Slope	727	1,218	9,543,723	2,446,867	19	89
Average	2,564	1,104	14,508,294	5,669,227	38	268

* Petition signatures to prompt a ballot the question about changing the size of the commission

Counties with 5 Commissioners						
Barnes	11,066	1,492	61,796,385	13,268,728	93	1,100
Benson	6,660	1,389	22,855,924	5,627,921	47	430
Bottineau	6,429	1,669	47,572,369	14,612,799	64	704
Bowman	3,151	1,162	23,293,767	10,585,800	49	344
Burleigh	81,308	1,633	300,396,636	36,026,878	271	8,592
Cass	149,778	1,766	521,035,701	79,199,422	421	14,403
Cavalier	3,993	1,489	35,744,066	8,564,423	50	410
Dickey	5,289	1,131	26,673,955	9,561,769	45	497
Dunn	3,536	2,010	24,472,935	28,288,714	91	403
Emmons	3,550	1,510	20,477,612	4,746,379	47	376
Grand Forks	66,861	1,438	212,068,470	36,453,931	302	5,792
Griggs	2,420	708	15,020,041	3,324,428	31	267
LaMoure	4,139	1,147	27,239,769	6,104,704	41	437
McHenry	5,395	1,874	31,228,610	7,512,692	63	550
McKenzie	6,360	2,742	46,539,018	54,131,665	109	676
Mercer	8,424	1,045	27,735,398	9,794,041	82	892
Morton	27,471	1,926	91,230,278	19,396,312	134	2,710
Mountrail	7,673	1,824	58,138,413	61,778,930	109	684
Nelson	3,126	982	19,875,294	5,429,480	43	335
Pembina	7,413	1,119	46,433,764	7,031,931	73	647
Pierce	4,357	1,018	22,167,617	5,864,863	39	438
Ramsey	11,451	1,186	38,106,897	14,431,185	42	995
Ransom	5,457	863	26,651,450	4,428,121	39	482
Richland	16,321	1,437	65,877,206	16,194,953	122	1,504
Rolette	13,937	902	14,790,323	6,196,887	82	899
Sargent	3,829	859	25,699,209	5,441,272	44	401
Stark	24,199	1,338	92,725,419	22,262,134	117	2,287
Steele	1,975	712	25,366,495	2,619,948	34	207
Stutsman	21,100	2,222	72,696,207	17,794,118	122	1,864
Towner	2,246	1,025	19,462,216	4,439,232	24	235
Traill	8,121	862	37,545,933	6,497,657	67	777
Walsh	11,119	1,282	42,837,304	10,211,709	85	962
Ward	61,675	2,013	225,189,311	53,132,450	223	5,032
Wells	4,207	1,271	27,587,153	6,265,067	49	475
Williams	22,398	2,071	115,879,727	42,084,973	190	1,924
Average	17,898	1,403	71,783,168	18,265,872	98	1,678

CHAPTER 11-12

CHANGING NUMBER OF COUNTY COMMISSIONERS

11-12-01. Petition to change number of county commissioners - Election on question.

If at least twenty percent of the qualified electors of a county, as determined by the number of votes cast for the office of governor at the preceding general election, shall petition the board of county commissioners for:

1. The increase of the number of county commissioners from three to five if the county, at the time of the filing of the petition, has three commissioners; or
2. The decrease of the number of county commissioners from five to three if the county, at the time of the filing of the petition, has five commissioners, the board of county commissioners shall submit the question presented by the petition to the qualified electors of the county at a special election to be held in connection with the next statewide primary or general election, whichever is specified in the petition.

11-12-02. Notice of election - How given.

Notice of an election on the question of increasing or decreasing the number of county commissioners shall be given in the notice of election prescribed by section 16.1-13-05.

11-12-03. Ballot - Form.

If the petition asks for an increase in the number of county commissioners, the ballot shall be in substantially the following form:

Shall _____ County (name the county) increase the number of its county commissioners to five? Yes
☐ No ☐

If the petition asks for a reduction in the number of county commissioners, the ballot shall be in substantially the following form:

Shall _____ County (name the county) decrease the number of its county commissioners to three?
 Yes ☐ No ☐

11-12-04. Increase in number of commissioners authorized - New districts formed.

When the returns of an election to pass on the question of increasing the number of county commissioners in a county show that a majority of the votes cast on the question favored such increase, the board of county commissioners, within ten days after the votes have been canvassed, shall divide the county into five commissioners' districts. Such districts shall be numbered from one to five.

11-12-05. Commissioners for new districts appointed.

The members of the board of county commissioners and the county auditor shall meet immediately after the county has been redistricted and shall appoint one commissioner for each of the new districts. The commissioners hold office until their successors are elected and qualified.

11-12-06. Commissioners for new districts - When elected - Terms of office.

At the first general election following the division of the county into five commissioners' districts, commissioners for the new districts shall be elected. The commissioner for the fourth district shall be elected for a term of two years, and the commissioner for the fifth district shall be elected for a term of four years. The tenure of office of the members of the existing board of county commissioners shall not be affected.

