

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1354

2005 HOUSE POLITICAL SUBDIVISIONS

HB 1354

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1354

House Political Subdivisions Committee

☐ Conference Committee

Hearing Date January 20, 2005

Tape Number	Side A	Side B	Meter #
1	x		50.1 to end
		x	0.1 to 29.1
Committee Clerk Signature <i>Lauren L. Zinke</i>			

Minutes: **Rep. Devlin, Chairman** opened the hearing on HB 1354, A Bill for an Act amend and reenact subsection 18 of section 57-15-06.7 of the North Dakota Century Code, relating to the county levy for a county veteran's service officer; and to provide an effective date.

**Rep. Metcalf** representing District 24, a prime sponsor spoke on behalf of HB 1354. A copy of his written comments are attached. His testimony stated the problem to be that Ransom County, the home county of the North Dakota Veteran's Home, had lost the services of their Veteran's Service Officer. In attempting to hire a replacement, they found that the salary they would have to paid was in the range of 425 - 30, 000. The 1 mil levy to pay the service officer's salary brings in only \$19,000 per year. This bill seeks to increase the 1 and ¼ mils to 2 mils to enable them to hire the replacement officer. In addition Ransom County has the added burden to process veteran service inquiries from the 160 or so residents of the State Veteran's Home. Only 7 of the current residents are from Ransom County.

**Rep. Herbal, Vice Chairman** inquired whether there has been any cooperative effort with other to provide services under a shared cost arrangement under the joint powers act.

**Rep. Metcalf:** Deferred the question to the ND Association of counties who were to testify later.

**End of side A - Tape 1.**

**Side B - HB 1384 continued - Rep. Metcalf's presentation and discussion.**

**Rep. Kaldor:** Inquired how much of the of the costs relative to the Veteran's Home was covered and carried by the State.

**Rep. Metcalf:** The Veteran's Home are supported by the State and by the Federal.

**Rep. Kaldor:** ( 1.2 ) Do you know -- does the government support the Home to cover increasing costs? Or , is this one of the reasons the county has to pick up some the cost?

**Rep. Metcalf :** This part that we are talking about is what a veteran's service officer would provide to the residents of the home.

**Rep. Zaiserb ( 1.4 )** Do the state or feds participate in the cost of the county veteran' s service officer?

**Rep. Metcalf :** No, only the county pays that.

**Rep. Ekstrom :** ( 2.0 ) Can the counties share a veteran's service officer?

**Rep. Metcalf:** It is true that that counties can --

**Steve Dick, Ransom County Commissioner:** We have a special case there in our county. We could put it to a vote of the people but our board is divided as to why we should provide a part time employee for a state run institution. We check the code and found we could or we may not provide a veterans service officer. We opted not to and that we would rely upon the part time services provided from the Home for a change. We met with the Commandant of the Home and

we would pay the Home from the mil levy for part time services. The Attorney General's opinion didn't fall in our favor. We couldn't pay the Home.

**Rep. Kaldor :** ( 6.8 ) You have kicked in money from your general fund in the past -- ans. Yes --  
Are you close to your general fund cap? Ans. Yes

**Rep. Ekstrom :** ( 7.1 ) What would be your estimate of the number of veterans you have in your county at the present time?

**Steve Dick :** Close to 650 -- 642 or 644 ---

**Rep. Koppelman ( 7.3 )** Would your problem be solved if we fixed that part of the law that was of concern in the Attorney General's opinion rather than increase the mil levy?

**Steve Dick :** That is if the State Home would be willing to cover our employees which they haven't in the past.

**Rep. Zaiser ( 9.2 )** This would be a full time person?

**Steve Dick :** Yes

**Rep. N. Johnson:** ( 9.9 ) Your county is at its mil levy cap --- if we were to increase this to tow mils would you still be allowed to go to the two mils or is this still within the cap?

**Steve Dick :** No the two mils would just be for the Veterans Service officer..

**Terry Traynor** with the ND Association of Counties : The association supports Ransom county in this request. HB 1128 is currently in GAV committee --- this would mandate that counties must provide a veterans service officer. That bill does make clear that counties may share a veterans service officer. There are currently active two share arrangements working.

There is a Senate Bill 2218. There are 50 counties which do levy this mil levy for the veterans service officer. About 10 have 2.3 mils in their levies for this. We urge a 'Do Pass' on this bill.

**Rep. Devlin, Chairman** I think there may be some confusion in the committee about the cap on the general funds in relation to other special funds.

