

2009 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2270

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2270

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: 2/5/09

Recorder Job Number: 8795

Committee Clerk Signature

Kate Oliver

Minutes:

Senator Dever: We will open the hearing on SB2270. Senator Robinson mentioned he was going to be gone I am not sure who is here in his place.

Senator Cook: I will speak in support of SB2270; all it does is change the number where counties have to get a bid. Since 1877 it has been \$10,000 and this bill changes to \$25,000

Tyler Jacobson: See attached testimony #1.

Senator Nelson: How much does a good mower cost?

Tyler Jacobson: Each park district is different. \$30,000-\$40,000 for some of the golf course mowers are. For our parks, a good mower is \$20,000 by the time you add attachments, because we also do snow removal, we are looking at \$30,000.

Senator Dever: Are there any provisions for special circumstances or emergencies.

Tyler Jacobson: Not that I am aware of.

Senator Horne: What did you do last summer when you had the mower go out?

Tyler Jacobson: Beg, borrow, from the university, we have good working relationships with other agencies in the community. After we got the bid it took 2 weeks to get mower from agency that we were buying it from. We had one mower so whenever it was light out they would be out mowing. We would just rotate everybody.

Senator Dever: Anyone else?

Senator Cook: Amend \$25,000 to \$30,000

Senator Horne: Second.

Senator Cook: I think that we changed cities to \$50,000 but I think that \$30,000 is fine.

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2270

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: 2/5/09

Recorder Job Number: 8796

Committee Clerk Signature

Ketra Oliver

Minutes:

Senator Cook: Amend from \$25,000 to \$30,000

Senator Horne: Second.

Senator Cook: I think that we changed cities, not too long ago, to \$50,000 but I think that \$30,000 is fine.

Roll was taken and the amendment was passed 5-0.

Senator Cook moved a do pass on the amended SB2270 with a second by Senator Ohelke.

Roll was taken and the amended SB2270 passed 5-0 with Senator Cook carrying the bill.

90760.0101
Title.0200

Adopted by the Government and Veterans
Affairs Committee
February 5, 2009

[Handwritten signature]
2-5-9

PROPOSED AMENDMENTS TO SENATE BILL NO. 2270

Page 1, line 12, replace "twenty-five" with "thirty"

Renumber accordingly

Date: _____
Roll Call Vote #: _____

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

2270
Amend

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken _____

Motion Made By Cook Seconded By Horne

Senators	Yes	No	Senators	Yes	No
Dick Dever	✓		Dwight Cook	✓	
Dave Oehlke	✓		Carolyn Nelson		
Robert M. Horne	✓				

Total Yes _____ No _____

Absent _____

Floor Assignment _____

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

Date: _____
Roll Call Vote #: _____

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

2250
Carrie
Committee Cook

Senate Government and Veterans Affairs

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Cook Seconded By Oehlke

Senators	Yes	No	Senators	Yes	No
Dick Dever	X		Dwight Cook	X	
Dave Oehlke	X		Carolyn Nelson	X	
Robert M. Horne	X				

Total Yes 5 No _____

Absent _____

Floor Assignment _____

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

REPORT OF STANDING COMMITTEE

SB 2270: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2270 was placed on the Sixth order on the calendar.

Page 1, line 12, replace "twenty-five" with "thirty"

Renumber accordingly

2009 HOUSE POLITICAL SUBDIVISIONS

SB 2270

2009 HOUSE STANDING COMMITTEE MINUTES

Bill No. SB 2270

House Political Subdivisions Committee

Check here for Conference Committee

Hearing Date: March 5, 2009

Recorder Job Number: 10804

Committee Clerk Signature



Minutes:

Chairman Wrangham opened the hearing on SB 2270.

Senator Robinson: Introduced the bill. The bill before you provides the flexibility of increasing the bid limitation from \$10,000 to \$30,000. Basically they have requested that we increase this amount to \$25,000. I don't know the last time that this bidding requirement has been adjusted, but I to know it has been many years. We all know what has happened with inflation and price of equipment. My friends at the Valley City Park District shared with me that a purchase of a commercial lawn mower; years back you can find one in that \$9,000 to \$10,000 range. You are not going to find a new one at that price range any longer. In fact the non commercial riding lawn mower's have increased significantly. The current commercial one is at least that much or more. I am told they are within the \$25,000 range. Therein is the intent of this particular bill. As I indicated we plan on looking at the \$25,000 level. It is my understanding on the Senate side they opted to give it \$30,000 to give additional flexibility. I your mower would go out in the middle of a season, by the time you go up and get it, put together your specks your season can well be behind you. This bill would allow up to \$30,000 to go out locate and find something to buy. This is a local issue. The meetings are open. We know these people. I can attest to the Park District in Valley City and I think this is true across

