

2009 SENATE FINANCE AND TAXATION

SB 2252

## 2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2252

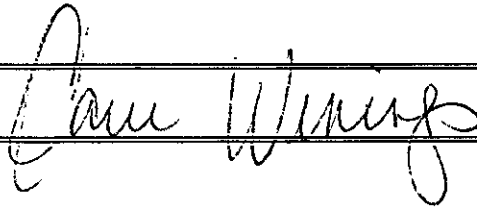
Senate Finance and Taxation Committee

Check here for Conference Committee

Hearing Date: 02/11/2009

Recorder Job Number: 9176

Committee Clerk Signature



Minutes:

**Chairman Cook:** Opened hearing on SB 2252.

**Senator Tom Fischer, District 46:** Introduced the bill as a sponsor. The small counties are not able to raise enough monies to keep up with basic costs and the bill is to raise the 4 mill cap to 8 mills to help with administration and general funds. We need to do something for them to be able to not only administrate but to have some money to come to the state and match the projects they are participating in.

1.56 **Senator Anderson:** Where are the other places that money can be derived for in these districts?

**Senator Fischer:** The four mills is the only place.

**Chairman Cook:** Water resource district responsible for what service?

**Senator Fischer:** Mostly the movement of water within the county - flood water, ag drains, etc. Four mills just aren't enough to administrate anymore.

**Chairman Cook:** Do all counties have a water resource district?

**Senator Fischer:** Yes, with the exception of two that has multiple districts, Cass and Bottineau.

**Chairman Cook:** Do they follow county lines?

**Senator Fischer:** Yes

**Chairman Cook:** Can they special assess?

**Senator Fischer:** Yes. Within water lots.

**Senator Dotzenrod:** The numbers of counties that have levied 4 mills, can you tell me that?

**Senator Fischer:** I cannot tell you that.

**Senator Dotzenrod:** If we are not sure, is there some reason you went to eight?

**Senator Fischer:** The reason is the counties that are levying 4 mills that have expenses going up, they need that much more.

**Chairman Cook:** Speak to the fairness as to raising the money through special assessments vs. property tax.

**Senator Fischer:** Special assessments are assessed to benefited areas and that is determined by the water resource district, and levies are through property taxes.

**Chairman Cook:** Does the dollars raised from the mill levy do that go to administration?

**Senator Fischer:** That and matching funds to the state water commission.

7.07 **Senator Anderson:** Are they all special assessed?

**Senator Fischer:** No, the 4 mills are intended for administration and for making projects possible.

**Senator Dotzenrod:** I prefer mills not to go on without a vote of the people, but I think that the relationship of how water is managed does relate to farming and ag land. Can you say that all the people will get a benefit?

**Senator Fischer:** A storm surge empties into the drains and it does affect everyone because of where the water goes ultimately. We do have questions every time we have a hearing. The relationship between the farmers and the water resource district is a good one.

10.25 **Gary Thompson, North Dakota Water Resource District Administration:** See Attachment #1 and #2 in support of the bill.

12.10 **Mike Dwyer, North Dakota Water Resource District Association:** Testified in support of the bill, and just wanted to add that as you go further west the water resource districts are more involved in recreation type projects like Burleigh County has McDowell Dam that they use their general mill levy for and the rationale is that everyone benefits from the mill levy assessed. Morton County has two water districts as well, and is working on projects as well. We support some kind of an increase because of the small counties having a difficulty.

13.40 **Chairman Cook:** Comment.

14.35 **Larry Syverson, NDTOA, Mayville Farmer:** Testified in support of the bill. Our association has a policy recognizing the vital nature of water control and we support the water districts and we recognize the need for sufficient funds to maintain that control.

