

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1076

2001 HOUSE FINANCE AND TAXATION

HB 1076

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **HB 1076**

House Finance and Taxation Committee

Conference Committee

Hearing Date January 15, 2001

Tape Number	Side A	Side B	Meter #
1	X		1,351
			Recorder did not work - nothing recorded
Committee Clerk Signature <i>Jarvis Stein</i>			

REP. AL CARLSON Opened the hearing with one committee member absent.

LINDA FISHER, UNCLAIMED PROPERTY ADMINISTRATOR, STATE LAND DEPARTMENT, Testified in support of the bill. See written testimony.

REP. DROVDAL Asked if there were enough safeguards in place with the open agency law.

LINDA FISHER Stated yes, they do not publish the Social Security numbers they have filed. They need the social security numbers to match the unclaimed property.

REP. HERBEL Asked what happened if this property goes unclaimed.

LINDA FISHER The property stays in the unclaimed property files.

REP. CARLSON asked **DONNITA WALD, ATTY. WITH THE TAX DEPT.** If they thought there was a problem with this bill.

DONNITA WALD Stated no there was not.

With no further testimony, the hearing was closed..

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House Finance and Taxation Committee

Bill/Resolution Number HB 1076

Hearing Date January 15, 2001

COMMITTEE ACTION 1-15-01 Tape recorder did not record.

REP. RENNER Made a motion for a **DO PASS**.

REP. CLARK Second the motion. **MOTION CARRIED.**

14 Yes 0 No 1 Absent

REP. WINRICH Was given the floor assignment.

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

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1076

House FINANCE & TAXATION Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do pass

Motion Made By Rep. Renner Seconded By Rep. Clark

Representatives	Yes	No	Representatives	Yes	No
CARLSON, AL, CHAIRMAN	✓		NICHOLAS, EUGENE	✓	
DROVDAL, DAVID, V-CHAIR	✓		RENNER, DENNIS	✓	
BRANDENBURG, MICHAEL	✓		RENNERFELDT, EARL	✓	
CLARK, BYRON	✓		SCHMIDT, ARLO	✓	
GROSZ, MICHAEL	✓		WIKENHEISER, RAY	✓	
HERBEL, GIL	✓		WINRICH, LONNY	✓	
KELSH, SCOT	✓				
KROEBER, JOE	✓				
LLOYD, EDWARD	A				

Total (Yes) 14 No 0

Absent 1

Floor Assignment Rep. Winrich

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

REPORT OF STANDING COMMITTEE (410)
January 15, 2001 11:43 a.m.

Module No: HR-05-0977
Carrier: Winrich
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1076: Finance and Taxation Committee (Rep. Carlson, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1076 was placed on the Eleventh order on the calendar.

2001 SENATE FINANCE AND TAXATION

HB 1076

2001 SENATE STANDING COMMITTEE MINUTES

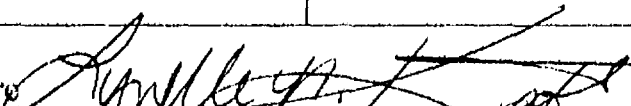
BILL/RESOLUTION NO. 1076

Senate Finance and Taxation Committee

Conference Committee

Hearing Date 2/20/01

Tape Number	Side A	Side B	Meter #
1	x		0-18.2

Committee Clerk Signature 

Minutes:

Senator Urlacher: Opened the hearing on HB 1076, relating to disclosure of identifying information to the Board of University and School Lands.

Rick Larson: Acting State Land Commissioner, testified in support. Written testimony attached.

Senator Urlacher: I'm assuming that this would lessen the procedure to identify people?

Rick Larson: Absolutely. Right now the procedure is that if we get a claim, we have to go over to the Tax Dept. to identify the person. There's sometimes a two to three week delay in that process. No we would have it readily available to us and get the money to the people as quickly as possible.

Senator Urlacher: There's about 50% of those claims that are processed?

Rick Larson: Approximately 50% of what is reported to us by the holder is returned to the owner. We have advertising and now an Internet site that people can search to see if their name is on there.

Senator Urlacher: What the size of an average claim

Rick Larson: Last year it was approximately \$800.

Senator Nichols: You wouldn't be listing the social security number with the names

Rick Larson: No. That is something we keep confidential, is it just for purpose of identifying people.

Senator Nichols: So how would this help you

Rick Larson: They would have to give us a copy of their social security card.

Senator Nichols: So right not you have to go to the Tax Department as a background check to make certain to make sure that's the correct person

Rick Larson: That is correct.

Senator Stenehjem: What happens in cases of dividends or stock certificates?

