

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2287

2005 SENATE POLITICAL SUBDIVISIONS

SB 2287

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2287

Senate Political Subdivisions Committee

☐ Conference Committee

Hearing Date January 27, 2005

Tape Number	Side A	Side B	Meter #
1		X	448 - 1618
Committee Clerk Signature <i>Shirley Borg</i>			

Minutes:

**Chairman Cook** opened the hearing on SB 2287 relating to the fee for a marriage license. All committee members (6) present.

**Senator Tom Fischer**, District 46, Fargo, ND introduced SB 2287 and ask for support of the bill. (See attachment # 1)

**Wade Williams**, North Dakota Association of Counties testified in support of SB 2287. (See attachment 2A & 2B) One of the reason this bill has come before the committee is the border counties on the Minnesota side has seen a huge influx of people coming to North Dakota to get marriage licenses because of the cost. We are asking for the twenty five dollar increase to try and get our costs a little bit closer to what they are charging.

**Sheila Dalen**, County Recorder from Ward County, representing the Recorders Association as Chairman of their Legislative Committee, testified in support of SB 2287. ( See attachment #3a #3b, & 3c)

She issues the marriage licenses in her county. She brought with her a set of the paper work that is done in issuing a marriage license for the committee to see if they wanted to see the process.. She urged a Do Pass on SB 2287 and also a Do Pass on SB 2024 which would be removing the sunset clause.

**Senator Dever:** In Ann Johnsrud's testimony she states there are 33 recorders designated to sell marriage licenses. Who sells the license in other counties?

**Sheila Dalen:** Most of them are clerks of court, a couple of auditors, a couple of treasures but the majority are the recorders and clerks.

**Chairman Cook :** Sheila if six dollars doesn't cover you expenses. What are the expenses in your mind?

**Sheila Dalen:** The paper work, staffing, the storage and updating of records. There is a lot of paper work that goes together with issuing marriage licenses.

**Chairman Cook:** Ask Sheila to share the paper process of issuing a marriage license.

**Bonnie Polecek,** spoke in favor of SB 2287 on behalf of the North Dakota Council on Abused Womens Service. Our local 19 programs are the recipients of the twenty nine dollars in the domestic violence prevention since 1981. We are grateful for the respect the clerks association has showed us in terms of developing the legislation. We have no problems with more money going to the county.

No further testimony in favor or in opposition of the bill..

Chairman Cook closed the hearing on SB 2287.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2287

Senate Political Subdivisions Committee

☐ Conference Committee

Hearing Date February 10, 2005

Tape Number	Side A	Side B	Meter #
1		X	3490 - 3908
Committee Clerk Signature <i>Shirley Borg</i>			

Minutes:

**Chairman Cook** opened the discussion on SB 2287. All members (6) present.

**Chairman Cook** asked the committee if they were ready to act on the bill.

**Senator Hacker** moved a motion to Do Not Pass

**Senator Gary Lee** seconded the motion

Discussion:

**Chairman Cook** said SB 2287 is now included in SB 2361.

Roll call vote: 6 Yes 0 No 0 Absent

Carrier: **Senator Dever**

**FISCAL NOTE**  
**Requested by Legislative Council**  
01/19/2005

Bill/Resolution No.: SB 2287

**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						
Expenditures						
Appropriations						

**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
			\$216,200			\$216,200		

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

Increasing the current marriage license fee from \$6 to \$31 will generate approximately \$216,200 per biennium for the counties. Roughly 70% of the increased revenue will go to the population centers of Cass, Ward, Burleigh, and Grand Forks Counties. Cass county would see the largest increase, approximately \$26,000 per year. The other three counties would see an increase of between \$12,000 and \$15,000 per year.

**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>	Lawrence Hopkins	<b>Agency:</b>	State Treasurers Office
<b>Phone Number:</b>	328-4694	<b>Date Prepared:</b>	01/24/2005

Date: 2-10-05  
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2287

Senate Political Subdivisions Committee

☐ Check here for Conference Committee

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

Action Taken Do Not Pass

Motion Made By Senator Hacker Seconded By Senator Gary Lee

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 6 No 0

Absent 0

Floor Assignment Senator Dever

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

**REPORT OF STANDING COMMITTEE (410)**  
February 14, 2005 10:52 a.m.

**Module No: SR-29-2744**  
**Carrier: Dever**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SB 2287: Political Subdivisions Committee (Sen. Cook, Chairman) recommends DO NOT PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2287 was placed on the Eleventh order on the calendar.**



2005 TESTIMONY

SB 2287

SB 2287

Mister Chairman, members of the Political Subdivision Committee

For the record my name is Tom Fischer, State Senator, District 46, Fargo.