**Chairman Cook:** Closed hearing on SB 2252.

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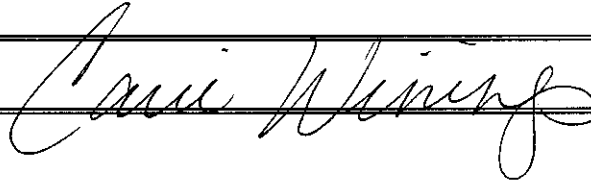
Senate Finance and Taxation Committee

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Hearing Date: 02/11/2009

Recorder Job Number: 9266

Committee Clerk Signature



Minutes:

**Chairman Cook:** Reopened discussion on SB 2252.

**Senator Hogue:** I think that I already voiced my opinion on the big picture. My perspective in my district I want to make sure that we get some property tax relief. There are 4 bills that are increasing the mill levies and going against what we are trying to accomplish.

**Senator Hogue:** Moved a Do Not Pass.

**Vice Chairman Miller:** Seconded.

**Senator Dotzenrod:** I did not see anyone at the hearing that came and said we are out of money and asking for some. Weren't we going to get the list of mill levies?

Chairman Cook: It is not going to matter to me.

Chairman Cook: Found copies dropped off and passes out. (See Attachment #1)

Committee: Reviews the rates.

Senator Dotzenrod: I am in contact quite a bit with my water resource people and talked to them before the session started and I never had anyone say anything to me about this bill.

Chairman Cook: Committee any other discussion?

**A Roll Call vote was taken: Yea 5, Nay 1, Absent 1 (Senator Triplett).**

**Senator Hogue will carry the bill.**

Date: 02/11/09

Roll Call Vote #: 1

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. : 2252

Senate Finance and Taxation Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken  Do Pass  Do Not Pass  Amended

Motion Made By Senator Hogue Seconded By Senator Miller

Senators	Yes	No	Senators	Yes	No
Sen. Dwight Cook - Chairman	✓		Sen. Arden Anderson	✓	
Sen. Joe Miller - Vice Chairman	✓		Sen. Jim Dotzenrod		✓
Sen. David Hogue	✓		Sen. Constance Triplett		
Sen. Dave Oehke	✓				

Total: Yes 5 No 1

Absent 1 Triplett

Floor Assignment Senator Hogue

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

**REPORT OF STANDING COMMITTEE**

**SB 2252: Finance and Taxation Committee (Sen. Cook, Chairman) recommends DO NOT PASS (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2252 was placed on the Eleventh order on the calendar.**

2009 TESTIMONY

SB 2252



#1

**Testimony By Gary Thompson**

**President of the North Dakota Water Resource Districts Assn.**

**Senate Bill 2252**

Mr. Chairman, Committee Members, my name is Gary Thompson and I would like to thank you for allowing me to testify on behalf of the North Dakota Water Resource Districts Assn.

At our annual meeting in December of 2008 our organization passed by general consensus, a resolution in support of a bill to raise the mill levy for Water Resource Districts. This is not a mandatory raise in the mill levy but an option that the County Commissioners can give the Water Resource Districts for the purpose of helping area residents with problems that can be unique from one District to another.

As you know counties are not made of the same size or population and therefore do not raise the same amount of money per mill. Counties of more population have an easier time of raising money for what their needs are. Counties of smaller population have a tougher time to raise funds for the obvious reason. Surely County Commissioners have the final vote on such a raise but at least they would have the ability to do so if deemed necessary.

Mr. Chairman, Committee Members, the North Dakota Water Resource Districts Assn. is asking for a do pass on SB 2252

Thank you

#2

PEMBINA COUNTY  
**WATER RESOURCE DISTRICT**

308 Courthouse Drive #5  
Cavalier, North Dakota 58220

Phone: 701-265-4511  
Fax: 701-265-4165

February 10, 2009

Dear Senator,

RE: Senate Bill 2252

The Pembina County Water Resource District requests your support of Senate Bill 2252. Although plans were being made for our board members to testify on the bill, the recent ice storm and subsequent snow fall has made travel to Bismarck nearly impossible.

Originated by our office with Senator Fischer's assistance, Senate Bill 2252 increases the available mils for Water Resource Districts from the current four mils to eight mils. The mils from the county are depended upon heavily for work without an established assessment district (natural waterways, coulees, etc.) and general administrative expenses. The power to levy any of the additional mil remains with the local county commissioners and would only be assessed on an as-needed basis.