**Terry Traynor :** Counties have 71 different levies that are allowed -- like the Veterans Service Officer levy or the other special levies and they are specific for that purpose. The general fund which has a 23 mill cap can be used for any purpose for which the counties may spend money. So if they need more money they can go the general fund; however, in 43 counties the cap is already levied.

**Rep. Kaldor ( 13.3 )** The previous bill that we had here before us was a bill to increase the levy for historical purposes. Is there any restriction on what the counties can use out of general funds for these special fund accounts.

**Terry Traynor :** I believe there is not.

**Rep. Koppelman : ( 13.8 )** As has been testified, Ransom County is rather unique because of The Home being located there --- rather than increase the levy all across the state --- is there another way to solve this problem?

**Terry Traynor :** There certainly seems to be some obligation of the State who runs that facility to provide that service. However it is service that has ever been required of the veterans home. I believe that one of the issues addressed in the Attorney General's opinion was that the Home apparently didn't have the authority to provide that service.

**Rep. Zaiser ( 15.1 )** How would the qualification in 2218 tie into the position talked about here in this bill?

**Terry Traynor :** the bill has not been heard yet but I understand that they are to be recommended qualifications. They are specific in the statute proposed.

**Rep. Kretschmar ( 16.0 )** Are there any counties who have a full time veterans service officer?

**Terry Traynor :** Yes there are -- I believe that all of the larger counties do have a full time service officer.

**Rep. Wrangham ( 16.3 )** We keep hearing that property taxes are too high but we keep getting these bill in to raise a mil levy for this or that ---

**Terry Traynor :** As to why these are coming in -- certainly each county is different however cost continue to go up and changes in recent years to the valuation process has stagnates with the valuations where we now have a number of counties where the valuations are actually going down.

**Rep. Wrangham ( 17.8 )** do you have chart which shows valuations actually going down.

**Terry Traynor :** Yes I do and I will furnish that to the committee.

**Rep. Koppelman :** In the light of your testimony that in 16 counties the valuation are going down -- is there any kind of mechanism that can be triggered to help the counties?

**Terry Traynor :** Not per se but somewhat on point -- the last session did allow counties to consolidate all their mil levies and adjust their budgets to their needs -- to levy the mils when they are needed and not levy when they are not needed.

**Dan Naruum** who is the judge advocate for the American Legion. His support for the bill was the basis for his appearance and urged its passage.

**Rep. Koppelman** inquired whether there could be some federal funds to be brought in for this problem.

**Dan Naruum :** we have been very successful in telling the Feds what they may or need to do .

Mr. Naruum then proceed to discuss the work of the veteran service officers. There was also discussion of whether there was enough cooperative efforts being made.

Page 6  
House Political Subdivisions Committee  
Bill/Resolution Number HB 1354  
Hearing Date January 20, 2005

**John Jacobsen** representing the North Dakota Veteran's Council spoke in support of HB 1354.

A copy of his written remarks are attached.

There being no further testimony for nor against HB 1354, **Rep.Devlin, Chairman** closed the hearing on HB1354 ( 29.1 ) .



2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1354 b

House Political Subdivisions Committee

☐ Conference Committee

Hearing Date February 3, 2005

Tape Number	Side A	Side B	Meter #
1	x		38.6 to 48.8
1		x	34.7 to 36.8
Committee Clerk Signature <i>Lauren H. Zink</i>			

Minutes: **Rep. Devlin, Chairman** in work session opened the discussion for action on HB 1354.

**John Walstad** from the Legislative council was present at the request of the Chairman to discuss a proposed amendment. The chairman pointed out that based on assurances from the ND Association of Counties that Ransom county if the only county that this legislation is aimed the assist with a problem not of their own making. The situation is that 1 mil will not bring in enough to pay for the expense of a Veterans Service officer in their county. The reason is that the county service officer in that county also services the State Soldiers Home located there. While there are only six Ransom county veterans at the home the Service Officer must service all 160 residents of the home. The Chairman working with the Appropriations committee had arrived at an agreement that one have of the Ransom County Service officers expense would come out of the State soldiers Home budget. Mr. Walstad worked on the amendment so that such payment was possible and yet not be a specialized single recipient of the funding by making the

Page 2

House Political Subdivisions Committee

Bill/Resolution Number HB 1354 b

Hearing Date February 3, 2005

legislation apply to any county with a State funded Soldiers home and there are several potential such Veterans facilities in the offing. The amount is limited up to \$15, 000.