the state. They bring a lot of work to our community with parks and it keeps a whole lot of youngsters content and busy with a very aggressive schedule. I am very proud of the work they do. I would ask you to give this favorable consideration. Our park district folks couldn't be with us today but we do have a representative from the ND State Parks & Recreation Department and people here from the city of Minot.

Rep. Koppelman: We talked about spending tax payer dollars and that is why we have these requirements. That we spend it efficiency and we don't pay too much for what we are buying. So cozy little relationships don't develop where one vender is getting all the city, state, county or park district money and business and other businesses in the state don't have the opportunity to compete for that.

Senator Robinson: These folks operate on tight budgets. They do everything possible to maintain their work. They are very close to the people. I would suggest that those people are closer to the people than we are. We can get away but they can't. I think this is true throughout the state. They are operating on very lean budgets. I don't see that it has been a problem. Rest assured that in most communities, if not all, they do anything. We have a very active community when it comes to involvement and includes all political subdivisions and our folks can respond to it. It has been a long time since this increase has been done. I hope we don't have to revisit this in two years. Let's give ourselves some time. People watch this and watch it very closely and yet we are giving them the tools to be efficient and get the job done.

Randy Burckhard: Member of the ND Recreation & Park Assoc: (see testimony #1). The district was trying to buy a used fork lift and by the time they got permission to buy it it was sold to someone else. The result of this was we couldn't buy one at the time. Increasing the bid requirement of \$30,000 for parks districts would critically assist park district's to assist them in doing their work. We have to answer to taxpayers in our community. This bill will make it

possible for the park districts to act quickly when they need necessary purchases. We urge a do pass.

Opposition: None

Neutral: None

Hearing closed.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill No. SB 2270

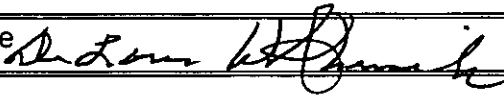
House Political Subdivisions Committee

Check here for Conference Committee

Hearing Date: March 19, 2009

Recorder Job Number: 11255

Committee Clerk Signature



Minutes:

Chairman Wrangham reopened the hearing on SB 2270. The amount of the bidding factors have gone up from \$10,000 to \$30,000.

Rep. Koppelman: I think the jump to \$30,000 is a little strong. I can understand \$20,000 might be too low, but it is not a big deal. I think it is possible political subdivisions get into the habit of working with one or two vendors, maybe the buddy system or whatever and pretty soon we start saying we give them taxpayer dollars and they can start making \$30,000 deals without bidding and allowing other businesses to compete for this business.

Chairman Wrangham: I think as the bill reads it is the amendment was to be inserted in and requested.

Motion Made to amend it to make it \$20,000 by Rep. Koppelman: Seconded by Rep. Kilichowski.

Rep. Nancy Johnson: I am going to resist that amendment because park districts are not flush with money and they are not going to waste \$10,000 or \$15,000. They are going to get a best deal where they can. They are going to get a better deal through the bid process after \$30,000 they are going to do that.

Rep. Koppelman: For whatever reason the park district budgets are limited and they don't buy many things; then a \$30,000 expenditure is the biggest thing they buy so what we would effectively doing is taking parks totally out of the bidding process; potentially.

Rep. Zaiser: I know in Fargo because I work extensively with the park district, and they do have this amount of money and they spend it rather lavishly so I guess think it is too much.

Rep. Corey Mock: How long has it been since this was changed?

Rep. Koppelman: Quite a while.

Rep. Corey Mock: When I think back on a pickup truck. I drive by their pickup trucks and everyone is over \$20,000 and probably up to \$30,000. The last time this was adjusted it was around the \$10,000 mark. I think I too will resist the amendment.

Chairman Wrangham: We have a motion to change the \$30,000 to \$20,000 all of those in favor say I. Amendment carries.

Do Pass As Amended Motion Made By Rep. Koppelman: Seconded By Rep. Headland

Rep. Klemin: Was there any discussion about an emergency clause so they can do this now?

