

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

22245

2001 SENATE POLITICAL SUBDIVISIONS

SB 2245

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2245

Senate Political Subdivisions Committee

☐ Conference Committee

Hearing Date February 1, 2001

Tape Number	Side A	Side B	Meter #
1		x	9.4-54.0
2	x		17.5-22.0
Feb 2, 2001 1	a		3.6-6.6
Committee Clerk Signature <i>Mary Jo Wooten</i>			

Minutes:

The hearing was opened on SB2245.

SENATOR COOK introduced SB 2245 and spoke in favor of this bill. See attached testimony.

See attached document from the North Dakota Legislative Council. REPRESENTATIVE

RENNER: Cosponsor of SB2245 and favored a Do Pass on this bill. I to felt that the decision making should rest with elected public officials rather than appointed boards, however, in so doing I didn't realize I was going to bring so many people to town from the other side of the

river. I would encourage you to ask questions and debate the issue, and give it the utmost

consideration. SENATOR TOMAC: CO-sponsorship with Representative Renner and Senator

Cook, spoke in favor of SB2245. We do have a dilemma in Mandan and not hearing what you've stated or Representative Renner stated, I don't want to repeat that. It seems to me that we do have a bit of problem over there. Part of our problem is in the demographics in our rural area are shrinking. The resources we've dedicated to library services there are going to continue to

shrink, because of the shrinking population, and so the bookmobile will be limited. Mandan is struggling to upgrade their library so as a whole, and with Mandan being a part of Morton county, we have a dilemma in the question before the voters and taxpayers of Morton County is this. Do we join forces in provide one library that can service rural areas as well as Mandan or do we continue to have separate entities? The library boards of Mandan and Morton County have not found the successful the solution to that or have not moved on it. I guess I signed on for the sponsorship of the bill, because I think it deserves some more discussion. This will really help it move forward because it doesn't require a certain vote, as it would prior to this. It is part of the way to move this forward, we needed to have more discussion on this bill. Since I've been in the legislature since 1986, we've had a lot of consolidation bills, we've looked at a lot of different avenues and approaches of how do we provide more efficient service to all of our constituents. We don't all have time to sit in on those discussions, so we all don't know what the Morton County and the Mandan Libraries Boards have discussed and what wasn't. There is a lot bigger picture sometimes than we as legislatures see, because we don't have all the information before us. I think the legislation before you does speak to a particular problem in Morton County and its one that I wish could move forward because it would be nice if we did have a library that could service the rural areas as well as the city of Mandan. TERRY TRAYNOR: Assistant Director of the Association of Counties. Spoke in support of SB2245. It is consistent with a lot of the legislation that we've supported since 1993 with the Tool Chest, with giving local boards and citizens more authority to restructure their government as they see fit. This puts more responsibility on the governing bodies of the cities and the counties I think to make these decisions and those people are locally elected. These citizens have the opportunity to address these issues at the ballot box. If they make the wrong decision, by and large, our city and county

officials are very responsive to the wishes of the citizens are and will move cautiously and make the right decision. We support this legislation. SENATOR COOK: Do we have any other boards, in county government or city government that are appointed that actually seem to have some unique autonomous authority that the board that appoints them doesn't have? TERRY TRAYNOR: Water Boards. My impression with the discussions with the county officials is of once the Water Board is appointed the county commission doesn't seem like it has a great deal of control of what they ultimately do. They have an awful lot of autonomous authority. SENATOR COOK: And these could be County Water Board? TERRY TRAYNOR: Yes, there is a lot of cases, there is a number of counties that have multiple boards depending upon the drainage, and there has been attempts in some of those counties to consolidate those into one board rather than have multiple boards and the commissions has largely been unsuccessful. SENATOR LEE: Would your observation, if you have one, about this be that the Water Boards even if they might be independent and overlapping, which in Cass County we have several, will you say they are general collaborative, however? TERRY TRAYNOR: I would say yes, that's true, by and large there out to accomplish the same goal to manage the water and they have to collaborate on a lot of projects. In most counties if they have multiple boards they also have a joint board as well. PAUL TRAMMER: Morton County Auditor. This project, looking at from Mandan and Morton Countys' problem we've studied this. For about 10 years ago we had a grant we studied it and in my own mind I guess in looking at it, I'm not, both library boards do a good job, but I think we could do a better job if we had a joint one serving all the people in Morton County. I guess we have our tax revenues coming in, a joint library board, I've noticed even though we have the book mobile going out and they don't always stop at the city libraries, everyone of the city libraries since I've been auditor have put on their own levy for their small city libraries. Looking

at a joint one with both the city and Morton County collections together, using the bookmobile to go out in service the small city libraries as well as the school districts and the other rural people, I guess it would be an advantage and a wise use of the tax money to do this way and I think as I said it always has not been in agreement. These people are opponents, I say they do a good job, but I guess it takes the elected officials to really come down and say this is what we got to do for the benefit all the people in the county. This would go a long ways to do this. Right now, I guess its kind of a funny and unique situation is that the county library is housed in the city and county building, but we pay a subsidy of \$14,000 a year to the city of Mandan and the only thing that we have in that building is the County Library. Down one block to the east of us is the City Library has a library in the old facility and they are trying to get the people to vote for a new deal, and I guess I would have to agree with the comment before is that one big election on the last library issue that went to vote for Mandan was the one number one issue of why people didn't vote in Mandan is that why can't you get the County and City library in one location. We would support that, but were not going to support it cause your two locations a block apart. That would leave it up to the elected officials and give them a chance to work out something, put together for the benefit of all the people, not all for the city of Mandan but also the rural residents in Morton county. Therefore, I urge support for SB2245. SENATOR COOK: Paul, and all the committee members too, I in explaining how this bill got started, I brought up the issue of consolidation. I would like to remind everybody though, what this bill does do is, allow a commission to make a decision. Through all of this process, how many questions have been sent to the Attorney General? Do you recall, as in trying to seek opinions on clarifying the law on how we might move forward and make some of these decisions? PAUL TRAUGER: I believe there is two or three, Senator Cook. Three, one a year. Right, and they vary from the Attorney General. You

