

House Finance and Taxation Committee
Representative Craig Headland, Chairman
Representative Jared Hagert, Vice-Chairman

January 19, 2023

Chairman Headland, Members of the House Finance and Taxation Committee:

My name is Keith Hunke and I am the City Administrator for the City of Bismarck.

I am providing written testimony in opposition to House Bill 1330.

The Bismarck City Commission approves its Special Assessment Policy on an annual basis. The most recent version of Bismarck's policy was approved on January 10, 2023. The City of Bismarck Special Assessment Policy recognizes that there are lots and parcels of land benefited by the construction of the work for which the special assessment is made. Zoning classification and use of a lot and parcel are taken into consideration. An example is lots and parcels owned by Parks and Recreation which have a zoning classification of "P" Public. The "P" Public lot and parcel are treated differently if it's a neighborhood park versus an income generating facility such as a hockey arena or recreation center. We also adjust total area of lots and parcels that are encumbered by non-buildable easements such as storm water conveyance and steep slopes. A strict interpretation of "total area" in this bill may prevent us from providing this adjustment to the area of lots and parcels.

The City of Bismarck determines special assessments on hundreds of lots and parcels each year. The task of getting written consent of hundreds of property owners to allow for the adjustments currently provided in the City of Bismarck Special Assessment Policy will be very problematic and likely create a patchwork of approval and disapproval making it near impossible to special assess for future public improvements that provide benefit to lots and parcels.

I urge you to give HB 1330 a DO NOT PASS recommendation.

Thank you for the opportunity to provide testimony in opposition of House Bill 1330. I am happy to stand for any questions the Committee may have.

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