**Rep. Zaiser** moved to approve the proposed amendment. **Rep. Maragos** seconded the motion.

The motion carried on a voice vote. **Rep. Herbal, Vice Chairman** moved a 'Do pass as

Amended and that the bill be referred to appropriations committee' motion. **Rep. N. Johnson**

seconded the motion. On a roll call vote the motion carried **8 ayes 0 nays 4 absent. Rep.**

**Kretschmar**

Was designated to carry HB 1354 on the floor. **End of record ( 36.8 ) .**

# FISCAL NOTE

Requested by Legislative Council  
02/07/2005

Amendment to: HB 1354

**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.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

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

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
	\$0	\$0		\$0	\$0		\$0	\$0

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

House Bill 1354, which seeks to increase the mill levy for a county veterans' service officer from 1 1/4 mills to 2 mills, will have no fiscal impact upon the Veterans Home, the city or the school district. HB 1354 would impact the county by generating an additional \$11,500 per year in revenues to be used to fund the county veterans' service officer position.

**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.*

**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.*

<b>Name:</b>	Kristin Lunneborg	<b>Agency:</b>	Veterans Home
<b>Phone Number:</b>	701-683-6503	<b>Date Prepared:</b>	02/09/2005

**House Amendments to HB 1354 - Political Subdivisions Committee 02/04/2005**

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 37-15 of the North Dakota Century Code, relating to the state sharing in the cost of a county veterans' service officer in a county in which is located a veterans' home.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1.** A new section to chapter 37-15 of the North Dakota Century Code is created and enacted as follows:

**County veterans' service officer salary and expenses sharing for veterans' home.** In a county levying the maximum allowable amount for a county veterans' service officer's salary and expenses under subsection 18 of section 57-15-06.7 and in which is located a veterans' home under the jurisdiction of the administrative committee on veterans' affairs, the administrative committee on veterans' affairs shall pay from funds available to the veterans' home up to one-half of the cost of the county veterans' service officer's salary and expenses, but not in an amount exceeding fifteen thousand dollars per year."

Renumber accordingly

Date: February 3, 2005  
Roll Call Vote: HB 1354

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

House POLITICAL SUBDIVISIONS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 3rd Monday Amend May 2nd

Action Taken D P as Amended & refer to Approp

Motion Made By Rep. Herbel Seconded By Rep. Johnson

Representatives	Yes	No	Representatives	Yes	No
Rep. Devlin, Chairman	✓		Rep. Ekstrom	A	
Rep. Herbel, Vice Chairman	✓		Rep. Kaldor	✓	
Rep. Dietrich	A		Rep. Zaiser	✓	
Rep. Johnson	✓				
Rep. Koppelman	A				
Rep. Kretschmar	✓				
Rep. Maragos	✓				
Rep. Pietsch	✓				
Rep. Wrangham	A				

Total (Yes) 8 No 0

Absent 4

Floor Assignment Rep. Kretschmar

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

**REPORT OF STANDING COMMITTEE**

**HB 1354: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1354 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 37-15 of the North Dakota Century Code, relating to the state sharing in the cost of a county veterans' service officer in a county in which is located a veterans' home.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1.** A new section to chapter 37-15 of the North Dakota Century Code is created and enacted as follows:

**County veterans' service officer salary and expenses sharing for veterans' home.** In a county levying the maximum allowable amount for a county veterans' service officer's salary and expenses under subsection 18 of section 57-15-06.7 and in which is located a veterans' home under the jurisdiction of the administrative committee on veterans' affairs, the administrative committee on veterans' affairs shall pay from funds available to the veterans' home up to one-half of the cost of the county veterans' service officer's salary and expenses, but not in an amount exceeding fifteen thousand dollars per year."

Renumber accordingly

2005 HOUSE APPROPRIATIONS

HB 1354

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1354

County Veterans Service Officer

House Appropriations Full Committee

☐ Conference Committee

Hearing Date February 14, 2005

Tape Number	Side A	Side B	Meter #
1	X		#8.2 - #30.0
Committee Clerk Signature <i>Chris Alexander</i>			

Minutes:

**Rep. Ken Svedjan, Chairman** opened the discussion on HB1354.

**Rep Devlin** introduce the bill by distributing handouts and reviewing written testimony (Handout #29-1, attached). This bill changed the mill levy that counties could put on for a veterans service officer from 1.25 to 2 mill. It appeared that most of the need was in Ransom County where the Veteran's Home was. The committee felt that the state could pay for part of the cost of the veterans service officer in Ransom County to cover the work that was being done for all the other counties. The committee amended the bill so that they would leave the 1.25 mill but that the state would pay half of the salary up to \$15,000 for any county that had a veterans home. Since the committee met, Morton County really wanted the levy raised to 2 mills as well to meet their needs, but that did not come up in our committee. Rep Devlin then reviewed the mill levy handout and pointed out that a great many of the counties are below the 1.25 mill allowed by law.