kind of lean I limbo up there. This would get it off dead center and allow the elected officials to get together and work out agreement, a joint powers agreement on the operating level. I've been around the state for along time, there is a lot of counties and cities, that have combined their library and they seem to be able to provide people with great a great service as far as the library and stuff like that. CONNIE SPRYNCHYNATYK: League of Cities. The best way to position this deal is to say Why not? Why wouldn't you give the responsibility to make this kind of policy decision to the people that get elected to take the heat. Because people that elect them, who serve on the governing boards will hear about it. I know that you hear about the local issues in your own districts back home, so just imagine how much we hear of those of us who are elected. Mr. Trauger mentioned the Burleigh County consortium, that's a very broad consortium. If you go down to the Veterans Library on 5th street in Bismarck, you will find computer terminals that give you access into the University of Marys' collection, the BSC collection, and into the public schools collection and the City of Mandan but not Morton County. But those that our participants in that collision, the Central Dakota Library Network. It not only encompasses here, but it has Hazen, Riverdale, Garrison, McLean and Mercer Regional Libraries, and also New Salem High School Library. Part of the system is that the book is delivered to you. You get a notice to go and pick it up. I feel kind of badly for those people who are out in the rural areas that don't have that kind of access, because there is not participation in the system. I will not testify on the bill because I think it solves one problem. The question is would it work well in any other part of the state to address any issues? Yes. It makes all the sense in the world, why not. The local governing boards are elected and they should be taking the heat. It really isn't fair to place it on the library boards, its better on appointed people. SENATOR COOK: Connie, you asked the question, why not? Immediately popped in my head I think at least three bills that I wished I

could have an appointed board that I had an appointed vote on, rather than me, but do you ever have a desire not to cast a vote on a tough issue? CONNIE SFRYNCZYNATYK: All the time. But you what, I'm now in my 23rd year in local elective office so I have a lot of flak, but also a lot of cause to celebrate. For someone who has worked on joint efforts for all of those years, we have between Bismarck, Mandan, Burleigh, Morton, we have 20 pages of cooperative agreements that are in place and working today. But we have a wonderful history of working together. We do have a problem in this area, but again I don't want this bill just to solve that problem. I think its a good idea in principal. The elected people ought to be making those policy decisions, and those ought to be carried out. DAVE MCGIVER: Spoke in support of SB2245. Bismarck/Mandan Chamber of Commerce. We stand in support of 2245. Our organization has spent number of months and years dealing with the issue in Mandan/Morton. Our local issues committee has had this issue in front of them a number of times. I think what Connie has just given you "Why Not" is the exact statement, that is an extremely appropriate statement for what we got here. Put the owness of this on the commission, let them make that decision. TOM HENDRICKS, Director of the Mandan Public Library, on behalf. I'm not hear to testify either in favor of or opposed but I would like to provide some observations that our board has made about the legislation. One is, that we feel that the Morton County Commission has always has the power to do this, whether it was in law or not. They merely had to interview people that they were appointing to the board and ask them what their philosophy on cooperative service was. I think we could have solved this problem twenty years ago if they'd done that. This provides a mechanism to provide joint library services under state law. It provides the only mechanism. I thought it was the trend these days to decentralize government, and let local entities work on developing cooperative arrangements. This doesn't permit this. If they want to provide joint



library service they do it the states way or they don't do it any way. It would be best to let local government entities to work together at a arrangements that they can come to gripes with and not only one way mandated by state law. When cooperation wants to take place it probably has a great deal with the people who were responsible for working that way. When cooperation wants to happen it will happen. It would provide some mechanism for other entities who have struggled with this issue, its not just Morton County and Mandan even though these may be the people you see today. This issue has been studied over the past number of years. SENATOR COOK: You made the comment that you felt this was a mandated state law on how consolidation might happen and rather than be facilitated at the, this entire bill here deals with the existing mandate in state law. How libraries, how counties and cities form a joint library is in state law right now, its states in state law right law that " the joint library board must be have equal representation, are you changing any of that?" TOM HENDRICKS: Yes, that's correct. SENATOR COOK: It's also understood that the only thing we are doing is adding one more tool, how a library might form a joint library. TOM HENDRICKS: And if libraries had been controlled within legislation for this year and perhaps we should've progressed ourselves to move something forward, is developing alternatives to that other mechanisms to do that. I'm glad that in your testimony you reminded us of the thesis for libraries were under funded and are still under funded and maybe that would be a topic for the next session that we could work with you on, in remedying that situation. SENATOR COOK: Tom, just for a point I agree with you there, this very committee has passed out a resolution to do just that. TOM HENDRICKS: Last week, setting the study. SENATOR LEE: I just am seeing more opportunity for local control rather than less. Senator Cook, I was wondering if this language would permit two cities as well as a county? We have the same situation at home, does it have to say or need to say political subdivisions rather than each

city and county in order for two cities and a county to go together? SENATOR COOK: Senator Lee, I can research that, but I am sure that two cities can do it. MIKE HALPERN: Glen Ullin, ND. Chairman of the Morton County Library Board. Senator Cook in his testimony indicated that there was desire to merge, I can assure that desire to merge does not come from rural Morton County. The strong desire comes from the city of Mandan. The affect of a joint agreement would be to increase the taxes in rural Morton counties substantially. For this year, 2001, the amount of money that is levied by the Morton County Library Board is 2.2 mills approx. The amount of money levied by the Mandan Library Board is approx. 10 mills. If there was a consolidation, the effect and equalization of levies, you can't have disproportionate levies that is one of the Attorney Generals' opinion, the affect would be to reduce the Mandan levy by 2.2 mills and increase the rural Morton County levy by 5.6 mills or a 250 % increase for every resident out in Morton Co. So there would be a substantial increase for the residents of rural Morton County without any appreciable increase in services. The second point I would like to make in regards to library services, the collection that Mandan, according to the 1999 figures, the collection in Mandan is 28,709 volumes, in the Morton County collection is 23,700 volumes, the Bismarck is 178,825 volumes. In order to provide a complete library service you almost have to go into Bismarck. A lot of people use the Bismarck library from rural Morton County as well as the city of Mandan. As far as cost, if we take the mill levies that Mandan city is going to have for 2001, there budgeted figure is \$ 253, 609.00, and if you divide by the number of volumes in that collection, it comes out to about \$9.00 a book to operate that. The Morton County collection has 23, 700, and divide that into the budget, its only about \$4.66 a volume, a much more efficient operation. Adding Senator Cooks bill, it indicates it doesn't take any authority from the people, it just adds and allows the county commission and the city commissions to make the decision. The