11-12-07. Decrease in number of commissioners authorized - Redistricting county - When effective.

When the returns of an election to pass on the question of decreasing the number of county commissioners in a county show that a majority of the votes cast on the question favored such decrease, the existing board of county commissioners shall continue in office until the time when the terms of office of two members of the board expire simultaneously. At that time, the board shall declare that such two offices are abolished and at its first regular meeting thereafter shall redistrict the county into three commissioners' districts and shall designate the district which each of the three remaining commissioners shall represent. The terms of office of such remaining commissioners shall not be affected.

EMAILS RECEIVED BY NDACo REGARDING HOUSE BILL 1345

Divide co. is opposed to the house bill to mandate 5-member commission board. We are not opposed to Divide County going to 5. We have had discussion about this for over a year; however we feel that this is a local decision. In fact about 20 years ago this issue was put to a vote and the residents of Divide Co. did not want to go to a five member board. We know times are different now and that is why discussion has come up again, but once again we feel this is a local choice.

Why do supporters of this bill feel all counties need to go to 5 member boards? Is state going to fund the two additional board members? Do they feel the citizens of the counties with 3 member board are not represented well? Why not increase the number of state senators and rep. for this reason also. Please forward this to those who want to know how Divide Co. feels about this bill. Thank you, **Gerald Brady, Divide County Commissioner**

My feeling is that Counties should make their own decisions regarding the number of commissioners. In Grant County we are always hurting for money as it is. Our Commissioners run from districts. This new law would require the County to reorganize, set up 5 districts instead of three, and this could be an extra expense to the budget. The only other way would be to not have districts and allow 5 people to run from anywhere. This would more than likely result in the less populated areas of the County not having any representation at all. I feel it should be left up to the Counties not the Legislators. As stated by one other response - leave well enough alone. Your written response to the Committee on Friday sounds good to me. **Bill Koch, Grant County Commissioner.**

During our regular Commissioner meeting today, discussion was held in regards to the HB1345. We are not in favor of this bill. It is already set in the Century Code that a board of county commissioners will consist of not less than three nor more than five members. Why not leave it up to the County and citizens to decide if they see it necessary to increase the number on the Board. County jurisdiction should not be mandated by the State to have a Board of five. **Tamra Sperry, Golden Valley County Auditor**

My name is Perry Turner, current chair for the McIntosh County Commission; I strongly oppose any proposed legislation that would force transition to a five person board. We are presently serving half the population with the same board! The "people" are gaining on us! Another concern is cost. **Perry Turner, McIntosh County Commissioner**

I strongly oppose HB1345, which would require 3-Commissioner counties to transition to a 5-Commissioner Board.

It is difficult to find interested individuals to file a petition and run for the position. Most of the citizens in the County have full time jobs and can't commit the time necessary to be an effective commissioner. It takes a special person to shoulder the criticism from our constituents.

The cost of additional salaries, benefits and expenses would be a hardship for the county. I estimate that at a minimum it would cost the county an additional \$35,000.00 which is approximately 3 mills. Our General fund is at its maximum as well as the Comprehensive Health Insurance fund. Where would Adams County get the extra funds? The legislature continues to look at ways to reduce property taxes and yet they want to implement new laws, which will increase property taxes. Why fix something that isn't broken?

Adams County is currently served by three county commissioners who serve the county "at large". They serve all the citizens and strive to be fair and impartial. I have worked for Adams County for the past 40 years; I served as a deputy auditor for 28 years and have been the auditor/treasurer for the past 12 years. In that time, I have never heard anyone express the need for a five commission board. I don't see a need to change the law, if the public wants to transition to a five-member Board, the Century Code allows for that and spells out the process. In my opinion the State should not mandate this type of change.

Thank you for allowing me to express my opinion regarding this matter. Sincerely, **Patricia Carroll, Adams County Auditor/Treasurer, Hettinger City Auditor, Hettinger Park District Clerk**

After discussing this bill with the Sheridan County Commission board today, we calculated the cost of adding two more Commissioners onto the Sheridan County Commission and the estimate is around \$42,613.84 by today's cost – by 2016 I am sure it would be more with health care cost increasing most likely. We would need to raise our levies another 3.61 mills in order to generate this increase and we thought too that this is not what the public wants - increase in taxes???

Also we agree with Blanche, Logan County Commissioner, it is usually hard to find someone to run for the office. The ratio serving the public with five County Commissioners would be 264 people to each County Commissioner in Sheridan County with the population of 1,320 or less. If that would be the case then there should be quite a few more County Commissioners in the bigger populated counties. I am sure we don't want to go there. Sheridan County believes that the local governing bodies in small Counties have the tools already to go to a five man board or not by vote of the people if population changes in the future. Therefore no change is needed and Sheridan County opposes HB1345.

Shirley A. Murray, Sheridan County Auditor

Our commissioners met this morning and had generally the same feelings. All three could see the pros and cons to having a 5 member board, but overall, our three commissioners were not in favor of this bill.

