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10/17/03  
Date

2003 SENATE POLITICAL SUBDIVISIONS

SB 2208

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2208

Senate Political Subdivisions Committee

Conference Committee

Hearing Date: February 13, 2003

Tape Number	Side A	Side B	Meter #
1	X		3092 - 3645
Committee Clerk Signature <i>Spilberg</i>			

Minutes:

**CHAIRMAN COOK** opened the hearing on SB 2208 relating to the meeting dates of city governing bodies. All senators (6) in attendance.

**Jerry Hjelmstad**, North Dakota League of Cities, testified in support of SB 2208. (See attached testimony)

**CHAIRMAN COOK** asked if Section 40-09-11 address 10 per cent of the cities that have the commission form of government.

**Mr Hjelmstad**, answered that was correct. These tend to be the larger cities and there is a pocket of smaller commission cities and they are primarily interested in being able to meet once a month rather than every two weeks. About one fourth of the cities in the state have home rule charters now and can modify this. The others can not change their meeting date unless this bill passes.

No other testimony.

**SENATOR POLOVITZ** moved a **DO PASS** on SB 2208

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Date

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Senate Political Subdivisions Committee  
Bill/Resolution Number SB2208  
Hearing Date February 13, 2003

**SENATOR SYVERSON** seconded that motion.

Roll Call Vote; Yes 6 No 0 Absent 0

Carrier: **SENATOR SYVERSON**

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10/17/03  
Date

Date: 2-13-02  
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2208

Do Pass

Senate Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Senator Polovitz Seconded By Senator Syverson

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman	X				
Senator John O. Syverson, V C	X				
Senator Gary A. Lee	X				
Senator Judy Lee	X				
Senator Linda Christenson	X				
Senator Michael Polovitz	X				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Syverson

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

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10/17/03  
Date

REPORT OF STANDING COMMITTEE (410)  
February 13, 2003 2:14 p.m.

Module No: SR-28-2615  
Carrier: Syverson  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
SB 2208: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2208 was placed on the Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-28-2615

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10/17/03  
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2003 HOUSE POLITICAL SUBDIVISIONS

SB 2208

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10/17/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2208

House Political Subdivisions Committee

Conference Committee

Hearing Date: March 13, 2003

Tape Number	Side A	Side B	Meter #
1	X		8.2-15.0
Committee Clerk Signature <i>Mickey Schmidt</i>			<i>3-28-03</i>

Minutes:

**TAPE 1; SIDE A:**

**(8.2) CHAIRMAN GLEN FROSETH:** We will open the hearing on SB 2208.

**(9.1) REP. ALON WIELAND:** (Testimony in support) This bill is for an act to amend and reenact sections .105 and so on and 4008 and 4009 relating to the meeting dates of City governing bodies. This just changes the time frame from which City Council's are required to hold their meetings and the time frame in which it is to be done. It changes two parts of this section #1 that removes the honor before the 15th day of the month, and that they should meet once a month.

**(10.0) CHAIRMAN GLEN FROSETH:** Just a comment: In section #3, that's a good change. They still have the authority to meet more than that if they want.

**(10.5) JERRY HJELMSTAD; LEAGUE OF CITIES:** (Testimony in support) (See attachment #1)

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*10/17/03*  
Date



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House Political Subdivisions Committee

Bill/Resolution Number SB 2208

Hearing Date: March 13, 2003

**(12.3) LENA E SIMS; CITY AUDITOR OF CASSELTON:** We've run into some problems when we were going to have a City Council meeting and our Engineer has been unable to make it because he's at another meeting. A lot of our small cities are represented by an Engineer whom we consult with, and he's also the Engineer for a lot other local towns. This would make the window a little bit wider to make sure that our Engineer's at our meeting instead of someone else's meeting. Another benefit too is our City Council members and the Mayor have another job that takes them away all day or sometimes overnight and this would give us a little more opportunity to schedule meetings and make sure everyone can be there.

**(13.1) REP. DALE SEVERSON:** In our community we have the first Monday of every month to deal with our Town committee. The public knows this before hand, automatically. This is a public provision. How do you change the meeting from your original time, do you give a public notice?

**(13.5) LENA E SIMS:** It would still be the same time each month, it just might not be the 15th or the 14th. It still is the same.