effect of it is at least in Morton County is to take it away from the people. Cause most of the votes as you well know come from the city of Mandan. While we have a county library that is in the county, under the present system, they would have to vote to approve a consolidation separately, each vote. Right now, since they are under Senator Cooks' proposal, the Morton County Commission which gets most of its votes from Mandan could make a decision and those people in rural Morton County are stuck with it. They don't have any choice. They are not in favor of it. There is no reason for them to increase their taxes by 250% to get no increase in services. SENATOR COOK: First off, you said and I probably agree with you that the desire to merge is maybe more in Mandan than Morton, what makes you think if the desire in Morton County is not there that the Morton County Commissioners would vote for it. I think that you probably answered that in the end because the city of Mandan elects, has, the greatest amount of votes. Of the Morton County commissioners, out of the five of them, how many of them are from the city of Mandan? MIKE HALPERN: I don't know how many are from the city. I don't know what the makeup is, I know they get the votes from there. SENATOR COOK: I think they have a very good history of electing, and I think right now, am being served heavily by; MIKE HALPERN: We have someone from Glen Ullin. SENATOR COOK: The other thing you mentioned which we spent a lot of time talking about the consolidation, and again, that's toward the issue here whether a commission should have the right to make that decision. You have right now as Chairman of the Library Board the authority not to merge and form one joint library board, but you have the authority to contract library services with the city of Mandan, do you not? MIKE HALPERN: I think we could, we would try to. SENATOR COOK: Okay, I think any Library Board right now can contract if the Library Board so desires with another library to provide services where you don't have to form one library board, where you do not have to

match you mill levies in other words, you could contract with another library for the same amount of dollars that you are levying right now. Is that not correct? MIKE HALPERN: I don't see any reason now why we couldn't. SENATOR COOK: Okay. MIKE HALPERN: I don't see the point. SENATOR COOK: The point is the county commission cannot do that. MIKE HALPERN: So what. SENATOR COOK: That's my point. You made the point that there is going to be an increase in taxes, there doesn't have to be an increase in taxes, this bill also opens the opportunity for a contractual arrangement to be made that cannot be made right now because the people who are elected are not allowed to make that decision. Is that correct? MIKE HELPER: Well, if the services that we have right now, there are no objections, why should any change be made? SENATOR COOK: That's not the point, Mike. The point is, you made the point that the only alternative to this was going to be an increase in taxes to the citizens of Morton County. That is not necessarily true. There is an option right now that exists only today to the Library Board that would passage of this bill would also exist to the elected people responsible to the citizens, elected by the citizens. There is an opportunity to make a decision that would not cost the citizens any more dollars. It could possibly even save them dollars. That's the other intent of this legislation, and that's what it creates, I want to make that clear. MIKE HALPERN: Well, I'm not so sure I agree with that I mean its possible, but I don't see it, that way. I see it as a consolidation of sorts in which there would be two library boards, or one library board with three people if there were two contacting agencies with people on each one. But the taxes, would go up under that type of operation. SENATOR COOK: It's listed in 40-38:04 that talks about the authority and the power, yes it is in subsection four, the powers of the board, you have that power right now. MIKE HALPERN: I agree with you sir. SENATOR COOK: Okay, thank you. SENATOR LEE: Do the people in rural Morton County pay to use the Bismarck

Library? MIKE HALPERN: If they check out books. You can just use the library for research without any payment at all. SENATOR LEE: So, it would adhere to me that perhaps one of the reasons why the Bismarck Library is being used as much as it is by a variety of people including the rural Morton County people, is because it offers broader services and access to greater resources. And so it would seem, that perhaps one way to make sure the Mandan and Morton County Libraries were generating what the public really can make use of, would be to enhance their services. MIKE HALPERN: It makes sense, but I don't know if you can increase the taxes enough to, SENATOR LEE: I'm not talking about increasing the taxes..MIKE HALPEN: How do you increase services? SENATOR LEE: The issue that Senator Cook has said it would seem to me a greater amount of usage by far, as the Bismarck Library, one would expect because the resources are much greater and so I'm going where there is more stuff. I will go to the library that is bigger not only volumes, but access to the Internet and access to collections in other places and all of those kinds of things, if I am someone who wants to make use of the library services. Perhaps one of the reasons why the usage is poor is because the services are limited. If there is another opportunity to enhance the services in some with partnership, not saying by consolidation or merger, but with partnership, perhaps people will discover services that they didn't know about before that might be available because of collegial relationship. Could you just respond to this?

MIKE HALPERN: I would agree with that. But, the Morton County libraries are tempting to move into that, to be able to provide Internet services or computer services to our residents so that they can order a book, from Glen Ullin or Hebron, by punching into the Morton County library, which also would then give from Morton County library, we can provide that access to, through the State Library, by going over to Bismarck, the same way. I am all for enhancing the

services. I don't know if this is a mechanism for doing that. SENATOR COOK: Mike, if there is still a question of whether or not you have that authority, or if the county commission has that authority to contact service, I would be happy to...MIKE HALPERN: No, there is no question in my mind. SENATOR COOK: We're on the printed page then.

Hearing Closed on SB2245.

**February 1, 2001 (Tape 2, Side A , Meter #17.7- 22.0 )**

Further Discussion on SB2245

SENATOR WATNE: I wonder if should not amend this as it relates to lines 8 & 9, where this specifies qualified electors of each city and county. Maybe that shouldn't be political subdivision? SENATOR COOK: Yes, Senator Watne...yea SENATOR LYSON: Wouldn't a political subdivision be a township? SENATOR WATNE: There are all different kinds of libraries. SENATOR LEE: Senator Cook, that is kind of where I was going with that question. Is that regional libraries also, I want the libraries to be inclusive of any kind of library that might be able to cooperate. How we might do that. I support the bill, there is no question of that. I want to make sure we haven't done anything that would eliminate the collaboration of school library. SENATOR COOK: I do believe if this was to pass, the city of Mandan could combine with the city of Bismarck. I will make sure that is correct, I'll talk to the council and I think the point that you make is maybe a good point. Maybe we should that throughout this section. SENATOR WATNE: There has always this talk why don't we have one central live library in Minot rather than having a county and city library along with Minot State University, especially using the ODIN system and all this type of thing. I think by limiting that to cities and counties especially for the future, some other word there should be used, maybe political subdivisions is wide enough. SENATOR COOK: And if you think of the study resolution, the purpose of the study

resolution was to bring technology, libraries, and schools together. I think is there is ever a service in government that we could take a look at find ways of improving services it is libraries.

SENATOR POLOVITZ: Your definition of political subdivision, would you in your bill, would you also include your cities out in the surrounding area. You would have to include the cities out

of your area including the county. SENATOR COOK: Well, Senator Polovitz, these cities in the surrounding area do not have a library board right now. But they would be included in that and they would have to go through, still another process, to form a library board and have a library.

That would be Section 1 of this subsection one. SENATOR LEE: The concept of a regional library, in our area alone, we have two of the three big city libraries, Fargo and West Fargo both need to have expanded facilities. And there are members of the citizenry to have a real good idea, and we have library boards who say "over my dead body". So there needs to be a little more collaborative work encouraged.

