

1999 SENATE POLITICAL SUBDIVISIONS

SB 2226


1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2226

Senate Political Subdivisions Committee

Conference Committee

Hearing Date January 21, 1999

Tape Number	Side A	Side B	Meter #
1	x		0 to 2750
Committee Clerk Signature 			

Minutes:

SENATOR LEE: OPEN COMMITTEE MEETING ON 2226

CLERK: ROLL CALL, 6 PRESENT 0 ABSENT

SENATOR LEE: HOLD OFF DISCUSSION ON SB2198

JUDY LEE: INTRODUCES SB2226

SENATOR LYSON: Controls committee during opening of SB2226

SENATOR LEE: See testimony, also enters into the record testimony from Bruce Furness,

Mayor of Fargo North Dakota

SENATOR LYSON: Questions for Senator Lee

BILL WOCKEN: CITY ADMINISTRATOR FOR BISMARCK, History behind parking meters in North Dakota. Pay for parking is an issue that people have come to grips with.

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Senate Political Subdivisions Committee

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Support SB2226. Enforcement becomes more effective with parking meters and injuries associated with chalking the tires.

SENATOR NELSON: Technology involved in parking meters and where the parking meters are placed in regards to property. Have you checked into the new technologies for parking meters and the cost

BILL WOCKEN: Can place meters on even on public property and lots. Have not made inquiry on technology. Electronic power in colder environments and technological use.

SENATOR NELSON: Scanner for checking meters

SENATOR FLAKOLL: Need for special meters for the handicap

BILL WOCKEN: handicap not regulated by any parking regulations with proper permit

SENATOR KELSH: Streets are made to drive on, parking ramps are different. Free to drive on streets.

SENATOR LEE: Example of the need for parking meters

CONNIE SPRYNCZYNATYK: LEAGUE OF CITIES, technology comes with a price, response to comment by Senator Kelsh, cost of enforcement and injuries related with enforcement and funds needed for downtown businesses. Historical account with North Dakota Fargo City Commission on parking issues (historical data only)

SENATOR LEE: Questions for Connie

SENATOR LEE: anyone else in favor of SB2226

MOTION: close public hearing on SB2226

SENATOR FLAKOLL: Money stays with the city

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Senate Political Subdivisions Committee

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SENATOR LEE: The political subdivision in which the meters are operated city, county or college

SENATOR FLAKOLL: In what cases might there be places that the county wanted to put meters

SENATOR LEE: Recreational sights

CONNIE SPRYNCZYNATYK: Recreational sights that ask the county for parking meters because of traffic volume

SENATOR LYSON: Operations in the police department and the parking regulations and costs associated with them as a supportive measure for businesses

SENATOR NELSON: Does it make parking more organized

SENATOR LYSON: YES, and we discontinued marking tires because of injury

MOTION: DO PASS BY SENATOR WATNE

MOTION: SECONDED BY SENATOR NELSON

CARRY: SENATOR LYSON

Date: 1-21-99
Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2226

Senate Political Subdivisions Committee Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do pass

Motion Made By Watne Seconded By Nelson

Senators	Yes	No	Senators	Yes	No
Senator Lee (Chairman)	✓				
Senator Lyson (Vice-Chaiman)	✓				
Senator Flakoll	✓				
Senator Watne	✓				
Senator Kelsh		✓			
Senator Nelson	✓				

Total (Yes) 5 No 1

Absent _____

Floor Assignment Sen. Lyson

If the vote is on an amendment, briefly indicate intent:
Sen. Kelsh - no vote

REPORT OF STANDING COMMITTEE (410)
January 21, 1999 12:12 p.m.

Module No: SR-13-0968
Carrier: Lyson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2226: Political Subdivisions Committee (Sen. Lee, Chairman) recommends DO PASS
(5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2226 was placed on the
Eleventh order on the calendar.

