

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

40309

2005 SENATE FINANCE AND TAXATION

SCR 4039

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4039

Senate Finance and Taxation Committee

Conference Committee

Hearing Date **March 15, 2005**

Tape Number	Side A	Side B	Meter #
#1	X		20.4 - 33.2
Committee Clerk Signature <i>Sharon Benjamen</i>			

Minutes:

CHAIRMAN URLACHER CALLED THE COMMITTEE TO ORDER AND OPENED THE HEARING ON SCR 4039.

SEN. COOK: appeared as prime sponsor stating the purpose of this study resolution is to just study the tax policy, focus on property tax policy, focus on the sales and income tax policy of the State as a means of finding a new source for dollars for property tax relief and for funding education. You'll see that the resolution requires the council or the interim committee to come out of that committee with 3 bills, one that identifies 150 million, one that identifies 300 million and one that identifies a new source of 600 million dollars to be used to fund education and of course reduce property taxes. You'll also see an interesting quirk in the bill that it allows this interim committee to send these bills out without committee recommendation.

SEN. EVERY: where do you see these ideas coming from?

ANSWER: I think that these ideas are going to have to start within the tax interim committee given some direction to the tax people who then can formulate those ideas into a piece of legislation with some numbers to it. I think we also have the opportunity to maybe expanding certain tax basis, we could have a tremendous amount of sales tax exemptions, we'll have a study resolution that deals with all of them.

SEN. URLACHER: well without looking at all of them we can 't find the spread within us.

NANCY SAND: NDEA appeared in support, I-to believe it has come as a follow up of HB 1512. We are also aware that the Legislature has already passed a couple of other bills regarding a study, 2404 that came through the Education Committee and 4009 that actually came through the Finance and Taxation Committee. We would be supportive in helping in any way we could with the study and I think this study resolution would continue the effort to look in different directions.

SEN. URLACHER: are the other 2 bills in conflict in anyway?

ANSWER: doesn't think so

SEN. COOK: when I think of solving the education equity problem there is 2 sides, one is tax policy and of course the other one is how we distribute the money to the schools. If I remember, the one bill, 2404 I would assume that one could end up in the education committee during the interim and deal with how the money was distributed and this one could possibly end up in the tax committee and deals with how the money is generated. It separates those 2 issues I would hope.

ANSWER; I'm not sure.

SEN. EVERY: do you see the NDEA as taking an active roll in offering a proposal of their own during the interim?

ANSWER; I wish we had the magic bullet ourselves, but we would certainly like to participate in the discussions in anyway we can.

MARY WAHL: ND Council of Educator Leaders appeared in support stating that the discussion concerning school financing would never be the same again and I think that this bill indicates also that that is true. It raises up the possibility of furthering the discussion on provisions that were raised in 1512 and we have sponsors from both sides who come from different back grounds including the hybrid educator tax person in Sen. Cook and we think that this shows kind of a united effort to address this question and to address it on both sides, both in education and in tax.

SEN. URLACHER: well I think what will come out of it is a view of not only school education but the whole tax system and how we can find balance.

NO FURTHER TESTIMONY, CLOSED THE HEARING.

SEN. WARDNER: made a **MOTION FOR DO PASS**, seconded by Sen. Bercier.

ROLL CALL VOTE: 5-0-1 Sen. Cook will carry the bill.

Date: 3-15-05
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB SCR 4039

Senate Finance and Taxation Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Wardner Seconded By Bercier

Senators	Yes	No	Senators	Yes	No
Sen. Urlacher	✓		Sen. Bercier	✓	
Sen. Wardner	✓		Sen. Every	✓	
Sen. Cook	✓				
Sen. Tollefson					

Total (Yes) 5 No 0

Absent 1

Floor Assignment Cook

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

REPORT OF STANDING COMMITTEE (410)
March 15, 2005 11:56 a.m.

Module No: SR-47-4983
Carrier: Cook
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SCR 4039: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4039 was placed on the Eleventh order on the calendar.

2005 HOUSE FINANCE AND TAXATION

SCR 4039

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4039

House Finance and Taxation Committee

Conference Committee

Hearing Date **March 22, 2005**

Tape Number	Side A	Side B	Meter #
1	X		19.7
Committee Clerk Signature <i>Jeanie Stein</i>			

Minutes:

REP. WES BELTER, CHAIRMAN Called the committee hearing to order.

SEN. DWIGHT COOK, DIST. 34, MANDAN Introduced the resolution. This is a study to study the state revenues, those generated from sales and income tax, to offset property tax revenues. It also would focus on the education funding formula. This study is a result of HB 1512 which was defeated in the Senate.

REP. BELTER You defeated HB 1512, now in a sense, you are asking us to resurrect HB1512,

SEN. COOK We defeated it, based on the tax policy that was in it. It was a policy that would have affected a lot of people, but yet, it got little attention. It is the tax policy that needs to be studied and addressed. The other concern is, they started out with 576 million, there is a lot of us in the Senate that wondered, why 576 million. Maybe it will only take 150 million, that is why you see this bill draft.