**Rep. Ken Svedjan, Chairman** commented that this bill has no fiscal impact yet it was re-referred here.

**Rep Devlin** answered that the fiscal impact is \$15,000 if you approve this bill as it stands, but it would only effect those counties with a veterans home and if they are at the 1.25 mill which is the law as it stands now.

**Rep. Bob Skarphol** asked if the current law says they are allowed up to 1.25 mill

**Rep Devlin** answered that this was correct and that they were not allowed to raise it to 2 mill unless this is changed.

**Rep. Bob Skarphol** commented that some counties on the report were already over the 1.25 mill limit.

**Rep Devlin** answered that there was a time when counties were allowed to go up a little per year because of inflation and these were the counties that did that. The legislature has since taken that allowance away.

**Rep. Ken Svedjan, Chairman** clarified that because of the situation of Ransom County with the veterans home there are veterans there from all over the state and typically the veterans service officer in a county serves veterans in that county but here we have a little different situation so what you are asking is that the state support up to half of the veterans service officer's salary in Ransom County. (meter Tape #1, side A, #13.1)

**Rep Devlin** responds that this is correct.

**Rep. Larry Bellew** asked how many counties have veterans homes.

**Rep Devlin** answered one.

**Rep. Tom Brusegaard** asked why Morton County wanted to go to 2 mills when they aren't even at the 1.25 mill level yet.

**Rep Devlin** responded that the cap was 1.25 mill

**Rep. Jeff Delzer** asked if it is the intention that these dollars would come out of the state funds that go to the veterans home and not out of the veterans administrative Post War Trust fund or the administrative committee fund.

**Rep Devlin** responds by saying the committee didn't designate where it should come from and our committee has no desired preference.

**Rep. Jeff Delzer** commented that Don or Lori from OMB should look at this because it looks like the administrative committee does not control the state's money but only the Post War trust fund. In the past we have allowed them a half position if they pay for half of the cost and this year the Governor's budget is paying for the whole thing so this fund could now be used for this veterans service officer position and that's fine but its not clear if its for that other half position or this position. There is the Post War Trust Fund but there is also and administrative fund I think.

**Ms Lori Laschkewitsch** from OMB commented that the Post War Trust Fund was where the half position was funded but this next budget the whole position is being paid through general funds. The Veterans Home Budget is where the veterans service officer for Ransom County position would be funded.

**Rep. Ken Svedjan, Chairman** clarified that this would need to be adjusted in the Veterans Home budget if this was passed in its current form..

**Rep. Jeff Delzer** asked if the administration committee could handle state funds or only the Post War funds.

**Ms Lori Laschkewitsch** answered that the appropriation was going to the Veterans Home and that the administration committee would oversee it.

**Rep. Mike Timm, Vice Chairman** asked if the original Governor's recommendation agreed to pay for this whole salary out of the Veterans Home and now its the county paying for this, and if this is true, why would we saddle the county with extra taxes for this person since this person is supposedly do the work which is a statewide priority. (meter Tape #1, side A, #18.2)

**Rep Devlin** answered that Rep Timm talking about two different positions. As this stands, the state is not paying for any of the Ransom County's veterans service officer position now. What we're trying to do is have the state pay for half of this because the work is being done out of the home. We did not intend it to be taken out of the existing Veterans Home Budget. We are hoping for additional money to be added to cover this.

**Rep. Jeff Delzer** commented that this would mean up to an additional \$15,000 is for an additional position but there is no appropriation in this. '

**Rep. Ken Svedjan, Chairman** commented that there is no appropriation in this bill so if we pass this we would have to adjust the budget when we get it.

**Rep. Jeff Delzer** commented that this is better to word it this way since our committee will be the one to deal with this budget when we get it.

**Rep. Keith Kempenich** asked if the people of the county would be the ones who would vote to raise the mill

**Rep Devlin** answered that in this scenario, only county commissioners would be the ones to vote on this.

**Rep. Ole Aarsvold** commented that the counties have been very prudent so far in exercising their authority here since most of the counties are under the 1.25 mill that is allowable by law.

