

2009 HOUSE POLITICAL SUBDIVISIONS

HB 1321

2009 HOUSE STANDING COMMITTEE MINUTES

Bill No. HB 1321

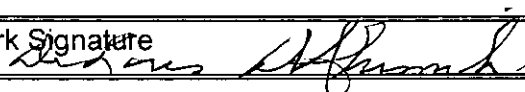
House Political Subdivisions Committee

☐ Check here for Conference Committee

Hearing Date: January 29, 2009

Recorder Job Number: 8158

Committee Clerk Signature



Minutes:

Chairman Wrangham opened the hearing on HB 1321.

Loren DeWitz, Assessor for the Central Dakota Irrigation District: (see testimony #1).

Rep. Koppelman: How does the mail in ballot work. Do they know if you mailed one in if you come in to vote again?

Loren DeWitz: Yes they do know.

Rep. Koppelman: Are these elections separate from the other general elections.

Loren DeWitz: Yes it is separate from all public elections. We would have to contact a few county auditors and explain the process.

Chairman Wrangham: If we have further questions, is it OK if I contact you for additional information?

Loren DeWitz: Yes.

Opposition: None

Neutral: None

Hearing closed.

2009 HOUSE STANDING COMMITTEE MINUTES

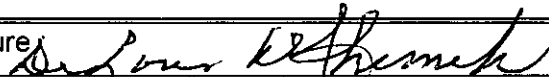
Bill No. HB 1321

House Political Subdivisions Committee

☐ Check here for Conference Committee

Hearing Date: February 5, 2009

Recorder Job Number: No Tape

Committee Clerk Signature 

Minutes:

Chairman Wrangham: reopened the hearing on HB 1321.

Motion Made By Rep. Conrad to approve the amendment .0102. Seconded By Rep.

Headland

Voice Vote carried.

Do Pass As Amended Motion Made by Rep. Conrad: Seconded By Rep. Headland:

Vote: 13 Yes 0 No 0 Absent Carrier: Chairman Wrangham:

Hearing closed.

VR
2/5/09

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1321

Page 3, line 28, remove "5."

Page 3, line 29, remove "and return envelopes" and after "entitled" insert ", and a return envelope with instructions sufficient to keep the ballots secret"

Page 3, line 30, remove "6."

Page 4, line 3, remove "7."

Renumber accordingly

Date: 2/5/09
Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 0102

Action Taken DO PASS DO NOT PASS AS AMENDED

Motion Made By Rep. Conrad Seconded By Rep. CH

Representatives	Yes	No	Representatives	Yes	No
Rep. Dwight Wrangham, Chairman			Rep. Kari Conrad		
Rep. Craig Headland, Vice Chairman			Rep. Jerry Kelsh		
Rep. Patrick Hatlestad			Rep. Robert Kilichowski		
Rep. Nancy Johnson			Rep. Corey Mock		
Rep. Lawrence Klemin			Rep. Steve Zaiser		
Rep. Kim Koppelman					
Rep. William Kretschmar					
Rep. Vonnie Pietsch					

Total (Yes) _____ No _____

Absent _____

Carrier: _____

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

*Unanimous
Vote*

Date: 8/15/09
Roll Call Vote #: 2

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1321

House Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS DO NOT PASS AS AMENDED

Motion Made By Rep. J. K. Seconded By Rep. S Z

Representatives	Yes	No	Representatives	Yes	No
Rep. Dwight Wrangham, Chairman	✓		Rep. Kari Conrad	✓	
Rep. Craig Headland, Vice Chairman	✓		Rep. Jerry Kelsh	✓	
Rep. Patrick Hatlestad	✓		Rep. Robert Kilichowski	✓	
Rep. Nancy Johnson	✓		Rep. Corey Mock	✓	
Rep. Lawrence Klemin	✓		Rep. Steve Zaiser	✓	
Rep. Kim Koppelman	✓				
Rep. William Kretschmar	✓				
Rep. Vonnie Pietsch	✓				

Total (Yes) 13 No 0

Absent 0

Carrier: Rep Wrangham

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

REPORT OF STANDING COMMITTEE

HB 1321: Political Subdivisions Committee (Rep. Wrangham, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1321 was placed on the Sixth order on the calendar.

Page 3, line 28, remove "5."

Page 3, line 29, remove "and return envelopes" and after "entitled" insert ", and a return envelope with instructions sufficient to keep the ballots secret"

Page 3, line 30, remove "6."

Page 4, line 3, remove "7."

