

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1332

2001 HOUSE POLITICAL SUBDIVISIONS

HB 1332

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1332

House Political Subdivisions Committee

Conference Committee

Hearing Date 2-2-01

Tape Number	Side A	Side B	Meter #
1		xx	3600-4639
2	xx		2228-2400
Committee Clerk Signature <i>P. M. Severson</i>			

Minutes: Vice-Chair Severson opened the hearing on HB1332 relating to counties not issuing refunds of taxes or fees unless the amount refunded is \$5 or more.

Wade Williams, ND Assoc. Of Counties : here in support of HB1332. (SEE ATTACHED)

Rep. Kretschmar : Why can't you do like the fed's do and say on the form that anything under five dollars will not be refunded or if under five dollars is owed, you don't have to pay it?

Wade : Can't do that. It's in the constitution. I agree with you, though.

Rep. Grosz : (4360) Do you foresee any other uses for the petty cash fund?

Wade : Don't see any.

Rep. Disrud : Do you have to write a check.

Wade : I guess we can give it out from petty cash for the small amounts.

Rep. Dennis Johnson, Dist 12 : I'm the prime sponsor so please give a do pass on this.

Vice-Chair Severson : Any more testimony for or against? Hearing none, HB1332 is closed.

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House Political Subdivisions Committee

Bill/Resolution Number HB1332

Hearing Date 2-2-01

Chairman Froseth returned : Tape 2, side A - (2228) What are your wishes?

Rep. Delmore : I move a DO PASS.

Rep. Ekstrom : I second.

VOTE: 15 YES and 0 NO BILL PASSED. Rep. Gunter will carry the bill.

FISCAL NOTE STATEMENT

House Bill or Resolution No. 1332

This bill or resolution appears to affect revenues, expenditures, or fiscal liability of counties, cities, or school districts. 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.

John Walstad
Code Revisor

Date: 2-2-01
Roll Call Vote #:

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1332

House POLITICAL SUBDIVISIONS Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Rep. DeInore Seconded By Rep. Ekstrom

Representatives	Yes	No	Representatives	Yes	No
Chairman Glen Froseth	/		Rep. Wayne W. Tieman	/	
Vice-Chair Dale C. Severson	/				
Rep. Lois DeInore	/				
Rep. Rachael Disrud	/				
Rep. Bruce Eckre	/				
Rep. Mary Ekstrom	/				
Rep. April Fairfield	/				
Rep. Michael Grosz	/				
Rep. Jane Gunter	/				
Rep. Gil Herbel	/				
Rep. Nancy Johnson	/				
Rep. William E. Kretschmar	/				
Rep. Carol A. Niemcier	/				
Rep. Andrew G. Maragos	/				

Total (Yes) 15 No 0

Absent 0

Floor Assignment Rep. Gunter

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

REPORT OF STANDING COMMITTEE (410)
February 2, 2001 12:42 p.m.

Module No: HR-18-2228
Carrier: Gunter
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1332: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1332 was placed on the Eleventh order on the calendar.

2001 SENATE POLITICAL SUBDIVISIONS

HB 1332

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1332

Senate Political Subdivisions Committee

Conference Committee

Hearing Date March 1, 2001

Tape Number	Side A	Side B	Meter #
1		x	31,0-39,6
Committee Clerk Signature <i>Mary Jo Wacker</i>			

Minutes:

The hearing was opened on HB1332 which relates to counties not issuing refunds of taxes or fees unless the amount to be refunded is five dollars or more. All senators were present except for Senator Flakoll.

WADE WILLIAMS, Association of Counties. See attached written testimony.

REPRESENTATIVE D. JOHNSON: This bill is dealing with fees or overpayments of fees, refunds and if they are less than five dollars it wouldn't have to be refunded. It gets to be a lot of expense just involved in dealing with these small amount of fees. Its been more money and time with dealing with the small amount of fees, its been more money and time. WADE WILLIAMS: now spoke in support of HB1332. See attached testimony. To give you some or an example of a survey done from various counties from the largest Cass to the smallest Dunn. They estimate in a range from in office time, employee time, paper work, writing up the checks, stamps, the due diligence that is needed to try and contact these people ranges in cost to the treasurers' office