Motion Made by Rep. Klemin to add an emergency clause. Seconded by Rep. Koppelman.

Voice vote carried.

Chairman Wrangham: Do pass is still in order.

Vote: 12 Yes 0 No 1 Absent Carrier: Rep. Zaiser

Hearing closed.

March 19, 2009

VR
3/19/09

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2270

Page 1, line 2, after "districts" insert "; and to declare an emergency"

Page 1, line 12, replace "thirty" with "twenty"

Page 2, after line 9, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

Date: 3-19-09
Roll Call Vote #: _____

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2270

HOUSE POLITICAL SUBS COMMITTEE

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DP DNP DP AS AMEND DNP AS AMEND

Motion Made By Rep Koppelman Seconded By Rep. Kilichowski

Representatives	Yes	No	Representatives	Yes	No
Ch. Wrangham			Rep. Conrad		
Vice Chair Rep. Headland			Rep. Kelsh		
Rep. Hatlestad			Rep. Kilichowski		
Rep. N. Johnson			Rep. Mock		
Rep. Klemin			Rep. Zaiser		
Rep. Koppelman					
Rep. Kretschmar					
Rep. Pietsch					

Total (Yes) _____ No _____

Absent _____

Floor Carrier: _____

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

Change amt to \$20,000

Voice Vote

carried!

Date: 3.19.09
Roll Call Vote #: 2

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2270

HOUSE POLITICAL SUBS COMMITTEE

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DP DNP DP AS AMEND DNP AS AMEND

Motion Made By Rep. Klemin Seconded By Rep. Koppelman

Representatives	Yes	No	Representatives	Yes	No
Ch. Wrangham			Rep. Conrad		
Vice Chair Rep. Headland			Rep. Kelsh		
Rep. Hatlestad			Rep. Kilichowski		
Rep. N. Johnson			Rep. Mock		
Rep. Klemin			Rep. Zaiser		
Rep. Koppelman					
Rep. Kretschmar					
Rep. Pietsch					

Total (Yes) _____ No _____

Absent _____

Floor Carrier: _____

If the vote is on an amendment, briefly indicate intent:
Add emergency clause
Voice Vote Carried!

Date: 3-19-09
Roll Call Vote #: 3

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2270

HOUSE POLITICAL SUBS COMMITTEE

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DP DNP DP AS AMEND DNP AS AMEND

Motion Made By _____ Seconded By _____

Representatives	Yes	No	Representatives	Yes	No
Ch. Wrangham	✓		Rep. Conrad	✓	
Vice Chair Rep. Headland	✓		Rep. Kelsh	0	
Rep. Hatlestad	✓		Rep. Kilichowski	✓	
Rep. N. Johnson	✓		Rep. Mock	✓	
Rep. Klemin	✓		Rep. Zaiser	✓	
Rep. Koppelman	✓				
Rep. Kretschmar	✓				
Rep. Pietsch	✓				

Total (Yes) 12 No 0

Absent 1

Floor Carrier: Rep. Zaiser

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

REPORT OF STANDING COMMITTEE

SB 2270, as engrossed: Political Subdivisions Committee (Rep. Wrangham, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2270 was placed on the Sixth order on the calendar.

Page 1, line 2, after "districts" insert "; and to declare an emergency"

Page 1, line 12, replace "thirty" with "twenty"

Page 2, after line 9, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

2009 SENATE GOVERNMENT AND VETERANS AFFAIRS

CONFERENCE COMMITTEE

SB 2270

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No.2270

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: 04/16/09

Recorder Job Number: 11915

Committee Clerk Signature *Kate Oiser*

Minutes:

Chairman Cook called the conference committee to order, roll was taken, and Representative Hatlestad was absent.

Senator Oehlke: I remember when we were talking about his bill in the first place, something as simple as buying a lawnmower, they wanted to be able to purchase those things without having to go for bids. That was our reason for going to \$30,000 in the first place, to be able to handle things without making it more difficult.

Representative Zaiser: I was one of the ones pushing to bring it up and it was for a few reasons. I realize that it varies throughout the state, but in Fargo, at least I have observed there got to be some cozy relationships and it was getting to be too easy to give the same people the same jobs. I thought that a smaller bump may be in order. Most of the committee saw that it does become bothersome to call for bids that some might consider a basic need.

