

# MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

1338

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Deanna Hallworth  
Operator's Signature

10/3/03  
Date

2003 HOUSE POLITICAL SUBDIVISIONS

HB 1338

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Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1338

House Political Subdivisions Committee

Conference Committee

Hearing Date: January 31, 2003

Tape Number	Side A	Side B	Meter #
1	X		23.2-29.9
Committee Clerk Signature <i>Micki Schmidt</i>			2-17-03

Minutes:

**Tape 1; side A:**

**(23.0) REP. GLEN FROSETH:** We will open the hearing on HB 1338.

**(23.3) REP. BLAIR THORESON:** (Testimony in support.) (See attachment #1)

**(25.6) MIKE MONTPLAISIR:** (Testimony in support.) (See attachment #2)

**(27.2) TERRY TRAYNOR; ND ASSOCIATION OF COUNTIES:** (Testimony in support.) I just want to say that all of the counties support this bill. If the Tax Dept.'s amendment would be appropriate to add to this bill, we will support it.

**(27.9) MARCY DICKERSON; STATE SUPERVISOR OF INVESTMENTS:** (Testimony in support) I agree completely with Mr. Traynor if he would take the amendment that I offered for 1367 and attach it to this Bill, I think that would work.

**(28.2) REP. GLEN FROSETH:** Any in support? Opposition? Seeing none, I will close the hearing on HB1338.

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*Dennis Halverson*  
Operator's Signature

10/3/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1338a

House Political Subdivisions Committee

Conference Committee

Hearing Date: January 31, 2003

Tape Number	Side A	Side B	Meter #
2	X		10.2-13.7
Committee Clerk Signature <i>Micki Schmidt</i>			3-11-03

Minutes:

**TAPE 2, SIDE A:**

**(10.5) CHAIRMAN GLEN FROSETH:** Let's look at HB 1338 again. We have an amendment offered for HB 1337 and we can adapt it to HB 1338 by just changing the top two lines. Let's discuss this. This is the refund of penalties and interest to the owner on abatement of property tax.

**(11.0) REP. ANDREW MARAGOS:** I WOULD MOVE THE AMENDMENT.

**(11.1) REP. NANCY JOHNSON:** I SECOND IT.

**(11.2) CHAIRMAN GLEN FROSETH:** We have a motion to move the amendment presented by the State Tax Dept. Any discussion on the amendment? We will take a voice vote; 14-y; The amendment passes.

**(11.8) REP. RON IVERSON:** I MOVE A DO PASS AS AMENDED.

**(11.8) REP. ALON WIELAND:** I SECOND IT.

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*Deanna Hallmark*  
Operator's Signature

10/3/03  
Date

Page 2  
House Political Subdivisions Committee  
Bill/Resolution Number HB 1338  
Hearing Date: January 31, 2003

**(12.0) CHAIRMAN GLEN FROSETH:** Any discussion? Hearing none, I'll ask the clerk to  
take the Roll Call Vote: 13-y; 0-n; 0-absent; Carrier; Rep. Iverson.

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10/3/03  
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FISCAL NOTE STATEMENT

House Bill or Resolution No. 1338

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

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Deanna Hallmark  
Operator's Signature

10/3/03  
Date

30553.0101  
Title.0200

Adopted by the Political Subdivisions  
Committee  
January 31, 2003

VR  
1/31/03

HOUSE AMENDMENTS TO HOUSE BILL NO. 1338 POL SUB 2-3-03

Page 1, line 1, after "sections" insert "57-20-22,"

Page 1, after line 4, insert:

**"SECTION 1. AMENDMENT.** Section 57-20-22 of the North Dakota Century Code is amended and reenacted as follows:

**57-20-22. Disposition of penalty and interest.** All penalties on general taxes and interest on certificates of sale issued, or deemed to be issued to the county, or tax liens against the property belong to the county and become a part of the general fund or of ~~each~~ any other fund as the county commissioners may direct, except penalties and interest collected on ~~the following items:~~

1. ~~Taxes~~ taxes and parts of taxes due to townships, cities, school districts, and park districts; and
2. ~~Special~~ on special assessments for public improvements, which must be paid to the municipality levying the same, or whatever other taxing district or agency thereof is entitled to the original amount of ~~each~~ the taxes or assessments."

Renumber accordingly

Date: 1-31-03

Roll Call Vote #: |

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1338

House "POLITICAL SUBDIVISION" Committee

Check here for Conference Committee

Legislative Council Amendment Number 30553.0101

Action Taken Do Pass As Amended

Motion Made By Rep. Iverson Seconded By Rep. Wieland

Representatives	Yes	No	Representatives	Yes	No
Chairman Glen Froseth	✓				
Vice-Chairman Nancy Johnson	✓				
Mike Grosz	✓				
Gil Herbel	✓				
Ron Iverson	✓				
William E. Kretschmar	✓				
Andrew Maragos	✓				
Dale Severson	✓				
Alon Wieland	✓				
Bruce Eckre					
Mary Ekstrom	✓				
Carol A. Niemeler	✓				
Sally M. Sandvig	✓				
Vonnie Pietsch	✓				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Rep. Iverson

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

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Donna Hallquist  
Operator's Signature

10/3/03  
Date



REPORT OF STANDING COMMITTEE (410)  
February 3, 2003 2:18 p.m.

Module No: HR-20-1557  
Carrier: Iverson  
Insert LC: 30553.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1338: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1338 was placed on the Sixth order on the calendar.

Page 1, line 1, after "sections" insert "57-20-22,"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 57-20-22 of the North Dakota Century Code is amended and reenacted as follows:

**57-20-22. Disposition of penalty and interest.** All penalties on general taxes and interest on certificates of sale issued, or deemed to be issued to the county, or tax liens against the property belong to the county and become a part of the general fund or of ~~each~~ any other fund as the county commissioners may direct, except penalties and interest collected on ~~the following items:~~

1. ~~Taxes~~ taxes and parts of taxes due to townships, cities, school districts, and park districts; and
2. ~~Special on special~~ Special on special assessments for public improvements, which must be paid to the municipality levying the same, or whatever other taxing district or agency thereof is entitled to the original amount of ~~each~~ the taxes or assessments."

Renumber accordingly

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10/3/03  
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2003 SENATE FINANCE AND TAXATION

HB 1338

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Deanna Bell  
Operator's Signature

10/3/03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1338

Senate Finance and Taxation Committee

Conference Committee

Hearing Date March 11, 2003

Tape Number	Side A	Side B	Meter #
1	X		25-785

Committee Clerk Signature *W. Keith Kasper*

Minutes:

Senator Urlacher opened the hearing on HB1338. All committee members are present. This bill relates to a refund of penalties and interest on any abated property taxes or mobile home taxes.

Representative Blair Thoreson (mtr #38) - Introduced the bill and explained its intent. Supports HB1338. Written testimony is attached. Urges a do pass by the committee.

Senator Tim Mathern (mtr #145) - Testified in support of HB1338.

Michael Montplaisir, County Auditor for Cass County (mtr #183) - Testified in support of HB1338. Written testimony is attached. Urges the support of the committee.

Senator Wardner (mtr #278) - Have you had a lot of overcharging taxes and been unable to refund the interest?

Mr. Montplaisir (mtr #303) - It happens occasionally. Can refund tax but need to update the law to refund the interest and penalty.

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*Donna Hall*  
Operator's Signature

10/3/03  
Date

