

# MICROFILM DIVIDER

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DESCRIPTION

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Deanna Ballman  
Operator's Signature

10/2/03  
Date

2003 HOUSE POLITICAL SUBDIVISIONS

HB 1209

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*Dennis G. Hall*  
Operator's Signature

10/2/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1209

House Political Subdivisions Committee

Conference Committee

Hearing Date: January 30, 2003

Tape Number	Side A	Side B	Meter #
2	X		4.1-14.4
Committee Clerk Signature <i>Mickie Schmidt</i>			2-11-03

Minutes:

**(TAPE 2; SIDE A)**

**(4.1) REP. GLEN FORSETH:** We will call the committee back to order and open the hearing on HB 1209. With this Bill still fresh in our minds, what are the committee's wishes?

**(5.0) REP. WILLIAM KRETSCHMAR:** I MOVE A DO NOT PASS.

**(5.1) REP. DALE SEVERSON:** I SECOND IT.

**(5.2) REP. GLEN FORSETH:** Any committee discussion?

**(5.3) REP. RON IVERSON:** The counties need to realize that they have to accelerate in the Tool Box Legislation.

**(5.6) REP. GLEN FORSETH:** This will probably have some impact to DPI's recommendation and as a result to that plan, there were schools that did start the process because I think they realized that if they didn't, it would be mandated to them. Right after the 15 regions happened, a large movement of counties started consolidation of services and offices. They really began to

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*Donna Ball*  
Operator's Signature

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Bill/Resolution Number 1209  
Hearing Date: January 30, 2003

take advantage of the Tool Box Legislation to do that. Now, the TBL has all the provisions for the counties to do that. I believe there are parts of HB1209 are unconstitutional.

**(6.8) REP. ALON WIELAND:** The discussion was good because it points out the counties that are doing so much to combine. None of these counties were asked if they wanted to be associated with this county or that county. Some of the smaller populated counties were left alone because there's some inconsistency. We're always looking at reducing government, we always talk about counties, but we have a lot of duplication between city and county government. There's a lot of areas we could be looking at. (Also commended the prime sponsor)

**(8.0) REP. MIKE GROSZ:** I too would like to commend the prime sponsor. However I do not see in this Bill where it removes the Tool Chest Act or says you cannot continue those cooperative efforts even after you've become a multi county subdivision. If the counties aren't one of the pieces of the puzzle, then what is the problem as those displayed by the Association of Counties showing a decrease in state aid compared to the increase of property taxes. Should every North Dakotan pay more in sales and income taxes in order to make up that difference, or do we need to look at our schools and cities? Where is the answer?

**(9.2) REP. MARY EKSTROM:** I think you all realize how difficult it was to sign on to this Bill and it was never my intention to rake the counties over the coals for what they have or haven't done. I know that many of them are doing an excellent job. We are in serious trouble here. This was one more attempt to get the conversation going.

**(9.9) REP. GIL HERBEL:** One of the County Commissioners told me that there are about 20 counties on the verge of insolvency. This might serve as a notice to these people that they're going to have to start doing something with these counties.

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**(10.8) REP. GLEN FORSETH:** In my earlier comments, I didn't intend to indicate the Tool Chest Legislation could be by passed. The Tool Chest is still there. It might form some constitutional questions in article 7; section 4: reads: The Legislative Assembly shall have no power to remove the county seat of any county. Section 5 in part reads: No portion of any county or counties shall be annexed, merged, consolidated or absolved unless the majority of the electives of each effective county voting on the question so approved. Section 8 reads: Any elective office provided for by the county shall be for a term of four years. In this Bill it said some elected positions would be for two years. Any other comments? Is the committee ready for a vote? I'll ask the clerk to take a Roll Call Vote on a **DO NOT PASS:**

10-y; 4-n; 0-absent; Carrier: Rep. Wieland

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*Dorena Holbrook*  
Operator's Signature

10/2/03  
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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1209

House Political Subdivisions Committee

Conference Committee

Hearing Date: January 30, 2003

Tape Number	Side A	Side B	Meter #
3	X		0.0-53.0
3		X	0.0-50.1
4	X		0.0-3.6
Committee Clerk Signature <i>Micki Schmidt</i>			2-12-03

Minutes:

**(TAPE 3; SIDE A:)**

**(0.0) REP. GLEN FROSETH:** We will open the hearing on HB 1209.

**(0.2) REP. DAVE WEILER:** Testimony in support of HB 1209. (See attachment # 1)

**(9.0) REP. GLEN FROSETH:** I noticed you point out the growth in local government on one of the charts, but I presume that a lot of that growth is probably due to mandates that have been placed on local government for federal or state mandates. The largest in the area of Human Service programs. I didn't notice any charts on what contributed to that growth of local government. Do you have any available?

**(9.4) REP. DAVE WEILER:** Which chart are you referring to? That's correct, it's local government. There is a sheet that says with the correct data, that town government throughout the state has grown by over 300 people in the last five years.

**(10.0) REP. DALE SEVERSON:** How much of that growth is due to mandates?

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**(10.1) REP. DAVE WEILER:** I don't have that.

**(10.2) REP. WILLIAM KRETSCHMAR:** When you drafted the Bill, did you consider a line for a reprimand by the counties involved.

**(10.4) REP. DAVE WEILER:** No I did not, it has been brought to my attention and if this bill is passed it's quite possible to have it happening whether it's in the Bill or not.

**(11.0) REP. RON IVERSON:** Do you have any data on what the savings would be?

**(11.1) REP. DAVE WEILER:** The savings is a difficult number to come up with. The counties might have that information. I think the savings would be somewhere around \$200,000-\$300,000 for each multi county district. If you add the courthouse that you would not have to maintain, it would increase even more.

**(11.7) REP. GIL HERBEL:** If the Bill doesn't address anything when where the two counties, one might have a long term debt, the other not. Do the two counties then assume that debt together?

**(11.9) REP. DAVE WEILER:** It does not address that and the reason is we want to leave as much up to the counties as much as possible.

**(12.3) REP. GIL HERBEL:** This probably would go in line then with what your comment was like, boards were maybe, there's a group of people like Securities Boards, Zoning Boards and that type of thing. The Bill as it is doesn't address that, does it?

**(12.6) REP. DAVE WEILER:** That again would up to the multi county.

**(12.7) REP. ALON WIELAND:** You mentioned court houses that would be empty, I'm assuming that you thought they could be torn down. Would not the State Historical Society have something to say about that and maybe they would end up having to maintain, insure and keep

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