

**2019 SENATE GOVERNMENT AND VETERANS AFFAIRS**

**SB 2169**

# 2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee  
Sheyenne River Room, State Capitol

SB2169  
1/18/2019  
# 31028

- Subcommittee  
 Conference Committee

Committee Clerk: Pam Dever

## Explanation or reason for introduction of bill/resolution:

Relating to registration of charitable organizations & professional fundraiser & charitable organization's annual reporting.

## Minutes:

**Chairman Davison:** Let's open SB2169.

**Sen Poolman:** I am here to introduce this bill before you. Secretary of State came to me with this idea. They are trying to put everything on line and create a one stop shop for people who are doing paperwork on line. (.18) To help nonprofits, they want to combine two reports on two different dates to combine to one date. They need to find what date that should be. (.55)

**Chairman Davison:** More in support of SB2169.

**Ken Karls, Cystic Fibrosis Foundation:** We are supporting this to make it easier for our office, our fiscal year ends on June 30. We have an audit following. The September date did not work for us. We could not get the filing done on time. We were filing extensions year after year. I got fined for applying for a permanent extension. I know that some nonprofits run on a calendar year. The second most popular is the fiscal year. Putting a 4-month interim between the end of one of those fiscal years would be a good consideration. Maybe November 1 would work. If it is Dec 31 for the end of your fiscal year, then May 1<sup>st</sup> May work.

**Chairman Davison:** More in support?

**Dana Schaar Jahner, Director of North Dakota Assoc of Nonprofits:** This is for all charitable nonprofits. When we saw the bill first came out, we supported the concept. (3.36) We do have a challenge with the date of Feb 2 currently in the bill. 70% of charitable nonprofits in North Dakota have a calendar fiscal year. It would be impossible to have all figures ready by Feb 1. I reached out to the Secretary of State to find a better date. We need some time and come up with some amendments. It would become a better bill. (5.08)

**Chairman Davison:** The concept sounds reasonable. How do you determine who will be happy at the end?

**Dana:** The IRS numbers and Secretary of State's numbers don't match exactly. The state is June 30. Sept 30 is what the federal government has for fiscal year. I think May 1<sup>st</sup> would accommodate the most nonprofits. (6.53)

**Sen. Kristin Roers:** You would need to know what the Secretary of States date would be for your organizations, correct?

**Dana:** I did bring that up to them for filing the IRS form 9-90. The rolling deadline is 5 months and 15 days at the end of your fiscal year. That is the requirement at the federal level. (7.40) This would be the same at state. One challenge is that nonprofit cooperation's report applies to more than just charitable nonprofits organizations. You have to submit your board of directors, etc. A lot more of those and there is concern having them come in a different times of the year. I don't know if there would be an option to have it rolling for charitable nonprofits only and not rest of the nonprofits. We have had that discussion with Secretary of the State.

**Chairman Davison:** Seeing no more questions, thank you. (8.33)

**Jamie Wilke, Secretary of State Office:** We did have written testimony but we are holding it until we can figure out how to combine into one report. We have become aware of the difficulty in the date that we chose, so going back to figure it out. Please hold this bill over.

**Chairman Davison:** We have until the middle of February. If you want to come back and suggest amendments for a senator to bring, that would work. Any testimony against? (10.09) Seeing none, this hearing is closed.

# 2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee  
Sheyenne River Room, State Capitol

SB2169  
2/7/2019  
# 32393

- Subcommittee
- Conference Committee

Committee Clerk Signature : Pam Dever

## Explanation or reason for introduction of bill/resolution:

Relating to registration of charitable organization & professional fundraiser & charitable organization's annual reporting.

## Minutes:

**Chairman Davison:** Let's look at SB2169. This deals with small and large nonprofits. I talked to Jim Silrum this morning and he has agreed to wait and work with them over the next biennium. They will come back with a solution in 2021.

**Sen. Erin Oban:** I move a DO NOT PASS.

**Vice Chair Meyer:** I second.

**Chairman Davison:** Take the roll: **YES -- 7      NO -- 0      -0- absent.      PASSED.**  
**Sen. Kristin Roers will carry the bill.**

Done (2.03)

2/7/19

Date:  
Roll Call Vote #: 1

2019 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2169

Senate Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Sen. Oban Seconded By Sen. Meyer

| Senators         | Yes | No | Senators        | Yes | No |
|------------------|-----|----|-----------------|-----|----|
| Chairman Davison | /   |    | Sen. Oban       | /   |    |
| Vice Chair Meyer | /   |    | Sen. Marcellais | /   |    |
| Sen. Elkin       | /   |    |                 |     |    |
| Sen. K. Roers    | /   |    |                 |     |    |
| Sen. Vedaa       | /   |    |                 |     |    |
|                  |     |    |                 |     |    |
|                  |     |    |                 |     |    |
|                  |     |    |                 |     |    |
|                  |     |    |                 |     |    |
|                  |     |    |                 |     |    |
|                  |     |    |                 |     |    |
|                  |     |    |                 |     |    |
|                  |     |    |                 |     |    |

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen. Roers

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

**REPORT OF STANDING COMMITTEE**

**SB 2169: Government and Veterans Affairs Committee (Sen. Davison, Chairman)**  
recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
SB 2169 was placed on the Eleventh order on the calendar.