

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1461

2001 HOUSE POLITICAL SUBDIVISIONS

HB 1461.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1461

House Political Subdivisions Committee

☐ Conference Committee

Hearing Date 2-09-01

Tape Number	Side A	Side B	Meter #
1	xx		2600--end
1		xx	1-170
Committee Clerk Signature <i>Ken Dever</i>			

Minutes: Chair Froseth opened HB1461 relating to the advisory commission on intergovernmental relations and the filing of joint powers agreements.

Rep. Tom Brusegaard, Dist 19 : here to introduce and support HB1461. It is felt that this intergovernmental relations board does not serve any purpose any longer, because they don't have anything to do any more. We feel that local communications between political subdivisions are better. You need to determine if this statewide commission is providing a viable service to the people of ND.

Rep. Delmore : (2849) Is this an appointed committee?

Rep. Brusegaard : Yes, with 11 members.

Rep. Bill Devlin, Dist 23 : (2990) In support of HB1461. This came about because of another house bill. Things have changed since this committee was established. Better technology today. We feel that local level is more effective.

Rep. Delmore (3160) In 1989, why was it set up to begin with.

Rep. Devlin : Lots of states were doing similar things. It was a national trend.

Terry Traynor, Assist. Director of ND Assoc. Of Counties : (3390) testified in opposition to HB1461. **(SEE ATTACHED TESTIMONY)** We feel this is a good board and we are committed to keeping it.

Chair Froseth : What are the cost to the cities and counties?

Terry : We reimburse our two county members for room and travel at state rate. We haven't had the volume lately, but during the early 1990's, they commission met more often. Maybe a \$1,000/year is what we spend per county.

Rep. Ekstrom : Why would our colleagues from GVA want this bill?

Terry : The last couple of interim's, there haven't been a lot of issues brought forth from the ACIR.

Rep. Delmore : I notice that you can be re-appointed and re-appointed over and over. Is there good turn over? Any new blood?

Terry : I'm not sure, as far as the total makeup. I know that the county members have always changed. They are appointed for two years. Our president and vice-president change annually.

Rep. Herbel : How do you respond to Rep. Devlin about the increased in technology today and that being one reason for terminating this commission?

Terry : (4260) That helps with communication. I don't believe this is a good substitute for face to face discussions.

Chair Froseth : If this bill passes and this commission is gone, what means would you have to meet with other subdivision representatives?

Terry : We would voluntarily meet. We meet with the League of Cities quite often during the year. Less often with the parks and townships. There would not be the formality and we would not have the legislators there. We would not have the structure. We report back to the legislature.

Ken Yantes, ND Township Officers Assoc. : (4650-5225) testified against HB1461. (SEE ATTACHED)

Rep. Disrud : How are the legislators on the commission chosen?

Ken : Legislative Council chooses them. L.C. Has a member at our meetings and has a record of all the minutes.

Rep. Disrud : Is there a value to having the same members stay on the commission?

Ken : That varies. I have been on there along time. Others come and go. Good to have some turnover. I started in 1988.

Rep. Disrud : Can the commission request legislators?

Ken : We don't have any control over that. Why this bill came forward, I think, is that there hasn't been enough press with what we are doing. There is a very little cost to this board.

Chair Froseth : (6039) Does the township association pay for the township representative and the county for the county.

Ken : That is exactly right.

Connie Sprynczynatyk, ND League of Cities : I come before you in opposition to HB1461.

(end side A, begin side B, Tape 1) The purpose of this committee is to review issues before it comes before the legislature. The board saves you a lot of time and aggravation. The ACIR can pick up disputes in a particular area, and solve them so they don't have to come before you. We have solved zoning issues. We don't mind funding this group, believe me.

Chair Froseth : Any more testimony for or against? Hearing none, HB1461 is closed.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1461 b

House Political Subdivisions Committee

☐ Conference Committee

Hearing Date 2-15-01

Tape Number	Side A	Side B	Meter #
2	xx		1600--2015
Committee Clerk Signature <i>Pam Dever</i>			

Minutes: Chair Froseth : Take up HB1461. What does committee wish?

Rep. Maragos : I move a DO NOT PASS.

Vice-Chair Severson : I second.

VOTE: 14 YES and 0 NO with 1 absent. PASSED Vice-Chair Severson will carry.

FISCAL NOTE

Requested by Legislative Council

01/23/2001

Bill/Resolution No.: HB 1461

Amendment to:

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			(\$8,071)		(\$8,071)	
Appropriations			(\$8,071)		(\$8,071)	

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill repeals the Advisory Commission on Intergovernmental Relations.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The amounts shown reflect the anticipated Legislative Council expenditures relating to this commission which will no longer be spent.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The amounts shown reflect the funding included in the 2001-03 executive budget recommendation for the Legislative Council relating to this commission which may be removed.

Name:	Jim W. Smith	Agency:	Legislative Council
Phone Number:	328-2916	Date Prepared:	01/24/2001

Date: 2-15-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. AB 1461

House POLITICAL SUBDIVISIONS Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Rep. Maragos Seconded By Vice-Chair Severson

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	AB				
Rep. Michael Grosz	✓				
Rep. Jane Gunter	✓				
Rep. Gil Herbel	✓				
Rep. Nancy Johnson	✓				
Rep. William E. Kretschmar	✓				
Rep. Carol A. Niemeler	✓				
Rep. Andrew G. Maragos	✓				

Total (Yes) 14 No 0

Absent 1 AB

Floor Assignment Vice-Chair Severson

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

REPORT OF STANDING COMMITTEE (410)
February 15, 2001 12:45 p.m.