Renumber accordingly

2009 SENATE POLITICAL SUBDIVISIONS

HB 1321

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1321

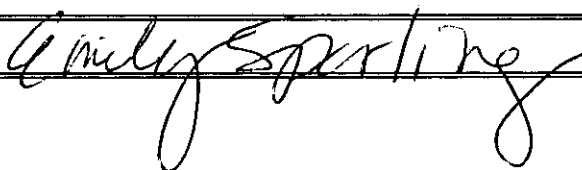
Senate Political Subdivisions Committee

☐ Check here for Conference Committee

Hearing Date: 03/06/2009

Recorder Job Number: 10368

Committee Clerk Signature



Minutes:

Chairman Andrist Opened the hearing on HB 1321.

Representative Dwight Wrangham District #8. Introduced HB 1321. This bill seeks to modernize the election process in irrigation districts and keep them viable by getting people to vote. Formerly a polling place was open on the 2nd Tuesday of each even #'d year. This bill makes it possible for irrigation districts to have mail in ballots.

Senator Lee How was the bill changed in the house?

Wrangham I'm unsure on that.

Loren DeWitz Assessor for the Central Dakota Irrigation District. Spoke in support of HB 1321. See attachment #1.

Chairman Andrist How did the house change the bill?

Dewitz It states that there is one ballot per acre. I envisioned a secret ballot and the bill changed to foster that.

Senator Olafson How does an irrigation district work?

Dewitz We have the authority to tax through a special assessment. Proceeded to explain how an irrigation district functions.

Chairman Andrist Is it reasonable to asses based on acreage over productivity?

DeWitz The assessment is based on the amount invested in the project.

Discussion about how irrigation districts work, their function, and the water source. The renter maintains the equipment and insurance. The irrigation district owns the water rights, there is no depreciation in the land, and the renter is allowed to deduct special assessment payments. After the renter pays of the special assessment they own the equipment and get their water rights back.

Chairman Andrist Closed the hearing on HB 1321.

Senator Lee I move **Do Pass**.

Senator Olafson Second.

The Clerk called the role on the motion to **Do Pass**. **Yes: 5, No: 0, Absent: 1 (Senator**

Anderson—the vote was left open to record his vote).

Senator Andrist will carry the bill.

3/6/09
Note #: 1

1321

Committee

Legislative Council Amendment Number

☐ Amend

2 Klassen

[illegible]

L. Andrist

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

REPORT OF STANDING COMMITTEE

HB 1321, as engrossed: Political Subdivisions Committee (Sen. Andrist, Chairman)
recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
Engrossed HB 1321 was placed on the Fourteenth order on the calendar.

2009 TESTIMONY

HB 1321

**Testimony
House Bill 1321
Political Subdivisions Committee
Representative Dwight Wrangham, Chairman
January 29, 2009**

#1
*Same testimony
given to Senate.*

Chairman Wrangham, members of the Political Subdivisions Committee, I am Loren DeWitz, Assessor for the Central Dakota Irrigation District. Thank you for this opportunity to present information on HB1321 that would allow an irrigation district to hold mail ballot elections.

Some people confuse irrigation districts and irrigation associations. Irrigation districts are government entities. Irrigation associations are organized mainly for education and promotion of irrigation development.

Irrigations Districts in North Dakota—

- Irrigation districts are government entities organized under Chapter 61 of NDCC, with broad powers to construct and finance irrigation works.
- Electors are land owners in the district with irrigation on land subject to assessment by the district.
- Landowners have one vote for each twenty acres of land subject to assessment.
- Present law requires that elections be held on the second Tuesday of February on each even numbered year.

Central Dakota Irrigation District (CDID)—

- CDID was established in 1996.
- In 1997 through the ND Bond Bank, with the backing of North Dakota's bond rating, we were able to bond for \$3,270,000.
- In 1998 CDID took out a loan for another \$2,605,200.

- With that funding, we were involved in developing 71 center pivots and 3 storage warehouses. These works were located in Kidder, Stutsman and Logan Counties.
- The landowner members live in these three counties plus Moorhead, MN, Bathgate, ND and Underwood, ND.
- At present we are involved with 37 center pivots and one warehouse.
- In 2010, 12 more center pivots are scheduled to be paid off.

When CDID first organized, members had some concerns with the future success of the district and how it would be managed. As time has passed and the district has continued to operate in a strong manner, electors have confidence in the district. With more pressing priorities currently facing them, as well as great distances to the polls for some electors, the result has been a lower voter turn out at election time. Mail ballots will give electors an opportunity to stay involved without taking a day to go to the polls.

In visiting with members and officers from other districts, they, too, believe the mail ballot election is a good option for members.

We ask for a do pass vote from this committee.

HB1321

Proposed Amendment to page 3, line 28:

To Read:

An elector entitled to cast more than one vote must be provided separate ballots for each vote to which the elector is entitled, and a return envelope with instructions sufficient to keep those ballots secret.