

# MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

1492

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Salosta Richardson  
Operator's Signature

10/16/03  
Date

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2003 HOUSE POLITICAL SUBDIVISIONS

HB 1492

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Salvatore Riccardi  
Operator's Signature

10/6/03  
Date

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1492

House Political Subdivisions Committee

Conference Committee

Hearing Date: February 6, 2003

Tape Number	Side A	Side B	Meter #
1		X	21.9-53.9
2	X		0.0-1.8
Committee Clerk Signature <i>Mickie Schmidt</i>			<i>2-20-03</i>

Minutes:

**TAPE 1; SIDE A:**

**(25.3) CHAIRMAN GLEN FROSETH:** We will open the hearing on HB 1492.

**(26.0) REP. DAVE MONSON:** (Testimony in support) (See attachment #1)

**(29.9) CHAIRMAN GLEN FROSETH:** Are all of these bids collected by written bids or are some still sold at a verbal auction?

**(30.2) REP. DAVE MONSON:** I don't know if they're verbal or not.

**(30.7) REP. NANCY JOHNSON:** Are we going to run into some discrimination?

**(31.1) REP. DAVE MONSON:** I'm not sure that would happen or not. It is permissive. They could say we've got a problem, we don't want to do this. We don't want this person who owes back taxes in Towner County over here. He's got a whole bunch of delinquent properties over there and we have heard about that and he's probably going to do the same thing in our county. I guess each county can set their own policies. I would suggest that the County Commissioners,

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*Val Costa Richardson*  
Operator's Signature

*10/16/03*  
Date

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House Political Subdivisions Committee

Bill/Resolution Number HB 1492

Hearing Date: February 6, 2003

before they refuse anyone from being a qualified bidder, they set a policy and say we're going to set this.

**(32.0) REP. BRUCE ECKRE:** The current law does say the highest bidder right?

**(32.3) REP. DAVE MONSON:** I'm not sure. I know my county seems to be a problem. The States Attorney suggested that we do this.

**(32.6) CHAIRMAN GLEN FROSETH:** Is there any stipulation now that counties use that a successful bidder must pay up any balance before taking position of the property?

**(32.8) REP. DAVE MONSON:** That is the problem as I understand it. There is nothing in law that says before you can bid on this next piece, you've got to clean up your back taxes over here. With the present law, you can just buy a piece and they don't have to pay their property taxes on that ever or at least for five years.

**(33.8) REP. RON IVERSON:** Is there any reason why he's doing this?

**(34.2) REP. DAVE MONSON:** I asked that of my States Attorney, why would this guy do this? We didn't get into great detail on it, but it seemed like this person was probably speculating that maybe there would be some missile sites moving into the area. I think he's just speculating.

**(34.7) REP. GIL HERBEL:** If they let their taxes go for five years, that property gets sold again unless they pay up the one year, not all five years.

**(36.3) CHAIRMAN GLEN FROSETH:** Would you be susceptible to an amendment that would say something like the County Treasurer may not convey the property to the highest bidder until all taxes are paid?

**(37.2) REP. DAVE MONSON:** That's pretty much what this is, that would be more strict.

**(38.8) TERRY TRAYNOR; ASSOCIATION OF COUNTIES:** (Testimony in support)

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House Political Subdivisions Committee

Bill/Resolution Number HB 1492

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**(46.7) REP. MIKE GROSZ:** If it does happen where they end up being delinquent, over a dispute and then they want to bid on a parcel of land, is this giving the county unfair stronghold. I don't think that is the intent of the Bill and I'm just wondering that maybe a problem? I understand that it's a minuet chance of happening.

**(47.4) TERRY TRAYNOR:** I guess I haven't thought about that. That would be extremely rare. And I would also think that it would be reasonable to let that person bid on that property and be a qualified bidder if their delinquency was paid.

**(47.8) REP. CAROL NIEMEIER:** If you had a bid from out of state, would you be able to check on that bidder's qualifications as well?

**(48.0) TERRY TRAYNOR:** The only qualification really is that they have no delinquent property in North Dakota.

**(48.3) CHAIRMAN GLEN FROSETH:** Testimony in support? Opposition? Seeing none we will close the hearing on HB 1492. What are the committees wishes?