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Senate Political Subdivisions Committee
Bill/Resolution Number HB1332
Hearing Date March 1, 2001

anywhere from \$15 to \$25. That does not include the need to ask the bank to stop payment on the check that was sent to the person and the cutting of the new check to Unclaimed Properties. So if you include the stop payment cost and those costs in talking with bankers, ranges anywhere from \$10-20 per check. So your looking anywhere from \$30-45 in the cost that the county expends on a check that is written for \$4.90 and lays there for two years. Then we have to start doing Do Diligence on it. SENATOR WATNE: As a part of your testimony did I catch that the Department of Unclaimed Property doesn't handle anything less than \$50? WADE WILLIAMS: They do handle the items under \$50, but they do not keep track of anything. So they do not know how many \$5 checks they have in Unclaimed Properties, I mean right off the bat. I am sure they could do the research to get the information, but it is not something that they track on a day to day basis. SENATOR MATERNA: In keeping with tying in with what the state does with the remitting and the refunding, are you considering then or do you have it in existing legislation where you won't require something to be sent in if its less than five dollars? WADE WILLIAMS: It is a little difficult when it comes to property taxes, because of the constitutional and other statutes. You have to pay your property taxes, otherwise if there is a tax delinquent against you and your taxes are sold so that it is a little difficult not to ask for that money, for purchases. I thought of that when we came up with this idea, there is just no way that we can see that we cannot have it remitted, because it affects the individuals property tax.

Hearing Closed on HB1332.

Senator Mathern moved for a Do Pass

Senator Watne- 2nd

Roll call vote: 7 Yeas, 0 No, 1 Absent

Carrier: Senator Polovitz

Date: Mar. 1, 2001
 Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB. 1332

Senate Political Subdivisions Committee

Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken No Pass

Motion Made By Sen. Mathern Seconded By Sen. Watne

Senators	Yes	No	Senators	Yes	No
Senator Cook	✓		Senator Christenson	✓	
Senator Lyson	✓		Senator Mathern	✓	
Senator Flakoll			Senator Polovitz	✓	
Senator Lee	✓				
Senator Watne	✓				

Total (Yes) 7 No 0

Absent 1

Floor Assignment Sen. Polovitz

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

REPORT OF STANDING COMMITTEE (410)
March 2, 2001 1:57 p.m.

Module No: SR-36-4744
Carrier: Polovitz
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1332: Political Subdivisions Committee (Sen. Cook, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1332 was placed on the Fourteenth order on the calendar.

2001 TESTIMONY

HB 1332

**TESTIMONY TO THE
Senate Political Subdivision Committee
Prepared February 2, 2001 by the
North Dakota Association of Counties
Wade Williams, NDACo Government Relation**

Concerning House Bill 1332

Chairman Cook and members of the committee, I am here today to express the counties and county officials support for HB 1332. County Auditors and Treasurers feel strongly that there should be a minimum amount that needs to be refunded.

There are a lot of small refund checks that are written from the Treasurers office. Many are from overpayment of taxes, and some are from the Register of Deeds for an overpayment of filing fees. The amount that is written varies from county to county. The amount refunded ranges from any amount to five dollars. The excess amount is usually receipted into the General Fund; some counties are putting it into "petty cash" to be used for taxes that are slightly underpaid.

It is easy to see that each county throughout the state has random refund amounts and experience confusion on how to handle these minor refunds. There is nothing in the statute to guide us in the refunding of overpayments, other than to refund the entire amount no matter how small. After these small checks are written they remain outstanding for an extended period of time. Each month these amounts are carried over, and documented in the bank reconciliation done by the Treasurer. After two years, any uncollected checks are sent to Unclaimed Property Division. They are held there indefinitely or until claimed by the recipient. A request was made of Unclaimed Property for a list or at least a number of properties that were under five dollars, and I was told that the Division tracks nothing lower than fifty dollars.

As you can see, the time involved in handling the refund checks are substantial, not to mention the cost of the whole process. If the minimum amount for the refund was raised to five dollars, the recipient may be more inclined to deposit the refund check. By passing this legislation, we can bring uniformity across the state to the procedure of refunding small amounts.

Thank you Mr. Chairman and members of the committee, we ask that you give a "Do Pass" to HB 1332.