**(13.6) CHAIRMAN GLEN FROSETH:** Any questions? Support? Opposition? Seeing none, I will close the hearing on SB 2208.

**(13.8) REP. RON IVERSON: I MOVE A DO PASS.**

**(13.9) REP. ALON WIELAND: I SECOND IT.**

**(14.0) REP. WILLIAM KRETSCHMAR:** Just a comment: The smaller cities in North Dakota, an example the cities are turning the wrong way. They've been doing that for years. I don't care though.

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10/17/03  
Date

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House Political Subdivisions Committee  
Bill/Resolution Number SB 2208  
Hearing Date: March 13, 2003

**(14.3) REP. NANCY JOHNSON:** I think it's a good idea to have that latitude, but I do think what Rep. Severson said about having a specific date and so that the community knows when it is and can plan for it.

**(14.5) CHAIRMAN GLEN FROSETH:** Any other discussion? Seeing none, I will have the clerk take the Roll Call Vote: 12-y; 0-n; 2-absent; Carrier: Rep. Iverson. (15.0)

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10/17/03  
Date

Date: 3-13-03  
Roll Call Vote #: 2

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2208

House POLITICAL SUBDIVISION Committee \_\_\_\_\_

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Rep. Iverson Seconded By Rep. Wieland

Representatives	Yes	No	Representatives	Yes	No
Chairman Glen Froseth	✓				
Vice-Chairman Nancy Johnson	✓				
Rep. Mike Grosz	✓				
Rep. Gil Herbel	✓				
Rep. Ron Iverson	✓				
Rep. William Kretschmar	✓				
Rep. Andrew Maragos	✓				
Rep. Dale Severson	✓				
Rep. Alon Wieland	✓				
Rep. Bruce Eckre	0				
Rep. Mary Ekstrom	0				
Rep. Carol Niemeier	✓				
Rep. Sally Sandvig	✓				
Rep. Vonnie Pietsch	✓				

Total (Yes) 12 No 0

Absent 2

Floor Assignment Rep. Iverson

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

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Deanna Hall 10/17/03  
Operator's Signature Date

REPORT OF STANDING COMMITTEE (410)  
March 13, 2003 2:46 p.m.

Module No: HR-45-4734  
Carrier: Iverson  
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2208: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends DO  
PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2208 was placed on  
the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-45-4734

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2003 TESTIMONY

SB 2208

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10/17/03  
Date

To: Senate Political Subdivisions Committee  
From: Jerry Hjelmstad, North Dakota League of Cities  
Date: February 13, 2003  
Re: Senate Bill No. 2208

*same to  
Hjelmstad*

Mr. Chairman and members of the Senate Political Subdivisions Committee, my name is Jerry Hjelmstad and I am here on behalf of the North Dakota League of Cities to testify in support of Senate Bill No. 2208.

North Dakota's 358 incorporated cities are incorporated under 3 forms of government. About 90% of the cities are incorporated under the mayor-council form of government. Under this form, cities with a population of over 600 are divided into wards with council representation coming from each ward. The mayor does not vote except to break a tie. Under section 2 of this bill, these cities would be required to hold one council meeting per month, as established by local ordinance or resolution, but that meeting would no longer be required to be held "on or before the fifteenth day of the month".

About 10% of the cities are incorporated under the commission form of government. This form has five commissioners who are elected at large. One of the commissioners is the commission president who is commonly referred to as the mayor. Under section 3 of this bill, these cities would be required to hold one commission meeting per month rather than the current meeting requirement of once every two weeks. They could still establish additional meetings times by ordinance.

A few cities are incorporated under the modern council form of government. This form is basically a combination of the other two forms. A good example of a modern council city is the city of Wahpeton. They have eight council members and a mayor with council representatives from four wards and the mayor and four council members being elected at large. Under section 1 of this bill, modern council cities would be required to hold one council meeting per month, but that meeting would no longer be required to be held "on or before the fifteenth day of the month".

Senate Bill 2208 would still require monthly city governing board meetings, but it would eliminate unnecessary requirements as to when and how often these meetings would have to be held. We ask you to give a "do pass" recommendation to Senate Bill 2208.

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