

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

4004

2001 SENATE FINANCE AND TAXATION

SCR 4004

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 4004

Senate Finance and Taxation Committee

Conference Committee

Hearing Date 01/10/01

Tape Number	Side A	Side B	Meter #
1	x		19,5-26,0
Committee Clerk Signature <i>Synelle Kraft</i>			

Minutes:

Senator Urlacher: Called the hearing on SCR 4003, a resolution urging Congress to provide a greater opportunity for farmers to participate in retirement investments by allowing withdrawals without penalty when necessary to support family farm operations.

John Walstad, Legislative Council, introduced the bill.

John Walstad: Bill originated in Interim Taxation Committee. The problem addressed by this resolution is a matter of federal law, relating to retirement investments allowed under federal law. The resolution suggests to Congress that IRA's would be more available to farmers if those penalties would be waved if money has to be drawn out to support a family farming operation. The problem is that farmers really are in a different kind of business than other people. Somebody who's working as hard as they can is still going to lose money because of the farm economy and things that are beyond their control. And in those kind of circumstances, being

allowed to tap into those moneys without penalty would encourage farmers to use those kinds retirement vehicles.

Senator Kroeplin: Could we, by approving this resolution, mortgage a person's retirement to the bank or the lending institution?

John Walstad: That's a possibility that I haven't really considered. It certainly could be. That possibility could exist under current law.

Senator Christmann: Just a thought on that, in that situation the bank would be just likely to hold them for another couple of years.

Senator Nichols: Who sets this mechanism and how do they decide who qualifies?

John Walstad: The resolution suggests that Congress should look at this and set some appropriate limitations.

Senator Urlacher: That would amount to switching retirement funds without penalty.

No opposition testimony.

Senator Urlacher: Closed the hearing on 4004.

Senator Urlacher: Reopened 4004 for further questioning.

Senator Kroeplin: How isolated are IRA's from the business as far as financially.

John Walstad: They're pretty well insulated. I think they're exempt from execution under current state law.

Senator Urlacher: Reclosed the hearing on 4004.

COMMITTEE ACTION:

Motion made by Senator Wardner for DO PASS, Seconded by Senator Christmann. Vote was 4 yeas, 2 nay, 0 absent or not voting. Bill carrier was Senator Wardner.

Date: 01/10/01  
Roll Call Vote #:

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 4004

Senate Finance and Taxation Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

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

Action Taken So Pass

Motion Made By Sen. Wardner Seconded By Sen. Christmann

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

Total (Yes) 4 No 2

Absent 0

Floor Assignment Sen. Wardner

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

**REPORT OF STANDING COMMITTEE (410)**  
January 10, 2001 12:26 p.m.

**Module No: SR-02-0857**  
**Carrier: Wardner**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SCR 4004: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends DO PASS (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SCR 4004 was placed on the Eleventh order on the calendar.**

2001 HOUSE FINANCE AND TAXATION

SCR 4004

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4004

House Finance and Taxation Committee

Conference Committee

Hearing Date March 20, 2001

Tape Number	Side A	Side B	Meter #
1	X		518
Committee Clerk Signature <i>Janie Stein</i>			

Minutes:

**REP. AL CARLSON, CHAIRMAN** Opened the hearing.

**JOHN WALSTAD, ATTORNEY FOR THE LEGISLATIVE COUNCIL,** Gave an explanation of the interim tax committee regarding this resolution. See the Report of the North Dakota Legislative Council, Fifty-Seventh Legislative Assembly, 2001, page 350.

**REP. CARLSON** Asked if the money for the retirement is taken out, do you have to put it back in?

**JOHN WALSTAD** Stated the resolution does not address that. It is left to the wisdom of Congress.

**REP. CARLSON** If you are allowed to take it out, are you allowed to put it back in without penalty?

**JOHN WALSTAD** No, like first home purchases, there is an exception for education expenditures.

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House Finance and Taxation Committee

Bill/Resolution Number SCR 4004

Hearing Date March 20, 2001

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

**REP. BRANDENBURG** Second the motion. **MOTION CARRIED AND WAS PLACED**

**ON THE CONSENT CALENDAR**

**REP. BRANDENBURG** Was given the floor assignment.

Date: 3-20-01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SCR 4004

House FINANCE & TAXATION Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

*Consent Calendar?*

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

Action Taken Do Pass

Motion Made By Rep. Renner Seconded By Rep. Brandenburg

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	✓				

Total (Yes) 15 No 0

Absent 0

Floor Assignment Rep. Brandenburg

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

**REPORT OF STANDING COMMITTEE (410)**  
**March 20, 2001 11:22 a.m.**

**Module No: HR-48-6120**  
**Carrier: Brandenburg**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SCR 4004: Finance and Taxation Committee (Rep. Carlson, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4004 was placed on the Tenth order on the calendar.**