Senate Bill 2287 raises the county portion of the fee for a marriage license from six dollars to thirty-one dollars or an increase of 25 dollars. There is another portion of the marriage license fee of 29 dollars which is dedicated to victims of domestic violence through the domestic violence prevention fund in accordance with chapter 14-07.1 of the NDCC. This bill would make the total fee for a marriage license 60 dollars.

The county recorders and the county treasurers are solidly behind this legislation. It is impossible to process the marriage license application and the other required recording for six dollars in today's market. I believe the six dollar fee was initiated 25 years ago.

Mr. Chairman, there are several people in attendance this morning who can explain this legislation in detail and with your permission I will defer to them. If you have any questions I will try to answer them.

Thank you

#2 A  
Wade Williams

**TESTIMONY TO THE  
SENATE POLITICAL SUBDIVISION COMMITTEE  
Prepared January 25, 2005, by  
Charlotte Sandvik, Cass County Treasurer**

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**CONCERNING SENATE BILL 2287**

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Mr. Chairman and members of the Committee, I am Charlotte Sandvik, the Cass County Treasurer and my office is designated to sell Marriage Licenses. We have talked about introducing legislation to increase the Marriage License fee for a couple of reasons.

The actual fee portion of the Marriage License has not been increased since at least 1971, while the cost of living and doing business has increased significantly over that time period. An additional cost of \$19 was added in the 1981 session and was further amended to the current \$29 in the 1985 session for the Domestic Violence Prevention Fund. Also, the cost of Marriage Licenses in North Dakota, in comparison to the surrounding states, creates a situation where people go to border states simply to escape the higher fees.

	<u>License</u>	<u>Domestic Programs</u>	<u>Total</u>
North Dakota	\$ 6.00	\$ 29.00	\$ 35.00
Minnesota	\$ 15.00	\$ 70.00	\$ 85.00
South Dakota	\$ 10.00	\$ 30.00	\$ 40.00
Montana*	\$ 30.00		\$ 30.00

\*Pending legislation would add a \$20 Domestic Program fee to the total cost of the license.

The Clerks of Court and the County Recorders are in full support of this legislation increasing the fee for Marriage Licenses.

Mr. Chairman and members of the Senate Political Subdivision Committee, I urge you to support this legislation.

Sincerely,  
Charlotte Sandvik  
County Treasurer

**Analysis Prepared For The  
SENATE POLITICAL SUBDIVISIONS COMMITTEE  
Prepared January 27, 2005 by the  
North Dakota Association of Counties  
Wade Williams, Legislative Relations**