1999 TESTIMONY

SB 2226



OFFICE OF THE MAYOR
Bruce W. Furness

January 20, 1999

Senator Judy Lee, Chair
Senate Political Subdivision Committee
State Capitol Building
Bismarck, ND 58505

Dear Senator Lee:

I am sorry I am unable to appear personally at this hearing but ask that this letter be entered into the record. I am writing to urge support of Senate Bill No. 2226 which repeals section 39-01-09 of the North Dakota Century Code. This section describes a prohibition against parking meters on public property in our state and was enacted in 1949.

The City of Fargo is just completing a study of the parking requirements in our central business district. We anticipate a recommendation to install parking meters in portions of our downtown area. Though it is not a foregone conclusion that the Fargo City Commission will accept this recommendation, we want to remove any obstacle preventing the implementation of this proposition.

This is the reason for the requested legislation. We desire to have this section repealed or alternatively, to allow local governments to make their own determination.

Thank you for your assistance in bringing this matter to the Legislature for consideration. I urge the committee to recommend a "do pass" for this bill.

Sincerely,

A handwritten signature in cursive script that reads "Bruce W. Furness". The signature is written in dark ink and includes a small circular flourish at the end.

Bruce W. Furness
Mayor

BWF:sf
mfj



NORTH DAKOTA SENATE

*Senator
Lee*



STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360

Senator Judy Lee
District 13
222 Brentwood Court
West Fargo, ND 58078-4204

COMMITTEES:
Human Services
Political Subdivisions,
Chairman

January 21, 1999

Testimony from Senator Judy Lee to Senate Political Subdivisions Committee

SB 2226 concerning removing the prohibition on parking meters

Vice Chairman Lyson and members of the Political Subdivisions Committee:

I appear before you today to ask you to consider repealing the law which prevents political subdivisions and the Department of Transportation from installing parking meters.

There is an interesting history to this law. From what I have learned, a man from Westhope named Howard Henry visited Minot regularly. Between May 1947 and January 1948 he accumulated 12 parking tickets. Facing an arrest warrant, he finally made a police court appearance to pay \$12 in parking meter fines. He set out on a mission to eliminate parking meters from North Dakota, and he succeeded. He became known as "Parking Meter Henry" during that time.

That was 50 years ago, in 1949. It is now time to reconsider the propriety of the state limiting what a local political subdivision can do. Very few cities may ever decide to install parking meters. But as cities, counties, and the State of North Dakota make plans for special projects or downtown development proposals, they should not be denied the option of considering parking meters in those projects.

Most of us park in parking ramps regularly, often in Bismarck and in Fargo, and we don't give a second thought to paying for parking there. Why would we require cities to build ramps in order to pay for parking if meters in some established area might help? NDSU has had parking meters in the lot next to the Memorial Union for several years, and the parking lot is well used. It is worth a few coins to park in that lot, when one has to attend a meeting at the Memorial Union, rather than parking nearly 3 blocks away in the visitors' lot.

In my opinion, the repeal of the ban on parking meters permits decisions to be made where they ought to be made--in our cities and counties. The citizens of North Dakota are not bashful. If they do not want parking meters, they will undoubtedly speak up at their local public meetings. It is an issue of local control being the most appropriate.

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January 21, 1999

I hope that you will permit our political subdivisions to make their own decisions about parking meters and support SB 2226 which will repeal the ban on parking meters and return control to our local political subdivisions.

Thank you for your consideration of this matter. I will try to answer any questions which you might have.

Senator Judy Lee

39-01-09. Parking meters prohibited.

It is unlawful for the state of North Dakota, its political subdivisions, counties, cities, and the state department of transportation to establish and maintain any mechanical device or devices known as "parking meters", or by whatever name designated, requiring the deposit therein of coins or tokens for the privilege of parking cars or other vehicles upon the streets and highways in the state of North Dakota. Any and all ordinances and resolutions now existing authorizing the establishment and maintenance of such mechanical devices or parking meters, or by whatever name designated, are hereby declared null and void.

Source: I.M. June 29, 1948, S.L. 1949, ch. 357, §§ 1, 2; R.C. 1943, 1957 Supp., § 39-0109.