Senator Cook: If it is during the middle of the summer and a lawnmower goes down at a golf course then they need to do something relatively quick and the bid process takes time.

Representative Hatlestad: We looked at that too, and by the time you are in the \$30,000 range you are looking into new equipment. We felt that the \$30,000 stretched it a bit too much we thought that would more reflect the price range of used equipment.

Senator Horne: I don't recall them talking about used equipment so much.

Senator Cook: If they bought new equipment then it was over \$30,000 then they could look at used?

Representative Hatlestad: The \$10,000 bid requirement made it hard to buy used equipment. I got the impression that was their primary concern.

Representative Zaiser: If I may add, we did talk and read the discussion from the North Dakota Parks Association is realizing that it is a hindrance. Granted you are going to take some time and in the smaller cities it is more vital but the larger towns have a fleet.

Senator Cook: \$25,000 is how the bill was introduced.

Senator Horne made a motion that the House recede from their amendments in which they amended SB2270 and that the committee further amend the number to \$25,000 with a second by Representative Zaiser. There was no discussion, roll was taken, and the motion passed 6-0.

Following the vote, it was pointed out that there is an emergency clause on the bill. There was a motion made by Representative Hatlestad with a second by Representative Zaiser to reconsider the motion. There was no discussion, a voice vote was taken, and the motion passed 6-0

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2270

That the House recede from its amendments as printed on pages ¹⁰³⁰ 318 of the Senate Journal and pages 1014 and 1015 of the House Journal and that Engrossed Senate Bill No. 2270 be amended as follows:

Page 1, line 2 after "districts" insert "; and to declare an emergency"
Page 1, line 12, replace "thirty" with "twenty-five"

Page 2, after line 9, insert:

"**SECTION ²8. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

Vote # 1

REPORT OF CONFERENCE COMMITTEE
(ACCEDE/RECEDE)

Bill Number 2270 (, as (re)engrossed):

Date: 4-16-09

Your Conference Committee Govt + Veterans Affairs

For the Senate:

For the House:

	YES / NO			YES / NO	
Sen Cook	X		Rep Haddstad	X	
Sen Sehlke	X		Rep Pietsch (Peach)	X	
Sen Hume	X		Rep Zaiser (Zizer)	X	

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

the (Senate/House) amendments on (SJ/HJ) page(s) _____

_____ and place _____ on the Seventh order.

X, adopt (further) amendments as follows, and place _____ on the Seventh order:

_____ having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

((Re)Engrossed) _____ was placed on the Seventh order of business on the calendar.

DATE: 4-16-09

CARRIER: Cook

LC NO.	of amendment
LC NO.	of engrossment
Emergency clause added or deleted	
Statement of purpose of amendment	

MOTION MADE BY: Hume

SECONDED BY: Zaiser

VOTE COUNT 6 YES 0 NO 0 ABSENT

Vote 2
~~Vote 3~~

**REPORT OF CONFERENCE COMMITTEE
(ACCEDE/RECEDE)**

Bill Number 2270 (, as (re)engrossed):

Date: 4-16

Your Conference Committee Govt + Veterans Affairs

For the Senate:

For the House:

	YES / NO			YES / NO	
Sen Cook	X		Rep Hattestad	X	
Sen Reblke	X		Rep Pietsch	X	
Sen Houma	X		Rep Zaiser	X	

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

the (Senate/House) amendments on (SJ/HJ) page(s) _____

_____, and place _____ on the Seventh order.

adopt (further) amendments as follows, and place _____ on the Seventh order:

_____, having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

((Re)Engrossed) _____ was placed on the Seventh order of business on the calendar.

DATE: 4-16-09

CARRIER: Cook

LC NO. _____	of amendment
LC NO. _____	of engrossment
Emergency clause added or deleted	
Statement of purpose of amendment	

MOTION MADE BY: Hattestad

SECONDED BY: Zaiser

VOTE COUNT 6 YES 0 NO 0 ABSENT

**REPORT OF CONFERENCE COMMITTEE
(ACCEDE/RECEDE)**

Bill Number 2270 (, as (re)engrossed):

Date: 4-16

Your Conference Committee Govt + Veterans Affairs

For the Senate:

For the House:

	YES / NO			YES / NO	
Sen Cook	X		Rep Haddstad	X	
Sen DeHike	X		Rep Pietsch	X	
Sen Hume	X		Rep Zaiser	X	

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

the (Senate/House) amendments on (SJ/HJ) page(s) _____ -- _____

_____, and place _____ on the Seventh order.

_____, adopt (further) amendments as follows, and place _____ on the Seventh order:

_____, having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

((Re)Engrossed) _____ was placed on the Seventh order of business on the calendar.