REP. KELSH Is it common for us to call for a specific number of bill drafts out of the interim process, in a study resolution?

SEN. COOK I don't know what is common, but that is what this requires. Something that is not common, which is in here, is that it is possible to pass these out without recommendation.

REP. BELTER How do you pass out three recommendations, without voting on it?

SEN. COOK That would be the motion, that we make no recommendation.

With no further testimony, the committee hearing was closed.

COMMITTEE ACTION 3-22-05

REP. HEADLAND Made a motion for a **DO NOT PASS**.

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

7 YES 6 NO 1 ABSENT

REP. WEILER Was given the floor assignment.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4039

House Finance and Taxation Committee

Conference Committee

Hearing Date **March 23, 2005**

Tape Number	Side A	Side B	Meter #
1	X		12
Committee Clerk Signature			

Minutes:

COMMITTEE ACTION

REP. WEILER Made a motion to reconsider the action by which this resolution was passed out of committee.

REP. DROVDAL Second the motion. Motion carried by voice vote.

REP. HEADLAND Presented amendments to committee members. The amendments eliminate the language on page 1, line 24, and page 2, lines 1 through 4. on page 2, line 9, we would insert "insure that the property tax relief is permanent", on page 2, line 12, we would remove "may establish subcommittees for consideration of the principal issues", on page 2, line 14, we would remove "and shall at a minimum forward to legislative council, three bill drafts", page 2, completely remove line 15, and in line 16, we would remove the amount of one hundred fifty million, three hundred million and six hundred million per biennium.

REP. WEILER Is it fairly common that we establish subcommittees?

Page 2

House Finance and Taxation Committee

Bill/Resolution Number **SCR 4039**

Hearing Date **March 23, 2005**

REP. HEADLAND Yes

REP. HEADLAND Made a motion to adopt the amendments as presented.

REP. NICHOLAS Second the motion. Motion carried by voice vote.

REP. NICHOLAS Made a motion for a **do pass as amended**.

REP. CONRAD Second the motion. **Motion carried.**

11 yes 2 no 1 absent

REP. HEADLAND Was given the floor assignment.

Date: 3-22-05
 Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. SBR 4039

House FINANCE & TAXATION Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Rep. Headland Seconded By Rep. Brandenburg

Reconsidered

Representatives	Yes	No	Representatives	Yes	No
BELTER, WES, CHAIRMAN	✓				
DROVDAL, DAVID, V-CHAIR		✓			
BRANDENBURG, MICHAEL	✓				
CONRAD, KARI		✓			
FROELICH, ROD		✓			
GRANDE, BETTE	✓				
HEADLAND, CRAIG	✓				
IVERSON, RONALD	A				
KELSH, SCOT		✓			
NICHOLAS, EUGENE	✓				
OWENS, MARK		✓			
SCHMIDT, ARLO		✓			
WEILER, DAVE	✓				
WRANGHAM, DWIGHT	✓				

Total (Yes) 7 No 6

Absent 1

Floor Assignment Rep. Weiler

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

Date: 3-23-05
Roll Call Vote #: 2

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SCR 4039

House FINANCE & TAXATION Committee

Check here for Conference Committee

Legislative Council Amendment Number 53128.0201

Action Taken Do Pass as amended

Motion Made By Rep. Nicholas Seconded By Rep. Conrad

Representatives	Yes	No	Representatives	Yes	No
BELTER, WES, CHAIRMAN	✓				
DROVDAL, DAVID, V-CHAIR	✓				
BRANDENBURG, MICHAEL	✓				
CONRAD, KARI	✓				
FROELICH, ROD	✓				
GRANDE, BETTE		✓			
HEADLAND, CRAIG	✓				
IVERSON, RONALD	✓				
KELSH, SCOT	✓				
NICHOLAS, EUGENE	✓				
OWENS, MARK	✓				
SCHMIDT, ARLO	✓				
WEILER, DAVE		✓			
WRANGHAM, DWIGHT	A				

Total (Yes) 11 No 2

Absent 1

Floor Assignment Rep. Headland

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

REPORT OF STANDING COMMITTEE

SCR 4039: Finance and Taxation Committee (Rep. Belter, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SCR 4039 was placed on the Sixth order on the calendar.

Page 1, line 24, remove "and"

Page 2, remove lines 1 through 4

Page 2, line 9, after "revenue" insert "and ensure the property tax relief is permanent"

Page 2, line 12, remove "may establish subcommittees for consideration of divisible issues,"

Page 2, line 14, remove ", and shall at a minimum forward to the Legislative Council three bill drafts to"

Page 2, remove line 15

Page 2, line 16, remove "amounts of \$150 million, \$300 million, and \$600 million per biennium"

Renumber accordingly