**February 2, 2001( Tape 1, Side A, Meter #3.6-6.6)**

Discussion followed on SB2245.

Senator Cook responded that this bill was going to do flexibility to the library system. Senator Christenson responded that removing "boths" on Line 8, "the missing before it". Take strikes off 3 or both really not change but would make it clearer.

The city library not exclusive to a county library.

Page 14

Senate Political Subdivisions Committee

Bill/Resolution Number SB2245

Hearing Date February 1, 2001

Senator Flakoll moved to move the Amendments

Senator Lyson 2nd.

Roll Call vote: 8 yeas, 0 No 0 Abs.

Senator Watne motioned for a Do Pass as Amended

Senator Lyson 2nd

Roll call votes: 8 Yeas, 0 No 0 Abs

Carrier: Senator Cook



Feb. 1, 2001

SB2245 Tape 2, Side B meter # 17.7-22.0)

Senator Cook, I obviously have my mind made up on this bill, I don't know if you need time on this bill or discuss.

SENATOR WATNE: I wonder if we should not amend this, as it relates to lines 8 and 9, where this specifies its qualified electors as each city and county. I wonder if that shouldn't be "political subdivision" instead?

SENATOR COOK: yes Senator Watne, SENATOR LYSON, would political subdivision be a township? SENATOR WATNE: There are all different kinds of libraries, there is so many here. SENATOR MATHERN: It tries to encompass most of them. SENATOR LEE: That is sort of where I was going this morning with that question. There are regional libraries also. I wouldn't want to do anything, I want the libraries to be inclusive of any kind of library that might be able to cooperate. How we might do that. I support the bill. I want to make sure we hadn't done anything that would eliminate the collaboration of a school library.

SENATOR COOK: I do believe that for example, if this was to pass the city of mandan could combine with the city of Bismarck, but let me make sure that is correct. I will talk with the council, and I think the point you make is a good point and maybe we should do that throughout this section. SENATOR WATNE: I look at our city and we have this dispute between county library and the regular library and I think I've sat on the board for 25years. We also have the beautiful library at the college. There is a number of other libraries also. There has always been this talk, why don't we have one beautiful centralized library. Especially using the ODIN system and all this type of thing. I think by limiting that to a city or county, especially for the future, some other word there should be used, maybe political subdivisions is wide enough, its just a thought. SENATOR COOK: if you think of the study resolution. The purpose of that study resolution was to bring technology, libraries, and schools together. I think is there is every a service area in government that we could take a look, and find ways of really improving services, it is libraries. SENATOR WATNE: I know that Bismarck friends and are classifying in some sections of the code is defined as political subdivisions.

SENATOR POLOVITZ: Your definition of political subdivision, would you in your bill, also, include the cities out in the surrounding areas? I think I heard Hebron, you have to include all of those then, including the county? SENATOR COOK: These cities in the surrounding areas do not have a library board right now. But, they would be included in that, and they would have to go through, still, another process to form a library board and have a library. That would be section 1 of the subsection 1. I think in Cass County is one of the few areas that we have citizens, maybe it is a little more than Cass County, but I know that Kindred, is an area where you have people living who do not have a free public library available. SENATOR LEE: Exactly why this needs to go forward, because... the concept of a regional library, in our area where we have two of the three big city libraries, Fargo and West Fargo both need to have expanded facilities.

February 1, 2001

PROPOSED AMENDMENTS TO SENATE BILL NO. 2245

Page 1, line 8, after the second "of" insert "the"

Page 1, line 11, remove the overstrike over "~~or both~~"

Page 1, line 12, remove the overstrike over "~~or both~~"

Page 2, line 26, remove the overstrike over "~~or both~~"

Renumber accordingly

Date: February 2, 2001  
Roll Call Vote #: ✓

**2001 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. *S.B. 2245***

Senate	Political Subdivisions	Committee
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☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number 10258.0101

Action Taken Move the amendments

Motion Made By Sen. Hobbs Seconded By Sen. Lydon

[illegible]

Total (Yes) 8 No 0

Absent 0

### Floor Assignment

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

Date: 2/02/01  
Roll Call Vote #: 2

**2001 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. *S.B. 2245***

Senate	Political Subdivisions	Committee
--------	------------------------	-----------

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

**Legislative Council Amendment Number**

Action Taken *No Pass As Amended*

<b>Motion Made By</b>	<b>Seconded By</b>
-----------------------	------------------------

[illegible]

Total (Yes) 8 No 0

Absent 0

Floor Assignment Sen. Cook

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

**REPORT OF STANDING COMMITTEE**

**SB 2245: Political Subdivisions Committee (Sen. Cook, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2245 was placed on the Sixth order on the calendar.

Page 1, line 8, after the second "of" insert "the"

Page 1, line 11, remove the overstrike over "~~or both~~"

Page 1, line 12, remove the overstrike over "~~or both~~"

Page 2, line 26, remove the overstrike over "~~or both~~"

Renumber accordingly

2001 HOUSE POLITICAL SUBDIVISIONS

SB 2245

## 2001 HOUSE STANDING COMMITTEE MINUTES

### BILL/RESOLUTION NO. SB2245

House Political Subdivisions Committee

☐ Conference Committee

Hearing Date 3-15-01

Tape Number	Side A	Side B	Meter #
1	xx		1500--end
1		xx	1--890
1		xx	2930--3450
Committee Clerk Signature <i>Pam Deen</i>			

Minutes: Chair Froseth opened the hearing on SB2245 relating to joint public library services.

Sen. Dwight Cook, Dist 34, Mandan : prime sponsor and support SB2245. (SEE ATTACHED)

(Passed out attorney general opinion-attached) Upon investigation, I found that the library boards have more authority then the commission that appointed them. In the early days of statehood, libraries were formed by nonprofit civic organizations. The only place libraries were formed was in the large cities. Most were formed by women's organizations. In 1920's the rural communities wanted library services, also. Their only mechanism they had was to raise taxes to form libraries. The library boards way back then were well represented by civic organizations that had the ownership in them prior to that. Most library boards are appointed by the commissioners that serve under various governing entities. I'm not here to be rude to library boards.

Chair Froseth : (2180) The changes on page 1, subsections through 9, are word update changes?

Sen. Cook : That's correct.

Chair Froseth : You said that Mandan levies 10 mills for the city library and Morton County levies 2 mills. If you had a joint library, the maximum mills are 4 mills you can levy. What would that do with the total revenue of the Mandan/Morton joint board.

Sen. Cook : Right now the voters would have to vote to dissolve their existing library and they would form a new library. They would have to agree what mill levy each would contribute. One could be different from the other. If the restriction is 4 mills, then that is what it would be.