**Rep. Jeff Delzer** asked how it was again that some counties are above the 1.25 mill

**Rep Devlin** explained that the inflation factor was allowed once but it is no longer in place

**Rep. Francis J. Wald** asked what the balance was in the Post War Trust Fund.

**Rep. Ken Svedjan, Chairman** commented that Legislative Council would need to provide the answer for this

**Rep. Ralph Metcalf** introduced and explained amendment #0201 saying that it would return the bill to its original state. This raises the authority of the county to assess an additional tax raising the mill levy from 1.25 to 2 mills. This is supported by the county commissioners from Ransom County. The veterans home in that county brings economic development to this area and thus a tax base to this area based on the number of people housed there and employed there. The majority of the work in Ransom County for the veterans service officer is at the home. The mill levy is \$19,000 a year and is insufficient to cover the needs of the veterans service officer. In the past the county has supplemented this with general funds and would probably continue to do this if the demand on general funds hasn't increased so much over the last few years. There was considerable debate in the interim over this position, but the public service commissioners have assured me that the people in this area are willing to pay the additional property tax to serve the veterans in their area. The county wants to fund this position this way, partly because they do not

want to have to come back to the legislature every session to make sure that they get the state's share of this position. (meter Tape #1, side A, #21.8)

**Rep. Ralph Metcalf** moved to adopt amendment #0201 to HB1354.

**Rep. Ole Aarsvold** seconded.

**Rep. Keith Kempenich** commented that the political subs committee has sufficiently taken care of this position so why should we take it all the way back to the original bill again

**Rep. Ralph Metcalf** answered that they don't want to come back every session to make sure there is money in the budget for the veterans home to cover this position. They veterans are concerned about where the money is coming from and they don't want any more money coming from the Veterans Trust fund. The county is willing to take up the whole cost.

**Rep. Ken Svedjan, Chairman** asked why we would raise the levy to 2 mill if there are so many counties under the 1.25 mill

**Rep. Ralph Metcalf** explained that if you raise the mill to 2 mill for Ransom county then you have to raise it for all of the counties to keep them on equal footing.

**Rep. Ken Svedjan, Chairman** called for a voice vote to adopt amendment #0201 to HB1354.

Decision was unclear so a roll call vote was called. Motion carried with a vote of 15 yeas, 8 nays and 0 absences.

**Rep. Ralph Metcalf** moved a Do Pass As Amended motion to HB1354.

**Rep. James Kerzman** seconded.

**Rep. Francis J. Wald** commented that we are allowing counties to go up to 2 mills and saving some budget \$15,000 a year. (meter Tape #1, side A, #29.2)

Page 7

House Appropriations Committee

Bill/Resolution Number HB1354

Hearing Date February 14, 2005

**Rep. Ken Svedjan, Chairman** called for a roll call vote on the Do Pass As Amended motion to HB1354. Motion carried with a vote of 19 yeas, 4 neas and 0 absences. Rep Metcalf will carry the bill to the house floor.

**Rep. Ken Svedjan, Chairman** closed the discussion of HB1354.

Date: February 14, 2005  
Roll Call Vote #: 1

**2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. HB1354**

House Appropriations - Full Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 50301.0201

Action Taken DO PASS AS AMENDED

Motion Made By Rep Metcalf Seconded By Rep Kerzman

Representatives	Yes	No	Representatives	Yes	No
Rep. Ken Svedjan, Chairman	X		Rep. Bob Skarphol	X	
Rep. Mike Timm, Vice Chairman	X		Rep. David Monson	X	
Rep. Bob Martinson	X		Rep. Eliot Glassheim	X	
Rep. Tom Brusegaard	X		Rep. Jeff Delzer		X
Rep. Earl Rennerfeldt	X		Rep. Chet Pollert	X	
Rep. Francis J. Wald	X		Rep. Larry Bellew		X
Rep. Ole Aarsvold	X		Rep. Alon C. Wieland	X	
Rep. Pam Gulleeson	X		Rep. James Kerzman	X	
Rep. Ron Carlisle	X		Rep. Ralph Metcalf	X	
Rep. Keith Kempenich	X				
Rep. Blair Thoreson		X			
Rep. Joe Kroeber	X				
Rep. Clark Williams	X				
Rep. Al Carlson		X			

Total Yes 19 No 4

Absent 0

Floor Assignment Rep Metcalf

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

**REPORT OF STANDING COMMITTEE**

HB 1354, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1354 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 18 of section 57-15-06.7 of the North Dakota Century Code, relating to the county levy for a county veterans' service officer; and to provide an effective date.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Subsection 18 of section 57-15-06.7 of the North Dakota Century Code is amended and reenacted as follows:

18. A county levying a tax for a county veterans' service officer's salary, traveling, and office expenses in accordance with section 57-15-06.4 may levy a tax not exceeding ~~one and one-fourth~~ two mills.

**SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after December 31, 2004."

Renumber accordingly



2005 SENATE POLITICAL SUBDIVISIONS

HB 1354

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1354

Senate Political Subdivisions Committee

☐ Conference Committee

Hearing Date March 4, 2005

Tape Number	Side A	Side B	Meter #
1		X	2950 - 4417
Committee Clerk Signature <i>Shirley Borg</i>			

Minutes:

**Chairman Cook** opened the hearing on HB 1354 relating to the county levy for a county veterans' service officer. All committee members (6) present.

**Representative Ralph Metcalf**, District 24, Prime Sponsor, introduced HB 1354. (See attachment #1)

**Chairman Cook:** Can you explain to the committee what happened in the House that created a original bill and an Engrossed bill that are identical.

**Rep. Metcalf:** What happened was there was an amendment put on in Rep Devlin's committee that basically eliminated the increase in the mill levies at the county level. The intent was to add money from the general fund to support this requirement, giving the money to the veterans home for payment to the Ransom County VSO depending upon the levels of funding required. The veterans administration of Ransom County would prefer the original bill. I brought an amendment to the appropriations committee and we transferred it back to the original bill.

**Bob Evans**, Williams County Veterans Service Officer, and the Secretary for the ND Veterans Coordinating Council, testified in support of HB 1354. My county again accesses the 1.25. They fund my office at 1.98. That additional funding comes out of the general fund. The services that we are able to provide because of their generosity has grown beyond Williams County. We provide services for outlying counties. The veterans that I send to the veteran homes, Ransom County VSO does not provide service for that veteran. I provide that service. I am the individual that prepares that veterans claim for admission to the veterans home, for his medical benefits, and his pension benefits. I do the annual income questionnaires for their benefit to make sure they receive the maximum benefits. I think we need to stay state wide. I think we need to allow each of the counties the ability to provide antiquate funding for the VSO so they can do the correct job for the veterans of the state.

**Senator Triplett:** Do you get contributions from the other counties when you are providing services.

**Bob Evans:** Normally I don't charge for our services.

**John Jacobson**, Chairman of the ND Veterans Coordinating Council, testified in support of HB 1354. (See attachment # 2)

**Terry Traynor**, Assistant Director of Association of Counties testified in support of HB 1354. He passed out Mills Levies . (See attachment #3)

**Chairman Cook:** If the cap is at 1.25 explain why we have a couple that are over it on the list.

**Terry Traynor:** Between the years 1981 and 1994. In 1981 the legislature established the current formula for evaluation which prohibited any evaluation changes on county boards and basically fixed the evaluation. Those counties that were at their mill levy caps at certain funds,

Page 3

Senate Political Subdivisions Committee

Bill/Resolution Number HB 1354

Hearing Date March 4, 2005

limited their possibility of getting any sort of increase unless there was a change in evaluation.

So the legislation granted on a biannual basis, a certain percentage growth based on the consumer price index and that was put in the statute in those years.

No further testimony for or against HB 1354.

**Chairman Cook** closed the hearing on HB 1354.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1354

Senate Political Subdivisions Committee

☐ Conference Committee

Hearing Date March 18, 2005

Tape Number	Side A	Side B	Meter #
1	X		3600 - 4394
Committee Clerk Signature <i>Shirley Long</i>			

Minutes:

**Chairman Cook** opened the discussion and ask for action on HB 1354. All members (6) present.

**Chairman Cook:** The bill is relating to veteran's service officers which is presently at one and a quarter mill and it would raise it to two mills.

**Senator Dever:** I see this bill a little differently. It is a modest increase and there are several counties at their cap. Veteran service officers is a situation that is changing in our state now, with the differing population of veterans and more distances to travel. I think there is a need for more money for that purpose.