**(48.8) REP. BRUCE ECKRE:** Do you know, do many do a verbal bid on the Court house steps?

**(49.1) REP. ALON WIELAND:** I'm not aware of any counties that do verbal. For the most part they do a written. They have to have them in by a certain time. They just shut off the bidding process and then they take a look at the bids. There is ample time to check on something. There are people who buy these things for the nuisance value. They think they're going to have an advantage over the city. For example, they have a terrible building on it, they know that the city has plans to tear it down, so they lie and think maybe the city will pay a little extra so that they

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House Political Subdivisions Committee

Bill/Resolution Number HB 1492

Hearing Date: February 6, 2003

could get it back sooner. It does create a problem. I think each county should develop their own policy and deal with it in their own way.

**(51.5) REP. GIL HERBEL:** I was involved in two sales of Ag. land that was done by the Federal Marshall this past year. (53.9)

**TAPE 2; SIDE A:**

**(0.0) REP. NANCY JOHNSON:** You're putting a lot of responsibility and liability issues on that County Treasurer and they're making that decision. It doesn't say that the County Commission will set a policy, it says the County Treasurer will.

**(0.2) REP. CAROL NIEMEIER:** If this goes through, we're not closing the door on an enterprise or an individual who is under the law. And there's already a mechanism in statute that will correct delinquent taxes and they probably know that the property will be taken away in five years if they don't pay their taxes. How can you say that it's illegal to go in and bid on something?

**(0.7) CHAIRMAN GLEN FROSETH:** I was thinking of changing "may" to "shall." I think it should be left permissive. We will hold this and work on it. Rep.'s Eckre; Wieland and Terry Traynor will work on it.

**(1.1) REP. ALON WIELAND:** I think County Treasurer should be eliminated and maybe we should just limit it to incorporated or unincorporated cities and leave Ag land out of it. That may resolve something that I don't think happens.

**(1.5) CHAIRMAN GLEN FROSETH:** We will close the hearing on HB 1492. (1.8)

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1492

House Political Subdivisions Committee

Conference Committee

Hearing Date: February 6, 2003 3:00 p.m.

Tape Number	Side A	Side B	Meter #
3	X		10.6
Committee Clerk Signature			

Minutes:

**TAPE 3; SIDE A:**

**(10.6) CHAIRMAN GLEN FROSETH:** We will open the hearing on HB 1492.

**(11.2) TERRY TRAYNOR; ASSOCIATION OF COUNTIES:** (Testimony in support) (See attachment #1) Explained the amendments.

**(12.4) REP. BRUCE ECKRE:** I WOULD MOVE THE AMENDMENT.

**(12.5) REP. CAROL NEIMEIER:** I SECOND IT.

**(12.6) CHAIRMAN GLEN FROSETH:** Any further discussion? We'll take a voice vote on the amendment: All in favor say I: 14-y; 0-n; amendment carries.

**(12.9) REP. ALON WIELAND:** I WOULD MOVE A DO PASS AS AMENDED.

**(12.9) REP. BRUCE ECKRE:** I SECOND IT.

**(13.0) CHAIRMAN GLEN FROSETH:** Any further discussion? Seeing none, I'll have the clerk call the Roll Call Vote: 14-y; 0-n; 0-absent; Carrier; Rep. Eckre. The motion carries.

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Yolanda Richardson  
Operator's Signature

10/16/03  
Date

30556.0201  
Title.0300

Adopted by the Political Subdivisions  
Committee  
February 6, 2003

VR  
2/7/03

HOUSE

AMENDMENTS TO HOUSE BILL NO. 1492 Po1 Sub 2-10-03

Page 2, line 8, remove "county treasurer may deem a", after "person" insert "is", and after  
"bidder" insert "for property classified as residential or commercial"

Renumber accordingly

Page No. 1

30556.0201

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Coloeta Rickford  
Operator's Signature

10/16/03  
Date



Date: 2-6-03 3:00 pm

Roll Call Vote #: 3

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 492

House "POLITICAL SUBDIVISION" Committee

Check here for Conference Committee

Legislative Council Amendment Number 30556.0201 0300

Action Taken Do Pass As Amended

Motion Made By Rep. Wieland Seconded By Rep. Niemeier

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. Niemeier	✓				
Sally M. Sandvig	✓				
Vonnie Pietsch	✓				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Eckre

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

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Operator's Signature To Costa Richardson

Date 10/16/03

REPORT OF STANDING COMMITTEE (410)  
February 10, 2003 8:32 a.m.

Module No: HR-25-2069  
Carrier: Eckre  
Insert LC: 30556.0201 Title: .0300

**REPORT OF STANDING COMMITTEE**

**HB 1492: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1492 was placed on the Sixth order on the calendar.**

Page 2, line 8, remove "county treasurer may deem a", after "person" insert "is", and after "bidder" insert "for property classified as residential or commercial"

Renumber accordingly

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