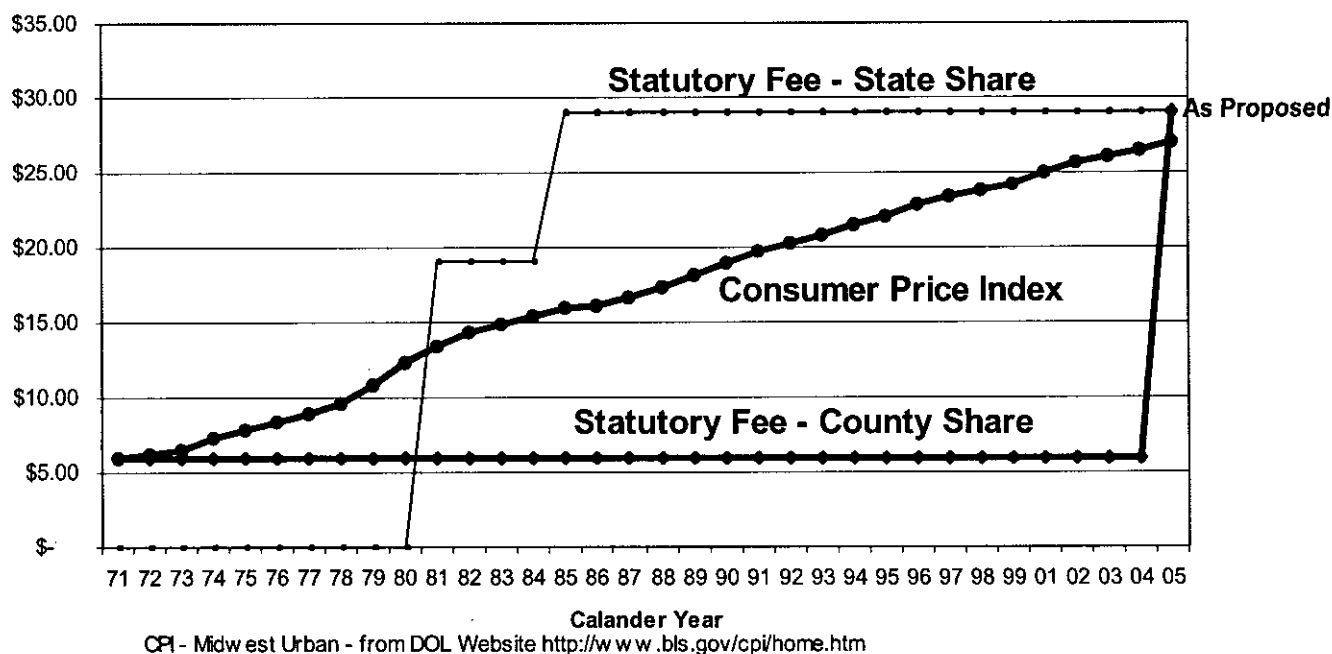
**CONCERNING SENATE BILL 2287**

Chairman Cook and members of the Senate Political Subdivisions Committee, I am here on behalf of all county officials of the State. Our Association passed a resolution of support for this proposed change at our fall annual meeting.

The North Dakota Association of Counties has long maintained the position that government services provided for the direct benefit of individuals or businesses should be funded through user fees, rather than general property taxes paid by those that receive no benefit.

The chart below is a simple illustration of the lack of change the county share of the marriage license fee has seen in the last 34 years. This bill is a long overdue update of the fees that counties can collect for their efforts in issuing marriage licenses required by State law. Please give SB2287 a Do Pass recommendation.

**Marriage License Fees vs CPI**



# Marriage License Applications by County

Quarterly data provide by the ND Association of Counties

	COUNTY	Jan to Mar 2004	April to Jun 2004	July to Sept 2004	Oct to Dec 2004	Total 2004	Dollar Impact of \$25 Increase
1	Adams				1	1	\$25.00
2	Billings	2	6	5		13	\$325.00
3	Bottineau	7	8	22	5	42	\$1,050.00
4	Bowman	2	5	4	3	14	\$350.00
5	Burleigh	70	222	224	80	596	\$14,900.00
6	Cass	127	352	388	189	1,056	\$26,400.00
7	Cavalier	3	4	4	3	14	\$350.00
8	Dickey	4	10	16	9	39	\$975.00
9	Dunn	4	8	6	2	20	\$500.00
10	Foster		10	6	3	19	\$475.00
11	Golden Valley	1	5	2	3	11	\$275.00
12	Grand Forks	78	159	177	84	498	\$12,450.00
13	Griggs	1	8	1	2	12	\$300.00
14	Hettinger		7	2		9	\$225.00
15	Kidder	1	3	3	1	8	\$200.00
16	LaMoure	5	7	11	4	27	\$675.00
17	McHenry	1	5	3	4	13	\$325.00
18	McIntosh		3	4	3	10	\$250.00
19	McKenzie	2	5	8	4	19	\$475.00
20	McLean	3	10	13	4	30	\$750.00
21	Mercer	7	14	20	3	44	\$1,100.00
22	Morton	18	50	63	13	144	\$3,600.00
23	Mountrail	2	13	11	7	33	\$825.00
24	Nelson	3	8	8	4	23	\$575.00
25	Oliver	2	2	5		9	\$225.00
26	Pembina	1	12	14	3	30	\$750.00
27	Pierce	4	5	9	13	31	\$775.00
28	Ramsey	22	24	27	14	87	\$2,175.00
29	Ransom	1	10	18	4	33	\$825.00
30	Renville	1	3	4	2	10	\$250.00
31	Richland	10	36	35	34	115	\$2,875.00
32	Rolette	12	29	27	9	77	\$1,925.00
33	Sargent	3	7	6	2	18	\$450.00
34	Sheridan	1	1	2	2	6	\$150.00
35	Sioux	5	11	10	7	33	\$825.00
36	Stark	22	59	53	29	163	\$4,075.00
37	Steele	4	1	4	2	11	\$275.00
38	Stutsman	21	45	37	23	126	\$3,150.00
39	Towner	1		4	2	7	\$175.00
40	Traill	4	19	6	8	37	\$925.00
41	Walsh	5	22	20	18	65	\$1,625.00
42	Ward	95	219	204	111	629	\$15,725.00
43	Williams	20	34	58	30	142	\$3,550.00
	Totals	575	1,461	1,544	744	4,324	\$108,100.00