Rep. Delmore : I got lots of e-mail's on this bill, and they are very concerned about cutting services. Will the libraries still be left open in some of the smaller areas?

Sen. Cook : I assume the only way that would happen is if the county commissioner would go to their county library board and ask what services they need. They would negotiate those services with the other entities. There should be no chance of services being reduced. I feel the services would be improved.

Rep. Delmore : How many libraries are there in Morton County in addition to Mandan Library? Do you know of other counties that want to do this type of consolidation?

Sen. Cook : There are two libraries in Morton County. There are other counties exploring this.

Rep. Disrud : We know that change is painful. The best change is from within. I have had tons of e-mail's. This tells me that there is real fear in the local communities about tax increases. We know we need to be progressive, but how fast should this go?

Sen. Cook : I believe that we, in public service, must continually look at new, creative, and efficient means of delivering public services. That doesn't mean that we dictate what those changes are. We remove some of the obstacles that might exist for the very change to happen. I see that here. We are removing an obstacle. The decision is still made at the local level. I have



a history of trying to facilitate progress. People have to have ownership. This bill gives the county commissioners the flexibility.

Vice-Chair Severson : (2930) How many counties in ND will this effect?

Sen. Cook : It could effect all of them that might have an interest in looking at a new way of delivering library services. The number is in the book we all received from the state library.

Rep. Kretschmar : (3025) On page 2, you are repealing. Has this ever been voted on?

Sen. Cook : 1 1/2 years ago, the Morton County Commission voted to put this on the ballot. It doesn't do any good for just one entity. The city didn't. Before you have a vote, however, you should have a plan in place to show how you are going to do it. This has never been done.

Always little obstacles in the road.

Mike Halpern, Chair of Morton County Library : opposed to SB2245. If passed, the bill will disenfranchise a group of voters. There are several libraries in Morton County. There has been a great deal of controversy in Morton County on this matter. I know it would effect other counties as well. Stutsman and Ward County would also effect them. The votes comes from the cities, so Jamestown and Minot cities would make the decisions. There is an attorney general's opinion that says you can't split the mill levy. If you have a joint library in Morton, you would decrease Mandan's levy and increase Morton County levy. The people in the county would have to go up to 7.5 mills.

Chair Froseth : I thought the max. was 4.

Mike : That can be changed by a vote of the people. The Morton County Commissioners are elected at large, not by district.

Rep. Delmore : (3875) I don't think that the little libraries you mentioned will be effected by this bill. It says the county library would be the one that is effected.

Mike : That's right. The little ones would not be effected.

Chair Froseth : Does the Morton County Library serve smaller communities?

Mike : The bookmobile goes out on a regular basis to small areas.

Chair Froseth : (4349) How do the 2 facilities compare as far as volume?

Mike : Mandan is 28,000 and the county is 24,000. Circulation per capita is about the same.

Rep. Disrud : (4444) I'm wondering how much library material is duplicated. If there was one library, could there possible be 52,000 of material?

Mike : The question is the cost. Morton County residence don't want to pay the cost of having that size.

Rep. Disrud : Is there a way that working as a team together, there could be more interaction between libraries? Wouldn't this bill move in that direction?

Mike : No. It would make it worse.

Rep. Herbel : Why is there a big difference in the mills; one at 2 and one at 10 mills? If the mills were the same, would this be a problem.

Mike : The efficiency of Morton County Library is better. That is part of it. If the mills were the same we probably would not have the conflict.

Chair Froseth : I think it has to do with the value of the land, also.

Rep. N. Johnson : (4975) Do the county commissioner want to have this merger?

Mike : Since 1993 there has been a concerted effort by the Morton County Commission to get rid of the Morton County Library. They have been trying to find a way without the vote of the people.

Sen. Tomac, Dist 34 : I am in a funny position. I am one of the sponsors, but I voted against it. I saw Sen. Cook's strong efforts to bring some unification to library services in Morton County.

That's why I came on board with him. This has been ongoing for some time. I thought this bill would resolve this issue. It would appear to be more efficient to have only one library. But upon further thinking. It comes down to a dollars and cents issue. Maybe Morton County is correct and they don't need this change. They don't want more services or do they need more services. The answer is clearly, no. Do they want to pay more taxes. The answer is clearly, no. What problem are we trying to resolve, then. I had to vote against it on the floor, because I wasn't sure. The bill does speak to a larger issue, and I applaud him. (end side A, begin Tape 1, side B)

Kathy Kopp, Ward County Library : opposed to this bill. (SEE ATTACHED TESTIMONY)

Rep. Maragos : (161) Do you have a good relationship with the city library?

Kathy : Yes.

Rep. Maragos : Do you provide services in the county library that might not be available by the city library to other areas?

Kathy : The major one would be the bookmobile. We have branch libraries all over. The city used to have a bookmobile 20 years ago. They don't go to the schools. The county library goes to schools.

Rep. Kretschmar : Do you know what the mills are?

Kathy : (300) The county is less than 4 mills, and the city is 12 mills.

Rep. Disrud : Is one of the county people's concerns is that they don't want to travel to the library?

Kathy : One of the biggest concerns is what will happen to the bookmobile since the mills is less than 4. We have never gotten a good answer, if we merge, what would our mill levy be. The county is a much smaller library and is a smaller library. We don't need as big a building as the Minot. We are more mobile, and we also have a Kenmare branch.

Page 6  
House Political Subdivisions Committee  
Bill/Resolution Number SB2245  
Hearing Date 3-15-01

Chair Froseth : How do you feel passage of this bill will effect your library services?

Kathy : Because we are in a city, Minot, and our county commissioners are elected at large, and not by districts, the commissioner are made up of Minot people. There is no representation from Kenmare, Sawyer, Douglas, or Berthold on the county commission. It gives the little people the feeling that when it comes down to a vote, it will be what the city wants.

Sen. Cook : (700) A fast rebuttal. Please see the last page to see the history. The decision to this goes right to the attorney general's opinion. That is why I sponsored this bill. The first 2 questions, if you pass this, will mean, yes they can.

Chair Froseth : Any further testimony on SB2245? Hearing none, we are closed.

**Tape 1, side B (2930-3450)** Chair Froseth : What does committee wish for SB2445?

Rep. Kretschmar : I move an amendment to overstrike lines 29 - 31, page 2.

Vice-Chair Severson : I second.

**VOICE VOTE: All YES and 1 NO.**

Rep. Kretschmar : I move a **DO NOT PASS AS AMENDED.**

Rep. Ekstrom : I second.