Having HB1345 pass would mean having to spend more taxpayer dollars, when just having a 3 member board is sufficient for us. Foster County has had its downs with just a 3 member board, but for the majority of the history of Foster County, business has run smoothly with just the 3. The commissioners discussed that in social events, having a 5 member board would be beneficial, where the public wouldn't worry about making quorum, on the other hand it's been difficult to find individuals with the qualifications to run for the commissioner position in the past.

Chairman Bauer, Vice Chair Carr, and Commissioner Copenhaver are not in favor of this bill. Although they see the benefits of having 5 members, our little county runs great with a 3 member board. **Casey Cables, Foster County Auditor**

I am in favor of leaving it @ 3 Commissioners-I feel that is sufficient for **Hettinger County, Ron Friedt**

I am not in favor of a 5 member County Commission strictly because of the extra expenses. Oliver County does not have budget capacity to cover the needed monies for additional members (payroll, benefits, travel). **Lee Husfloen, Oliver County Commissioner Chairman**

One of the main reasons I ran for the Hettinger County Commission was the lack of qualified individuals wanting to be on this board. I've been on other boards where residents were not running for the position and ended up being voted in by a write-in vote. The members were on the board in body only and seemed not to be committed to the cause. A five member board would bring in more thoughts and concerns, and I believe as some Counties have expanded their population and needs, this number of Commissioners would deem necessary. Hettinger County at this time seems to work efficiently with 3 board members, who are committed to the Commission. **Rob Larson, Hettinger County Commissioner**

I am in favor of a five member board. I run into the two against one. Last year on the sheriff problem & and it was not fun. Until just before the sheriff resigned, the other two were against me. There are a lot more boards & traveling now as before & more meetings and five would take some of the load & maybe more would run. It is going to cost the country more money to have more commissioners. **Allen Ryberg, Burke County Commissioner**

TESTIMONY TO THE SHOUSE POLITICAL SUBDIVISIONS COMMITTEE
REGARDING HOUSE BILL NO. 1345

Blanche Schumacher, Logan County Commissioner

Mr. Chairman and committee members, I am Blanche Schumacher. I was elected to serve as a Logan County Commissioner this fall, but I previously served as the Logan County Auditor for over 29 years.

I forwarded an email alerting county commissioners to HB1345 to several of the County Auditors serving 3-person commissions and many have replied that they simply don't think that their small counties can afford to have two additional county commission members.

I can see the advantages and disadvantages, and I believe the disadvantages outweigh the advantages.

First, it is virtually impossible to find persons who are interested in running for these positions; we simply don't have the numbers nor the type of persons who want to focus their attention in positions where they end up being the brunt of criticism for the most part.

Second, I did some estimating and with the additional salary, benefits, and expenses, it would cost Logan County roughly an additional \$58,714.00 to add two commissioners. That would be equivalent to approximately 4.5 mills.

Our General Fund as well as our Comprehensive Health mill levies are at their maximum, and unless the legislature also does something to increase these mill levies, I have no idea where we will be able to acquire the funding with which to support two additional county commissioners. And, if the legislature allows us to increase taxes, what happened to the idea that we are supposed to be focused on less taxes so as to attempt to avoid the resurrection of "2012 Measure No. 2"?

At the present time, Logan County is served by three county commissioners who serve the county in "at large" positions. We each have certain areas that we cover, but I would like to think that we work towards focusing our attention on the county as a whole, and we work together for the betterment of the entire county.

I just completed serving 29.5 years as the Logan County Auditor and prior to that, I had worked 18 years in the Logan County States Attorney's Office. Over the course of the past 47.5 years, I have never heard a county resident express the opinion that Logan County should have five commissioners. I believe that the public is well aware that in the event that they feel that the county should have five county commissioners, they are entitled to circulate petitions and allow ALL eligible voters the opportunity to vote on the question.

It is my opinion that the State should not be telling the counties how many persons should serve on their governing board, and that we should let the voters in Logan County as well as the other smaller counties decide if and when they feel that would be necessary.

For the reasons above stated, I would strongly oppose HB1345. Thank you for giving me the opportunity to express my opinion concerning this matter.

Good morning chairman Klemin and committee members.

I'm Steve Lee & have been a McLean County commissioner for 12 years.

I'm here to testify in opposition to HB 1345.

Each county in ND is unique and has different needs and challenges. HB 1345 seems to promote the "one size fits all" mentality we see coming from the federal government and that does not work in ND.

In McLean County each of the 3 commissioners represents about 3000 constituents...Increasing the number of commissioners to 5 would move that ratio to about 1 commissioner to 1800 constituents. If that is the goal we are striving for, Burleigh county would need about 45 commissioners...

Adding 2 commissioners in McLean county would add significant cost to the taxpayers...Salary, Insurance, travel, taxes, retirement, training, and meetings would cost the taxpayers of my county about \$73,843. /year (2014)

Our current mill value is about \$56,000. so adding 2 commissioners would add about 1.3 mills to our tax levy.

Passage of HB 1345 would likely cause a property tax increase in 18 counties.

Determination of the number of commissioners needed in a county most certainly should be a local decision and HB 1345 is an attempt to fix a problem that does not exist.

I urge a "do not pass" recommendation on HB 1345.