Rick Larson: In cases where there is not a social security number, we would require them to show proof that they did business with a company.

Senator Stenehjem: Do you hold these stocks in your account forever until someone claims them? What happens with the dividends and the interest that's earned on those stocks?

Rick Larson: The stocks are held for a period of time before they are sold. The dividends that are received in the meantime benefit the common school's trust fund.

Senator Stenehjem: So you don't hold the dividends and interest for the owner?

Rick Larson: That is correct.

Senator Christmann: If you've got some kind of unclaimed property for an individual, are you wanting the Tax Commissioner to provide you with the social security number and other information to help you find that person? Or is this just for if that person happens to show up at your door with their social security card, you can check to make sure it's the right person?

Rick Larson: It is a means of identifying the person that comes into us. It isn't a means of finding people.

Senator Christmann: This would just affect tax refunds that aren't sent out?

Rick Larson: That's correct.

Senator Nichols: The checks that are turned over, do you clear those and then collect some interest on them for expenses?

Rick Larson: In the meantime they're earning income for the common schools.

Senator Stenejem: So when someone claims the check, they don't get the interest?

Rick Larson: That's correct.

Donnita Wald: State Tax Dept., testified neutrally. The Tax Dept. has no problem with the bill. What the Unclaimed Property Division gets is a list from the Treasurer's Office with the taxpayer's name, address, check number, and the date the check was issued, and the amount of the check. There's no social security number on that list. That's where the Land Dept. wants to be able to ask for the social security number.

Senator Christmann: The Tax Dept. has no problem with some kind of ethical dilemma that you're providing an ID number outside of your department.

Donnita Wald: No. Our goal is to try to get the taxpayers their money back.

Senator Urlacher: Closed the hearing.

Discussion followed. Concerns expressed about people not getting interest, how hard people are looked for, and the release of the social security number.

COMMITTEE ACTION:

Motion made by Senator Wardner for a DO PASS, Seconded by Senator Christmann.

Vote was 5 yeas, 1 nay, 0 absent and not voting. Bill carrier was Senator Christmann.

Date: 2/20/01
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1074

enate Finance and Taxation Committee

- Subcommittee on _____
- or
- Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By Wardner Seconded By Christmann

Senators	Yes	No	Senators	Yes	No
Senator Urlacher-Chairman	✓				
Senator Wardner-Vice Chairman	✓				
Senator Christmann	✓				
Senator Stenehjem	✓				
Senator Kroeplin	✓				
Senator Nichols		✓			

Total (Yes) 5 No 1

Absent 0

Floor Assignment Christmann

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

REPORT OF STANDING COMMITTEE (410)
February 20, 2001 12:02 p.m.

Module No: SR-31-3982
Carrier: Christmann
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1076: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends DO PASS (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1076 was placed on the Fourteenth order on the calendar.

2001 TESTIMONY

HB 1076

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North Dakota
STATE LAND DEPARTMENT
1707 N 9th Street
PO Box 5523
Bismarck, ND 58506-5523



Robert J. Olheiser
COMMISSIONER

TESTIMONY OF LINDA FISHER
Unclaimed Property Administrator

IN SUPPORT OF
HB 1076
Finance and Taxation Committee

January 15, 2001

House Bill 1076 is introduced for the purpose of providing a confidentiality exemption for the ND State Tax Department, which would allow the Department to include social security numbers and federal employer identification numbers in its annual listing of unclaimed property owners. We understand the personal nature of this information, and need to state up front that it would be used solely for identification and matching purposes, and would not be publicized in any manner by the Unclaimed Property Division.

The burden of proof of ownership of unclaimed property is on the rightful owner. Unfortunately, it is not unusual for property to be reported without any information we can use to make a positive match. In many instances, we receive property in the name of John Doe, with no last-known address, or social security number. Because more than one person may have the same name, in the interest of the rightful owner, we cannot approve claims simply on a same-name basis. Therefore, without documentation showing the exact dollar amount of the claim, an owner is often unable to recover their property.

Approval of this proposed legislation would allow us to implement changes in reporting procedures that would give us access to information the Tax Department has readily available. In the past five years we have received nearly 800 properties from the ND State Tax Department. With tax ID numbers for those owners, we could have eased the burden of proof on those owners and increased efficiencies for our staff as well.

On behalf of the Board of University and School Lands, I respectfully request your support of House Bill 1076.

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TESTIMONY OF RICK LARSON
Acting Land Commissioner

IN SUPPORT OF
HB 1076
Finance and Taxation Committee

February 20, 2001

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On behalf of the Board of University and School Lands, I respectfully request your support of House Bill 1076.