**VOTE: 10 YES and 4 NO with 1 absent. PASSED. Rep. Kretschmar will carry the bill.**

10258.0201  
Title.0300

Adopted by the Political Subdivisions  
Committee

March 15, 2001

VR  
3/15/01

~~HOUSE AMENDMENTS to ENG. SB2245~~ ~~HOUSE POL. SUBS~~ 3-15-01  
Page 2, remove the overstrike over lines 29 through 31

Renumber accordingly

Date: 3-15-01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2245

House POLITICAL SUBDIVISIONS Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number 10258.0201 10300

Action Taken DO NOT PASS AS Amended

Motion Made By Rep. Kretschmar Seconded By Rep. Ekstrom

Representatives	Yes	No	Representatives	Yes	No
Chairman Glen Froseth	/		Rep. Wayne W. Tieman	/	
Vice-Chair Dale C. Severson	/				
Rep. Lois Delmore		/			
Rep. Rachael Disrud	/				
Rep. Bruce Eckre	/				
Rep. Mary Ekstrom	/				
Rep. April Fairfield	AA				
Rep. Michael Grosz		/			
Rep. Jane Gunter	/				
Rep. Gil Herbel	/				
Rep. Nancy Johnson		/			
Rep. William E. Kretschmar	/				
Rep. Carol A. Niemeier	/				
Rep. Andrew G. Maragos		/			

Total (Yes) 10 No 4

Absent 1 ab

Floor Assignment Rep. Kretschmar

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

**REPORT OF STANDING COMMITTEE (410)**  
March 15, 2001 4:05 p.m.

Module No: HR-45-5768  
Carrier: Ekstrom  
Insert LC: 10258.0201 Title: .0300

**REPORT OF STANDING COMMITTEE**

**SB 2245, as engrossed: Political Subdivisions Committee (Rep. Froseth, Chairman)**  
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends  
**DO NOT PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed  
SB 2245 was placed on the Sixth order on the calendar.

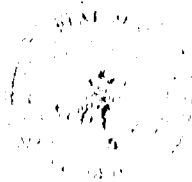
Page 2, remove the overstrike over lines 29 through 31

Renumber accordingly

2001 TESTIMONY

SB 2245





GARY J. NELSON  
State Senator  
Chairman

JOHN D. OLGRUD  
Director

JAY E. BURINORUD  
Assistant Director

JIM W. SMITH  
Legislative Budget  
Analyst & Auditor

JOHN WALSTAD  
Code Revisor

## North Dakota Legislative Council

STATE CAPITOL, 600 EAST BOULEVARD, BISMARCK, ND 58505-0360 (701) 328-2916 TTY: 1-800-368-6880

August 21, 2000

Honorable Dwight C. Cook  
State Senator  
1408 17th Street SE  
Mandan, ND 58554-4895

Dear Senator Cook:

This is in response to your request for a summary of the degree of control by the board of county commissioners over county library boards and county social services and historical reasons why library boards appear to be more autonomous than other appointed boards.

North Dakota Century Code (NDCC) Section 40-38-03 requires the governing body of a city or county that has established a public library and reading room to appoint a board of five directors. In the case of a county library board, NDCC Section 40-38-03 provides that one member of the board of county commissioners or designated representative must be a member of the county board of directors. That section provides that the term of office of board members is three years and that no board member may serve for more than two consecutive terms. Section 40-38-03 also provides that the governing board of a county establishing public library service may, in lieu of appointing a library board, contract directly with a library board established by another governing body for the purpose of extending public library service. There are no statutory provisions relating to the removal from office of a county library board member.

North Dakota Century Code Section 40-38-02 provides that all moneys received for library purposes must be deposited in a library fund. Moneys in the library fund may be used only for library purposes. All payments from the fund must be approved by the library board of directors. The county treasurer is authorized to review the financial records of the library fund.

North Dakota Century Code Section 40-38-04 provides that a library board of directors has the following powers:

1. To make and adopt such bylaws, rules, and regulations relating to the duties of the officers of the board as may be expedient and not inconsistent with the provisions of this chapter.
2. To make and adopt such bylaws, rules, and regulations for the management of the library and reading room as are expedient and not inconsistent with the provisions of this chapter.
3. To control, exclusively, the expenditures of all moneys collected for or contributed to the library fund.

4. To have the supervision, care, and custody of the library property, and of the rooms or buildings constructed, leased, or set apart for use of library purposes.
5. To contract to furnish library service and to receive library service from other counties, school districts, and cities of the state of North Dakota and adjoining states, and the state library.
6. To employ qualified personnel to administer the public library and dispense library services.

North Dakota Century Code Section 40-38-09 requires the library board of directors to report to the board of county commissioners on July 1 of each year. The report must address:

1. The condition of the library and property.
2. The various sums of money received from all sources.
3. How much money has been expended and for what purpose.
4. The number of books and periodicals on hand.
5. The number of books and periodicals added by purchase or gift during the year and the number thereof lost or loaned out.
6. The character and kind of books contained in the library.
7. Such other statistics, information, and suggestions as the board may deem of general interest or as may be required by the state library.

North Dakota Century Code Section 50-01-02 provides that the "county social service board of each county has exclusive jurisdiction and control of the administration of county general assistance within the county . . . ." Section 50-01.2-01 requires each board of county commissioners to establish a county social service board consisting of five, seven, or nine members of which one or more must be members of the board of county commissioners. Section 50-01.2-01 requires the board of county commissioners to appoint the members of the county social service board based upon fitness to serve as members by reason of character, experience, and training without regard to political affiliation. In addition, that section provides that the board must include members of each sex. Section 50-01 2-02 provides that the term of office for members of the county social service board is three years.

North Dakota Century Code Section 50-01.2-03 requires county social service boards to:

1. Supervise and direct all human service activities conducted by the county including county general assistance or other public assistance.
2. Supervise and administer, under the direction and supervision of the department of human services, human services in the county which are financed in whole or in part with funds allocated or distributed by the department of human services.
3. Aid and assist in every reasonable way to efficiently coordinate and conduct human service activities within the county by private as well as public organizations.
4. Subject to subsection 17 of section 50-06-05.1, administer the food stamp program in the county under the direction and supervision of the department of human services in conformity with the Food Stamp Act of 1964, as amended, and enter into an agreement for administering the food stamp program with the department of human services.
5. Subject to subsection 19 of section 50-06-05.1, administer the energy assistance program in the county under the direction and supervision of the department of human services and to enter into an agreement for administering the energy assistance program with the department of human services.

6. Charge and collect fees and expenses for services provided by its staff in accordance with policies and fee schedules adopted by the department of human services.