Module No: HR-28-3503
Carrier: Severson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1461: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1461 was placed on the Eleventh order on the calendar.

2001 TESTIMONY

HB 1461

**Testimony for House Bill No. 1461
House Political Subdivisions Committee**

**Prepared by
Ken Yantes
North Dakota Township Officers Association**

Mr. Chairman and Members of the House Political Subdivisions Committee, my name is Ken Yantes and I am here today on behalf of over 6500 grassroots government leaders elected to serve as Township Officers. These officers have unanimously passed resolutions supporting the continuance of the Advisory Commission on Intergovernmental Relations. I have come here to strongly recommend a no vote on HB1461.

I would like to speak to you today as one of the first members of the ACIR. I would like to present some back ground on the committee and then tell you why I think the committee should continue. In 1986 Governor Sinner recognized the need for a forum to bring political subdivisions together during the interim period. The idea of establishing an all legislative member committee seemed quite costly. If the political subdivisions would pay for the cost of travel and lodging for their representatives, the budget for the committee would be legislatively acceptable in the next session. We all agreed to do so as we recognized the necessity of its existence. I received a letter of invitation in 1986 and have missed only one meeting since. The North Dakota Township Officers Association continues to pay my expenses and quite often sends other officers to attend and testify before the committee.

Mr. Chairman and Committee members, I believe that the ACIR is a needed committee in our state government. We need a place to come together to discuss problems between ourselves, to learn more about each other, and to talk about who should provide what service to the citizens of North Dakota. When we come to a unanimous decision and legislation is required to accomplish it, we have our staff person from Legislative Council draw up a proposed bill and hold it over for a second meeting. We then go back to our memberships and talk to them about it. At the next meeting we vote and if it is approved the proposal is sent to Legislative Council for their approval. I understand that they have the right to approve or reject it as they see fit. So far they have always approved of our effort and I wish to thank them.

My testimony here wouldn't be complete without this last point. Our meetings are usually held here in the capitol building. We gather around the tables just as you have done here today with the microphones and tape recorder going throughout the meeting. Our agendas have been sent out in the mail to us prior to the meeting, and our Chairman runs the meeting and is addressed with as much respect as the chairman of this committee. Testimony is given from the podium as I am doing now. Committee discussion and roll call votes are taken on each issue as other Interim committees do. The press is quite often present and is very welcome anytime at our meetings.

I am sure you are all aware, just as it happens here, there are discussions between committee members before, during and after hearings. These are very important also. It is very important that these lines of communication continue to exist.

The intent for the ACIR was and is to offer a forum for our states governmental entities to get together to discuss problems between each other. In the past we would bring opposing views to you in the form of bills. The benches would be filled with testifiers which used to take a lot more of your committees time than it does now.

The originators of the NDCC (that HB1461 asks to repeal) didn't intend for us to bring volumes of proposed legislation but asked us to be part of a forum to discuss governmental entity problems and seek solutions in an open public meeting.

The ACTR continues to work to accomplish this goal and actually serves as your Political Subdivisions Interim Committee with representatives from the following

- 1 member from the Governors Office
- 2 members of the Senate
- 2 members of the House Of Representatives
- 2 members from the Association of Counties
- 2 members from the League of Cities
- 1 from the Park Districts
- 1 from the Township Officers Association

I ask for your no vote on HB1-461 to allow the ACTR to continue to provide a much needed forum for our states political subdivisions.

**Testimony To The
HOUSE POLITICAL SUBDIVISIONS COMMITTEE
Prepared February 9, 2001 by the
North Dakota Association of Counties
Terry Traynor, Assistant Director**

CONCERNING HOUSE BILL NO. 1461

Chairman Froseth and members of the Political Subdivisions Committee, I am here on behalf of the North Dakota Association of Counties to oppose House Bill 1461.

Local government leaders and their organizations worked very hard for the creation of the Advisory Commission on Intergovernmental Relations and we believe that it has served, and continues to serve, a valuable purpose in North Dakota. This is the only permanent link between State and local government for the discussion and resolution of issues that cut across the various authorities and responsibilities.

Unlike schools, which have the Department of Public Instruction and two regular Legislative interim committees; counties, cities, townships, and park districts did not have this official representation at the State government level before the ACIR was created. The ACIR gave these local government entities a connection to the Legislature when the standing political subdivisions committees are not meeting.

The ACIR benefits the Legislature as well as the political subdivisions by providing an official forum for these governmental entities to bring forth their issues and concerns. These concerns can then be addressed collectively, and hopefully resolved in a collective manner, rather than forcing each group to appear before the Legislature with unilateral proposals to address individual concerns.

Without the ACTR, I don't believe there would have been the "Tool Chest" legislation in 1993 -- a collective effort of these local governments. This body of legislation strengthened our local governments, and gave them more and better options for providing services in the future. The ACTR has repeatedly examined the use of these "tools", and monitored their effectiveness. The ACTR has also studied property tax issues that cut across government lines and suggested improvements.

As this Committee is likely aware, of the eleven ACTR members, four are Legislators and the balance are appointed by several "organizations representing political subdivisions". Section 54-35.2-04 states that "*members of the advisory commission on intergovernmental relations who are appointed by an organization representing political subdivisions may be reimbursed for attendance at commission meetings by the organization by which they were appointed.*" Clearly, a significant share of the financial support of this Commission lies with the political subdivisions. Counties have very willingly provided this support in the past and are committed to its continuation.

Mr. Chairman and committee members, county government believes that the ACTR is of great value, and should remain in-place. We therefore urge a Do Not Pass recommendation on House Bill 1461.