**Senator Dever** moved Do Pass

**Senator Triplett** seconded the motion

Discussion

Roll call vote: Yes 5 No 1 Absent 0 Carrier: **Senator Dever**

Date: 3-18-05  
Roll Call Vote #: )

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1354

Senate Political Subdivisions Committee

☐ Check here for Conference Committee

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

Action Taken Do Pass

Motion Made By Senator Dever Seconded By Senator Triplett

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman		X			
Senator Nicholas P. Hacker, VC	X				
Senator Dick Dever	X				
Senator Gary A. Lee	X				
Senator April Fairfield	X				
Senator Constance Triplett	X				

Total Yes 5 No 1

Absent \_\_\_\_\_

Floor Assignment Senator Dever

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

**REPORT OF STANDING COMMITTEE (410)**  
March 18, 2005 1:26 p.m.

**Module No: SR-50-5460**  
**Carrier: Dever**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1354, as reengrossed: Political Subdivisions Committee (Sen. Cook, Chairman)**  
recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING).  
Reengrossed HB 1354 was placed on the Fourteenth order on the calendar.

**2005 TESTIMONY**

HB 1354



TESTIMONY SUPPORTING HB 1354  
HOUSE POLITICAL SUBDIVISIONS COMMITTEE  
JANUARY 20, 2005

*Same as Senate*

Good morning Chairman Devlin and members of the House Political Subdivisions Committee. I am Representative Ralph Metcalf from the greater District 24 representing North Dakotans living in 22 townships in Western Barnes County and 10 townships in Northwestern Ransom County.

This bill accomplishes only one thing. It allows counties to increase the mill levy for operation and salary for a county veterans service officer from "one and one fourth mills" to "two mills".

This change was requested by the Ransom County Commissioners where the North Dakota Veterans Home is located. The current mill levy only generates approximately \$19,000 per year. This amount is insufficient to hire a veterans service officer and pay expenses for operation. The duties of the Ransom County VSO is greatly increased because of the needs of the veterans residing in the Veterans Home. For the past several years, Ransom county has had to allocate additional money each year from the county's general fund to meet the requirements of the Home. It is felt that increasing the authorization to levy two mills would be adequate to meet current needs of both the county and the Veterans Home.

It was questioned whether we should request just an increase authorization for Ransom County but consultation with the North Dakota Association of Counties determined that it should be a blanket increase for all counties.

As there are other individuals here who will offer testimony to this matter, I will finish my testimony at this time and I will attempt to answer any questions you may have.

## North Dakota Veteran's Coordinating Council

My name is John L. Jacobsen. I am the chairman of the Legislative Committee of the North Dakota Veterans Coordinating Council. I am a member of both the VFW and the American Legion. I am also a member of the VFW National Legislative Committee. We work directly with our Members of Congress on legislation at the national level.

I served 29 years in the ND National Guard and the US Army Reserve, retiring in 1995 with the rank of Colonel. I served on active duty in 1991 in the Persian Gulf stationed in the United Arab Emirates.

The NDVCC membership is comprised of 15 members representing the five (5) veterans' organizations in the state. They are:

- American Legion
- AMVETS
- Disabled American Veterans (DAV)
- Veterans of Foreign Wars (VFW)
- Vietnam Veterans of America (VVA)

These organizations represent approximately 60,000 veterans currently living in North Dakota.

I am a member of the Legislative Committee of the NDVCC. I am not a member of the NDVCC but report directly to them. In order for the Legislative Committee to support any bill brought up before our Legislature, concurrence must be unanimous, that is all 15 members must agree that we should support the bill. A single negative response will kill our support.

## North Dakota Veteran's Coordinating Council

My name is John L. Jacobsen. I am the chairman of the Legislative Committee of the North Dakota Veterans Coordinating Council. I am a member of both the VFW and the American Legion. I am also a member of the VFW National Legislative Committee. We work directly with our Members of Congress on legislation at the national level.

The NDVCC membership is comprised of 15 members representing the five (5) veterans' organizations in the state. (3 from each organization) They are:

- American Legion
- AMVETS
- Disabled American Veterans (DAV)
- Veterans of Foreign Wars (VFW)
- Vietnam Veterans of America (VVA)

These organizations represent approximately 61,000 veterans currently living in North Dakota.

I am a member of the Legislative Committee of the NDVCC. I am not a member of the NDVCC but report directly to them. In order for the Legislative Committee to support any bill brought up before our Legislature, concurrence must be unanimous, that is all 5 organizations must agree that we should support the bill. An organization with 2 no votes can eliminate our support of the bill.

I have been instructed to ask you to support this bill.  
Thank you.