North Dakota Century Code Section 50-03-08 requires the board of county commissioners to "appropriate and make available to the human services fund an amount sufficient to pay:

1. The local expenses of administration of locally administered economic assistance programs;
2. That county's share of fifteen percent of the amount expended in this state, in excess of the amount provided by the federal government, for medical assistance in the form of payments for care furnished to recipients of therapeutic foster care services; and
3. That county's share of the cost of other family preservation services, including intensive in-home services, provided under title VI-B, subpart 2, of the Social Security Act [Pub. L. 103-66, title XIII, 13711(a)(2); 107 Stat. 649, et seq.; 42 U.S.C. 629, et seq.], as amended, as may be agreed to by the department and the county social service board."

North Dakota Century Code Section 57-15-57 allows the board of county commissioners, when authorized by sixty percent of the qualified electors voting on the question in an election called by the county commissioners, to levy an annual tax for county welfare purposes. That section provides that the proceeds of the levy must be used only for county welfare purposes, as determined by the social service board. However, the board of county commissioners has the discretion to discontinue the levy.

North Dakota Century Code Section 50-01.2-04 provides that the board of county commissioners may adopt a resolution to remove a member of the county social service board without cause.

Statutory provisions relating to public libraries in the state date back to the time of statehood. Although there does not appear to be any relevant legislative history providing insight as to why library boards are relatively autonomous, a review of some historical resources may provide some insight. According to a master's thesis entitled *Public Libraries in North Dakota The Formative Years 1880 to 1920* which was submitted by Mr. Glenn Brudvig in 1962, most public libraries in North Dakota began as libraries or reading rooms sponsored by women's clubs or fraternal organizations. Mr. Brudvig's thesis states that most public libraries organized in the state in the early 1900s were not supported adequately by the cities in which the libraries were located. Libraries in most of the larger cities were either built through Carnegie grants or through private donations. Initially, cities were only authorized to provide one mill of funding for public libraries. The levy was raised from one to four mills by the 1901 Legislative Assembly. Elwyn B. Robinson's *History of North Dakota* (1966) states that the provision of library service in rural areas was difficult, and by 1920 towns with fewer than 2,500 people lacked the population and tax base to support an adequate public library. Mr. Robinson stated that in 1922, the libraries of towns with more than 2,500 people had 80 percent of the library circulation in the state, although such places had only 14 percent of the population. He further stated that what North Dakota needed was a system of public libraries supported by larger governmental units than towns. A county library bill was introduced in the 1921 Legislative Assembly but failed to pass.

Because public libraries generally were established as a result of women's and other private social clubs, there appears to be a history of an autonomous nature with respect to the governance of the libraries. According to Mr. Brudvig, most of the early board members for public libraries were representatives of the women's and other social clubs or individuals associated with the private benefactors of the libraries.

It appears there are two significant distinctions in the statutes governing county library and social service boards. First, the board of county commissioners has the authority to discontinue a levy for county welfare. This authority would appear to give the board of county commissioners some degree of control over the budgets of county social service boards. Second, and more significantly, NDCC Section

50-01.2-04 allows the board of county commissioners to adopt a resolution to remove a member of the county social service board without cause.

We hope this information is of assistance. Please feel free to contact this office if you have further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "JDB", is written over the word "Sincerely".

John D. Bjornson  
Counsel

JDB/LMM

SB. 2245 amends ADCC 40-38-11 titled Joint public library services by cities and counties. ~~The other way of it~~ This section deals with the process our cities and counties follow to consolidate their libraries.

~~The bill, if passed, would affect a~~  
consolidation to occur either

Right now, the authority to consolidate lies with the voters. Through the petition or voting process

and it lies with the appointed library boards.

S.B. 2245 <sup>does not eliminate that</sup> it would simply give that decision authority to the governing body. also. If a county & city wanted to consolidate their library services - the two elected commissions could, by resolution, make that decision.

Mr Vice Chairman. This bill <sup>hits</sup> ~~comes~~ close  
to home.

The city of Mandan, has for a number of  
years, been trying to build a new  
library. The city library sits within  
1 block of a county library. The  
voters have continually voted it down.

and The message they give is - consolidate -  
build one library - The commissions  
have made many attempts to consolidate.  
Task forces have been formed -  
attorney general opinions have been  
sought

The answer however, is we can't  
do it - today - maybe. if - through  
attrition we appoint members to the  
library board who are pro-merger we  
can consolidate sometime down the  
road.

Mr Vice Chairman - I am not trying to be rude to library boards. They perform a great service to their communities. They have pride in their libraries and take tremendous ownership.

I do believe though that important decisions that effect public services and taxes should be made by elected officials. I believe it is common sense, responsible govt - I believe it is the process in which the voice of the people is heard.

I urge u to pass on SB 2245

Testimony for SB2245  
Dwight Cook,  
Senator District 34

SB2245 amends NDCC 40-38-11 titled Joint Public Library Services by Cities and Counties. This section deals with the process that our cities and counties follow to consolidate their libraries.

Mr. Chairman, right now the authority to consolidate lies with the voters, through the petition and voting process, and it lies with the appointed library boards. SB 2245 does not eliminate this, it would simply give that same decision making authority to the governing body. If a county and city wanted to combine their respective library services, the two elected commissions could, by resolution, make that decision.

Mr. Chairman, committee members, this bill hits close to home. For a number of years the city of Mandan and Morton County have made many attempts to consolidate their libraries. They have formed task forces and requested numerous opinions from the attorney general. The answer is, if you want to consolidate then appoint members to the library board who are pro merger. This could take many years.

I want to make it clear that I am not trying to be rude to library boards. They perform a great service to their communities. They have pride in their libraries and they take great ownership. I do believe however, that important decisions that effect public services and taxes should be made by elected officials. I believe it is common sense responsible government. I believe it is the process in which the voice of the people is truly heard.

I urge a do pass on SB 2245.



## Editorial



## Two sides to the library story

### Letter to the editor

BY REBECCA DONOVAN,  
PRESIDENT OF THE MANDAN CITY  
LIBRARY BOARD

As a parent and teacher I know that there are two sides to every story (depending on the number of children involved there may be a few more). Recently a letter from Mike Halpern of the Morton County Library Board presented the County Library's side of the county library versus city library story. Here, as Paul Harvey says, "Is the rest of the story."

The first point Mr. Halpern made was to compare the book collections of the two libraries. Although the number of volumes in the collections is comparable, the quality is not. A book collection is like a garden. It has to be carefully "weeded" to keep it up-to-date. Also a library's circulation is at least as important as the collection. All the books in the world won't do any good if no one is checking them out. I would be interesting to

compare those numbers.