DATE: _____

CARRIER: _____

LC NO. _____	of amendment
LC NO. _____	of engrossment
Emergency clause added or deleted	
Statement of purpose of amendment	

MOTION MADE BY: Zaiser

SECONDED BY: DeHike

VOTE COUNT 6 YES 0 NO 0 ABSENT

Reconsiders Motion

REPORT OF CONFERENCE COMMITTEE

SB 2270, as engrossed: Your conference committee (Sens. Cook, Oehlke, Horne and Reps. Hatlestad, Pietsch, Zaiser) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 1030, adopt amendments as follows, and place SB 2270 on the Seventh order:

That the House recede from its amendments as printed on page 1030 of the Senate Journal and pages 1014 and 1015 of the House Journal and that Engrossed Senate Bill No. 2270 be amended as follows:

Page 1, line 2, after "districts" insert "; and to declare an emergency"

Page 1, line 12, replace "thirty" with "twenty-five"

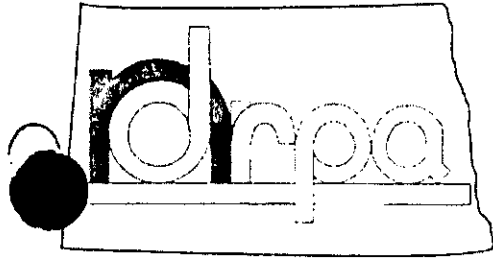
Page 2, after line 9, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

2009 TESTIMONY

SB 2270



NORTH DAKOTA RECREATION & PARK ASSOCIATION

PO Box 1091 • Bismarck, ND 58502
Phone: 701-355-4458 • Fax: 701-223-4645 • www.ndrpa.com

**Testimony of Tyler Jacobson, President of the North Dakota Recreation & Park Association
To Senate Government and Veterans Affairs Committee
In Support of SB 2270, Bid Requirements for Park Districts
Thursday, February 5, 2009**

Chairman Dever and Members of the Committee, my name is Tyler Jacobson, and I am president of the North Dakota Recreation & Park Association (NDRPA) and director of the Valley City Park District. NDRPA represents almost 500 members across the state, including park board members and park district staff, and works to advance parks and recreation for quality of life in North Dakota. I am here on behalf of NDRPA in support of SB 2270, which would change bid requirements for park districts.


Current law requires park districts to bid out all contracts exceeding \$10,000, except for public improvements. SB 2270 simply raises the bid requirement to all contracts exceeding \$25,000, which is necessary because the \$10,000 requirement limits the ability of park districts to act quickly on items such as emergency equipment repairs and used equipment purchases.

For example, in the summer of 2007, one of our mowers at Valley City Parks and Recreation broke down. It was not cost-effective to repair the mower, so we decided to purchase a new one. To do so, we had to call a special meeting to authorize the advertisement for bids, publish it for two weeks, and then hold another special meeting to review and award the bid. This took approximately one month, a significant amount of time for our park district to be without a mower during one of the busiest times of the year. If the bid requirement had been \$25,000 at that time, we would still have gotten quotes from several companies for a new mower, but the purchase would have been handled in only a week, at a time of year when timeliness was a significant issue.

The current \$10,000 bid requirement also makes it difficult for park districts to purchase used equipment. For example, if we want to buy a used pickup, by the time we go through the bid process, the pickup may already be sold, meaning we would have to find another one that may not meet our needs as well or purchase a new one that would be more expensive.

Increasing the bid requirement to \$25,000 for park districts would greatly assist park districts but not release us from our financial responsibilities. The typical practice for park districts is to acquire several quotes for any type of large purchase. It is in our best interest to do so, as we have to answer to the



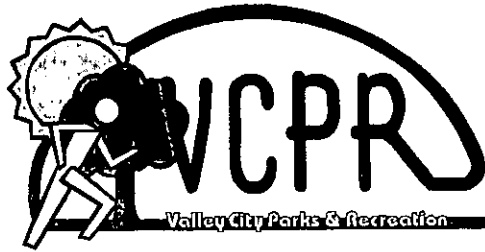


taxpayers in our communities. This bill would simply make it possible for park districts to act more quickly on smaller purchases than we are able to now. We urge a do pass on SB 2270.