HB 1354

# Mills Levied 2003 (For Collection in 2004)

Source:

Compiled by NDACo from:

Property Tax Statistical Report - State Tax Department

Levies limited by statute are highlighted

*Perry Maynor*  
*attachment 3*  
*12B1354*

	Value of 1 Mill	County General Fund		Veterans Service Levy	
		Mills	Dollars	Mills	Dollars
Adams	\$6,988	48.33	\$337,728	0.80	\$5,590
Barnes	\$33,019	23.00	\$759,427	1.14	\$37,641
Benson	\$12,267	29.18	\$357,958	1.25	\$15,334
Billings	\$4,768	9.91	\$47,248	1.27	\$6,055
Bottineau	\$22,652	23.27	\$527,111	0.87	\$19,707
Bowman	\$8,267	0.25	\$2,067	0.80	\$6,613
Burke	\$8,574	22.51	\$192,991	0.51	\$4,373
Burleigh	\$145,021	33.90	\$4,916,211	0.88	\$127,618
Cass	\$297,735	31.45	\$9,363,757	0.50	\$148,867
Cavalier	\$19,272	33.24	\$640,610	0.58	\$11,178
Dickey	\$15,234	36.58	\$557,249	1.08	\$16,452
Divide	\$9,037	23.81	\$215,179	0.53	\$4,790
Dunn	\$12,278	48.99	\$601,485	0.57	\$6,998
Eddy	\$6,322	43.92	\$277,679	1.25	\$7,903
Emmons	\$13,495	38.20	\$515,495		
Foster	\$12,110	25.69	\$311,102	0.76	\$9,203
Golden Valley	\$5,362	40.39	\$216,569	0.47	\$2,520
Grand Forks	\$124,884	21.82	\$2,724,971	1.03	\$128,631
Grant	\$7,815	36.17	\$282,685	0.99	\$7,737
Griggs	\$8,408	35.92	\$302,011	0.71	\$5,970
Hettinger	\$8,828	41.80	\$369,026	0.61	\$5,385
Kidder	\$9,197	27.57	\$253,563	0.45	\$4,139
Lamoure	\$15,208	28.10	\$427,336	0.37	\$5,627
Logan	\$6,567	41.19	\$270,493	0.65	\$4,269
McHenry	\$20,520	23.00	\$471,949	0.25	\$5,130
McIntosh	\$9,460	25.91	\$245,102	0.70	\$6,622
McKenzie	\$15,927	16.87	\$268,688	0.93	\$14,812
McLean	\$23,913	16.88	\$403,645		
Mercer	\$18,101	20.50	\$371,071	0.25	\$4,525
Morton	\$52,511	40.93	\$2,149,282	1.38	\$72,465
Mountrail	\$14,600	25.31	\$369,533	0.52	\$7,592
Nelson	\$10,802	37.86	\$408,982	0.81	\$8,750
Oliver	\$5,179	21.27	\$110,152	1.25	\$6,473
Pembina	\$28,043	25.98	\$728,569	0.56	\$15,704
Pierce	\$13,568	34.69	\$470,687	0.57	\$7,734
Ramsey	\$23,662	32.30	\$764,274	0.71	\$16,800
Ransom	\$15,758	28.89	\$455,255	1.25	\$19,698
Renville	\$9,860	23.00	\$226,784	0.39	\$3,845
Richland	\$45,509	70.77	\$3,220,680	1.00	\$45,509
Rolette	\$9,176	32.82	\$301,156	0.39	\$3,579
Sargent	\$13,752	36.18	\$497,537	0.88	\$12,101
Sheridan	\$5,919	23.70	\$140,275	0.59	\$3,492
Sioux	\$2,037	50.67	\$103,201	2.08	\$4,236
Slope	\$5,192	15.41	\$80,009	0.42	\$2,181
Stark	\$36,154	58.96	\$2,131,616	1.25	\$45,192
Steele	\$10,034	34.36	\$344,784	0.55	\$5,519
Stutsman	\$47,118	25.11	\$1,183,145	1.24	\$58,427
Towner	\$11,470	25.25	\$289,624	1.27	\$14,567
Trail	\$24,427	23.97	\$585,522	0.61	\$14,901
Walsh	\$30,499	29.61	\$903,085	0.84	\$25,619
Ward	\$100,520	21.17	\$2,127,999	0.66	\$66,343
Wells	\$16,700	36.58	\$610,874		
Williams	\$35,156	32.99	\$1,159,812	1.98	\$69,610
Number of Counties Levying		53.00		50.00	
Average of Those Levying		30.87		0.83	