The second point made by Mr. Halpern was the effect on the Morton County mill levy should the Morton County Commission vote to disband the Morton County Library and enter into a city-county library combination. The scenario he proposes would certainly not be beneficial to the rural residents, and we accept that a joint entity is not in their best interests. However, there is another alternative and a far more likely one.

The alternative would be for the Morton County Commission to disband the county library and contract with the Mandan library for services. This possibility might actually be cheaper than what rural residents are paying now. The County Commission could include any library service they wanted in the contract, whether it is more access to a greater number of books, a certain percentage of best sellers going out on the bookmobile, increased bookmobile stops, or increased availability of technology. The commissioners could decide exactly which library services they want and how much they would be willing to pay for them.

STATE OF NORTH DAKOTA

ATTORNEY GENERAL'S OPINION 2000-13

Date issued: June 28, 2000

Requested by: Senator Dwight Cook

- QUESTIONS PRESENTED -

I.

Whether a county library board which has had a reading room since 1961 may close its reading room and contract for services with the city or other library under N.D.C.C. § 40-38-04(5) without an affirmative vote of the county residents.

II.

Whether a county governing body may replace county library board members with themselves and then act as the county library board and contract for services with a city or other county library under N.D.C.C. § 40-38-03 without an affirmative vote of county residents.

III.

If the answer to either question 1 or 2 is yes, what methods can the county library board use to dispose of the county library collection?

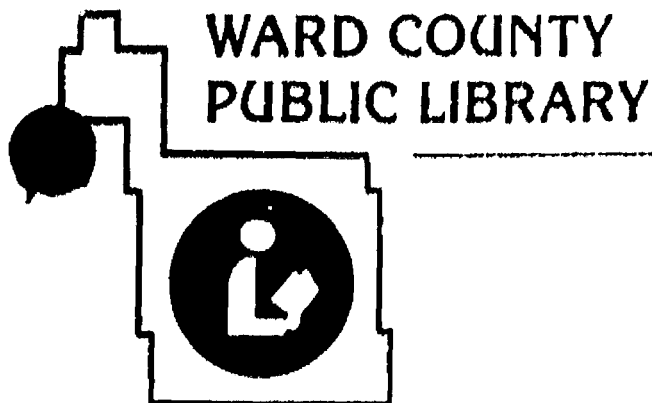
IV.

If the city and county residents vote to have a single joint library board to govern the library service countywide under N.D.C.C. § 40-38-11(3), is the equal number of appointees from each party determined by the taxable valuation of each party or by the population of each party to the agreement?

- ATTORNEY GENERAL'S OPINIONS -

I.

It is my opinion that a county library board which has had a reading room since 1961 may close its reading room and contract for services with the city or other library under N.D.C.C. § 40-38-04(5) without an affirmative vote of the county residents.



# WARD COUNTY PUBLIC LIBRARY

Phone 701-852-5388  
Fax 701-852-5388  
Toll Free 1-800-932-8932  
405 3RD AVE SE MINOT ND 58701-4020

## POLITICAL SUBDIVISIONS COMMITTEE NORTH DAKOTA STATE HOUSE OF REPRESENTATIVES

### STATEMENT ON SB 2245

We are here today because we are opposed to the Bill for an Act to amend and reenact section 40-38-11 of the North Dakota Century Code, relating to joint public library services.

We are opposed to the deletion of #10, requiring approval by the electors of each individual city or county considering the question, and to the substitution of the new wording in #1.

In 1960 the Ward County Public Library was established. County residents carried petitions for the purpose of creating rural library service for Ward County. The result was a library which is paid for by the residents of Ward County outside the city of Minot. This mobile library serves 8,000 people, bringing those rural residents all library services.

Three times, recently, entities other than County Library patrons have suggested that Ward County Library merge with the library of the city of Minot. Three times rural residents have said that they do not want to merge. No county library patrons have approached the Ward County Commission wishing to merge libraries. They prefer to fund their own library services.

It was just 20 years ago that legislators deemed it necessary to require the approval of the electors of cities and counties before merging libraries. Their reasoning may have been that the people who establish a library and use a library and pay for a library should, also, decide whether or not it will be merged with another.

As far as we are aware, there are only three counties that would be affected by this amendment: Morton County, Ward County and Stutsman County. The residents of those counties should be allowed to decide if and when their library services will be merged.

In conclusion, we are opposed to any changes to section 40-38-11 of the North Dakota Century Code concerning joint public library services. We are in favor of letting rural residents decide whether to keep something they have worked hard for and can call their own or to combine it with a larger entity.

Thank you for your time and consideration in this matter.

Ward County Public Library Board  
Ward County Library Director  
Ward County Branch Librarian--Kenmare

03-15-01

Date

# REGISTRATION

Political Substructure  
Committee

PLEASE GIVE COPIES OF YOUR TESTIMONY TO THE COMMITTEE CLERK

BILL NO.	PDR	STATUS	NAME PLEASE PRINT!!	LEGISLATOR REG. NO.	REPRESENTING
2394	X		Bill Schulz	301	NY Hospital Assn
2344	X		Sharon Schulz		Sharon Dist 40
2344	X		Terry Hylmshel		ND League of City
2245		X	Mike L. Halpern		Western County Library
2245		X	Harold David Pearce		Western County Library
2245		X	Edmund G. Gifford		Western County Library
2245		X	Joe Plunke		Western County Library
2245		X	David T. Jennings		Western County Library
2245		X	Louise Hertenstein		Western County Library
2245	X		Paul Tang		SEH
2245		X	Kathy Kopp		Wood Co Library
2245		X	Amanda Hoff		Wood Co Library
2245		X	Janet Hume		Wood Co. Library

# REGISTRATION

11-2-11

**Comments**

**PLEASE GIVE COPIES OF YOUR TESTIMONY TO THE COMMITTEE CLERK**

BILL NO.	FOR	RENTAL	ADJUTANT	NAME PLEASE PRINT!!	LIBRARYIST REG. NO.	REPROSINTING
2245			X	Chase Lysa		Wood County Library
2245			X	Barbara Gunnick		Wood County Library
2245			X	Pauline Nielson		Wood County Library - Home
2245	Y			Dorrit Cook		Dist 134 Mendon
2245			X	ALANOR DENHESKY Jenette Denhesky		Wood County Library

Audrey -  
 My Chairman wanted  
 the registration form  
 included too. The  
 people wanted their  
 signature in record.  
 It was too time  
 consuming for all to  
 verbalize opposition  
 to this bill.

Ann

Reading -  
My Chairman wanted  
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Am