Good Morning Chairman Cook and Committee members:

For the record my name is Sheila Dalen, I am the County Recorder from Ward County.

I am representing the Recorders Association as Chairman of their Legislative Committee.

I am here today to offer our support for SB2287 and to deliver to you letters of support from both the Recorders and the Clerk of Courts Associations.

Both associations are in full support of the bill for the obvious reason of the cost of issuing the licenses has been set at only \$6.00 of the current fee, per license staying in the county since at least 1971. Both associations feel it is time for an increase.

Of the \$6.00 currently staying in the county the majority of counties are tied into the central marriage license system and are charged \$1.00 per license to use the system, so actually only \$5.00 per license stays in the county to compensate for the staffing, paper supplies, storage and all that goes along with the issuance of a marriage license.

*As a footnote, this \$5.00 goes into the County general fund for all county use. If you remember me coming before you on SB2024 the preservation fund bill, this is another perfect example of where removing the sunset clause as in SB2024 would help Recorders have the ability for all counties to issue & preserve marriage licenses electronically as those dollars are set aside for our offices only. So if appropriate, I also ask that you consider this in your discussions on SB2024.*

I would urge a do pass on both SB2287 today *and also on SB2024.*

I do issue marriage licenses in my office and am here today to try and answer any questions you may have.

I also brought a set of the paperwork involved in issuing just one marriage license so you could see what is involved if you would like me to run through it quickly for you.

When a license is returned the information is then indexed either manually in books within the office or in our computer systems. The originals and the application papers are then stored permanently in our office and a copy is sent to the state.

North Dakota Clerks of Court Assn.  
PO Box 379  
Bowman, North Dakota 58623

January 26, 2005

Re: Senate Bill 2287

Mr. Chairman and Committee Members:

Please be informed that the North Dakota Clerks of Court Association supports a fee increase for Marriage License in Senate Bill 2287.

We urge you to give **Senate Bill 2287** a **DO PASS**.

Thank you for your consideration.

Sincerely,

*Annetta Anderson*

Annetta Anderson  
President of North Dakota Clerks of Court Assn.

AA



3c  
Sheila Dalen

North Dakota County Recorders Association  
201 W 5<sup>th</sup> Street NW  
PO Box 523  
Watford City ND 58854  
Ann Johnsrud, President  
ajohnsru@state.nd.us

Phone 701-444-3453  
Fax 701-444-3902

RE: SB 2287

Mr. Chairman and Committee Members,

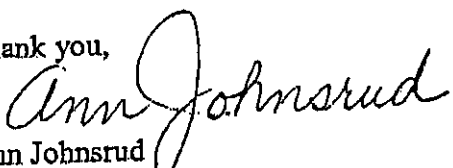
The North Dakota County Recorders Association is in full support of SB 2287.

Currently there are 33 Recorders designated to sell marriage licenses.

We have worked closely with the Marriage License Committee and Cass County and feel that the recommendations they have come up with, after extensive research, are fair and will put us in line with surrounding states fees.

Mr. Chairman and Members of the Committee, we urge you to give a Do Pass on SB 2287.

Thank you,

  
Ann Johnsrud  
McKenzie County Recorder  
ND County Recorders Association President