Please consider our written testimony on the bill and support Senate Bill 2252.

Sincerely,

Pembina County Water Resource District  
Gerald Juhl  
Clarence Boettger  
Edward Stremick  
Randall Wagner  
Ronald Falk

*Board Members*

*Ronald Falk, Randall Wagner, Edward Stremick, Clarence Boettger & Gerald Juhl*

## Water Resource District Mill Levies for Tax Year 2007

As prepared by Sara Hewson, Property Tax Specialist

County	Type	Dist Name	Mills	Tax Levied
Adams	1264	Water Resource	1.31	10,080.79
Barnes	1264	Water Resource	1.26	48,950.26
Benson	1264	Water Resource	3.63	51,128.02
Bottineau	1264	Bottineau	2.00	31,050.66
Bottineau	1264	Boundary Creek	4.00	7,593.59
Bottineau	1264	Oak Creek	4.00	35,693.27
Bowman	1264	Water Resource	4.00	48,634.51
Burke	1264	Water Resource	1.89	16,661.72
Burleigh	1264	Water Resource	1.80	394,820.76
Cass	1264	Maple River #70	4.00	107,181.36
Cass	1264	North Cass #90	4.00	37,405.19
Cass	1264	Rush River #80	4.00	40,120.81
Cass	1264	Southeast #60	3.60	1,376,103.88
Cavalier	1264	Water Resource	3.29	71,559.13
Dickey	1264	Water Resource	0.10	1,810.51
Eddy	1264	Water Resource	4.00	26,415.46
Emmons	1264	Water Resource	0.69	10,073.32
Valley	1264	Water Resource	0.75	4,387.68
Forks	1264	Water Resource	3.42	587,973.68
Grant	1264	Water Resource	4.00	36,615.90
Griggs	1264	Water Resource	4.00	38,251.14
Hettinger	1264	Water Resource	1.50	15,027.60
LaMoure	1264	Water Resource	0.67	12,651.94
Logan	1264	Water Resource	1.50	11,146.72
McHenry	1264	McHenry Co Water Resource	1.01	22,614.95
McHenry	1264	W C Water Resource Dist	3.83	899.61
McIntosh	1264	Water Resource	0.45	4,694.75
McKenzie	1264	Water Resource	2.00	35,343.35
McLean	1264	Water Resource	0.43	12,844.15
Mercer	1264	Water Resource	0.96	18,712.70
Morton	1264	Lower Heart	4.78	136,965.79
Morton	1264	Morton County	4.00	152,507.64
Mountrail	1264	Water Resource	0.98	16,240.73
Nelson	1264	Water Resource	4.00	45,290.52
Oliver	1264	Water Resource	1.55	10,540.84

## Water Resource District Mill Levies for Tax Year 2007

As prepared by Sara Hewson, Property Tax Specialist

County	Type	Dist Name	Mills	Tax Levied
Pembina	1264	Water Resource	4.00	125,251.24
Pierce	1264	Water Resource	2.05	29,366.81
Ramsey	1264	Water Resource	0.94	26,217.67
Ransom	1264	Water Resource	4.00	69,687.96
Renville	1264	Water Resource	1.92	19,967.60
Richland	1264	Water Resource	4.00	213,689.65
Rolette	1264	Water Resource	1.68	16,987.44
Sargent	1264	Water Resource	2.65	42,936.15
Sioux	1264	Water Resource	0.97	2,082.11
Slope	1264	Water Resource	0.66	3,538.99
Steele	1264	Water Resource	4.00	45,330.80
Stutsman	1264	Water Resource	0.36	19,801.98
Towner	1264	Water Resource District	4.00	47,348.01
Traill	1264	Water Resource	4.00	110,501.80
Walsh	1264	Water Resource	3.50	116,115.35
Wells	1264	Water Resource	3.42	65,904.72
Williams	1264	Water Resource	2.75	125,468.78