Valley City Park Board President Dick Gulmon wanted to be here to testify but is out of town. His written testimony is attached.

I would be happy to answer any questions.





**Testimony of Dick Gulmon, President
Valley City Park District Board of Commissioners
Submitted to Senate Government and Veterans Affairs Committee
In Support of SB 2270, Bid Requirements for Park Districts
Thursday, February 5, 2009**

Chairman Dever and Members of the Committee, my name is Dick Gulmon, and I am President of the Board of Commissioners of Valley City Park District. I have been involved with parks and recreation for almost 28 years, and I support SB 2270.

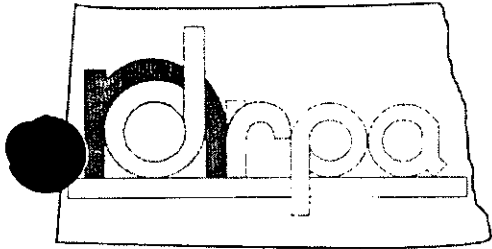
As park district board members, we have a fiduciary responsibility that we do not take lightly. But the current bid requirements law handcuffs us in conducting timely business. For instance, we cannot spend more than \$10,000 on equipment that goes down without an extensive bid process.

SB 2270 will raise the bid requirement for park districts to \$25,000, making it more efficient to conduct business. We will still get quotes for small purchases, but it will take a minimum amount of time and still fulfill our fiduciary responsibility to the park district and the taxpayers.

Board members like me are elected by citizens, and we take this responsibility very seriously. The bid requirement as currently written necessitates a lengthy process to solve immediate needs. SB 2270 would help park districts better meet these needs while maintaining fiduciary responsibility. I respectfully request a do pass on SB 2270.

Thank you for your consideration.

#1



NORTH DAKOTA RECREATION & PARK ASSOCIATION

PO Box 1091 • Bismarck, ND 58502
Phone: 701-355-4458 • Fax: 701-223-4645 • www.ndrpa.com

**Testimony of Randy Burckhard, Member of the North Dakota Recreation & Park Association
To House Political Subdivisions Committee
In Support of SB 2270, Bid Requirements for Park Districts
Thursday, March 12, 2009**

Chairman Wrangham and Members of the Committee, my name is Randy Burckhard. I am a member of the North Dakota Recreation & Park Association (NDRPA) and maintenance superintendent for the Minot Park District. NDRPA represents almost 500 members across the state, including park board members and staff, and works to advance parks and recreation for quality of life in North Dakota. I am here on behalf of NDRPA in support of engrossed SB 2270.

Current law requires park districts to bid out all contracts exceeding \$10,000, except for public improvements. SB 2270 raised the bid requirement to all contracts exceeding \$25,000. The Senate Government and Veterans Affairs Committee increased the amount to \$30,000, which we support. This bill is necessary because the \$10,000 requirement limits the ability of park districts to act quickly on items such as emergency equipment repairs and used equipment purchases.

The current \$10,000 bid requirement makes it difficult for park districts to purchase used equipment. For example, if we want to buy a used pickup, by the time we go through the bid process, the pickup may already be sold, meaning we would have to find another one that may not meet our needs as well or purchase a new one that would be more expensive. Further, writing bid specifications to purchase used equipment is extremely difficult. The current bid requirement also makes it almost impossible to negotiate for reduced rates on demo equipment, which would save tax dollars.

There are examples across the state of park districts that have faced challenges because of current bid requirements. For example, in the summer of 2007, a Valley City Parks and Recreation mower broke down. To replace the mower through the bid process took approximately one month, a significant amount of time for them to be without a mower during one of the busiest times of the year. If the bid requirement had been \$30,000 at that time, the park district would still have gotten quotes from several companies for a new mower, but the purchase would have been handled in only a week, at a time of year when timeliness was a significant issue.

Increasing the bid requirement to \$30,000 for park districts would greatly assist park districts but not release us from our financial responsibilities. The typical practice for park districts is to acquire several quotes for any type of large purchase. It is in our best interest to do so, as we have to answer to the taxpayers in our communities. This bill would simply make it possible for park districts to act more quickly on smaller purchases than we are able to now. We urge a do pass on engrossed SB 2270.