

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2334

2001 SENATE POLITICAL SUBDIVISIONS

SB 2334

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2334

Senate Political Subdivisions Committee

Conference Committee

Hearing Date February 2, 2001

Tape Number	Side A	Side B	Meter #
1	x		7.3-15.8
Committee Clerk Signature <i>Mary Jo Wacker</i>			

Minutes:

The hearing was opened on SB2334; relating to the use of funds under the township levy for moving and snow removal.

BRIAN HOIME: Representing the N.D. Township Officers Assn. See written testimony. We encourage a Do Pass recommendation for this legislation. SENATOR COOK: The law as it now with this 3 mill limited to equipment, was that actually a limit to what the township could spend on equipment? BRIAN HOIME: For snow removal or mowing equipment, yes, it was 3 mills, according to the statute. They do have there general mill levy authority, which is 18 mills, but, this is additional to, and would have to go to the vote of the electors and they would have to vote at an annual meeting to authorize the 3 mill to be spent for that type of cost. This way they still have to authorize it, but, they then also authorize it to be used in conjunction with, or if they needed to buy equipment also to support for cost of no more mowing type of thing. SENATOR WATNE: On that 18 mills are there any restrictions on those funds not being spent for

equipment? BRIAN HOIME: The 18 mills are general appropriation, they could be used for general road purposes and that would include snow removal. The problem is that there is some of the general expenditures under the 18 mill are being used up and they have no other source of going over that. So, by removing this language, would be able to allow the freedom to free up the other 3 mills as needed and authorized by the electors. SENATOR FLAKOLL: We talked about the mills, but aside from the mills, will this allow them to make more business like decisions in terms of whether it is cheaper to have it done by somebody else or to buy a many hundred thousand dollar piece of equipment? BRIAN HOIME: This does give them a little bit more flexibility in how they want to spend their money. Generally, most townships would contract to a county to maintain or remove snow from there roads, simply because it is more effective. The township generally in my part of the state would pay 18 mills to generate about \$6,000-\$10,000 which really isn't enough to take into consideration, looking at and purchasing the type of equipment necessary to do that. There are some townships that have road maintainers and the like that they've used for a number of years and they're really in a sore situation at times when it comes to trying to upgrade those equipment because of age. Generally, most townships though would go ahead and contract with a county that has, or a private contractor depending on where they can get the best rate to provide those services. This just gives them a little bit more flexibility and how they can utilize those three additional mill levy dollars. SENATOR FLAKOLL: A road grater with a wing on it, how much does that cost? BRIAN HOIME: I'm not even sure how much that would cost, its probably hundreds of thousands. SENATOR POLOVITZ: Does the township do any contracting with the county, on road grating BRIAN HOIME: Yes, most townships in the state do contracting with county governments to take care of the road maintenance that they might have in the summer, we do what they call a summer

contract, which will pay for a certain charge, the county, charges a certain dollar figure for four or five times of road maintenance grating during the summer. There are a few townships across the state that own their own road graters and they have a road maintainer person who does that for them and once in a while switches amongst supervisors as to what area of the township they will be doing. They do mostly contract for those, either with a county or through, a private firm that might have that equipment available for them. Whichever they can find cheaper. SENATOR POLOVITZ: This would then open the door, to more contracting with the county?

BRIAN HOIME: This would simply free up three more mills for snow removal, as well as cost of snow removal if they contract with somebody, and also with purchasing of equipment if the townships so, deem fit. There is nothing to say that is there snow removal needs, that the township couldn't contract with a another person in the township, that might have a piece of equipment to go out and do that, this three mills would then cover the cost for that person. This opens it up to those people who can offer these services and not just the county.

Hearing Closed on SB2334.

Senator Watne moved for a Do Pass

Senator Polovitz 2nd

Roll call vote: 8Yes, 0 No 0 Absent

Date: February 2, 2001  
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. S.B. 2234

Senate Political Subdivisions Committee

Subcommittee on \_\_\_\_\_

or

Conference Committee

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

Action Taken No Pass

Motion Made By Sen. Watne Seconded By Sen. Polovitz

Senators	Yes	No	Senators	Yes	No
Senator Cook	✓		Senator Christenson	✓	
Senator Lyson	✓		Senator Mathem	✓	
Senator Flakoll	✓		Senator Polovitz	✓	
Senator Lee	✓				
Senator Watne	✓				

Total (Yes) 8 No 0

Absent 0

Floor Assignment Sen. Polovitz

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

**REPORT OF STANDING COMMITTEE (410)**  
February 2, 2001 1:08 p.m.

**Module No: SR-19-2244**  
**Carrier: Polovitz**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SB 2334: Political Subdivisions Committee (Sen. Cook, Chairman) recommends DO PASS (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2334 was placed on the Eleventh order on the calendar.**

2001 HOUSE POLITICAL SUBDIVISIONS

SB 2334



2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2334

House Political Subdivisions Committee

Conference Committee

Hearing Date 3-8-01

Tape Number	Side A	Side B	Meter #
1	xx		5680--end
1		xx	1--500
Committee Clerk Signature <i>Pam Owen</i>			

Minutes: Chair Froseth opened the hearing on SB2334 to use funds under the township levy for mowing and snow removal equipment and for expenses of mowing and snow removal.

Sen. Dave O'Connell, Dist. 6 : here to support SB2334. This bill was requested by the auditor of Bottineau County. This bill won't increase any taxes. This bill gives the townships more authority to use the 3 mills.

Rep. Grosz : (6125) Where do they currently get the money?

Sen. O'Connell : For snow removal there is not problem. Most of that is contracted and they have a cap on the mill levy.

Chair Froseth : I think most have gone to contract work. The equipment is so costly to purchase, plus it's costly to repair, too. **Tape 1, side B begin**

Bryan Hojme, Pres. ND Township Officers Assoc. : (10) testified in support of SB2334. (SEE ATTACHED TESTIMONY) This bill removes the word "equipment" from the references. This gives flexibility to use the 3 mills to contract for removal if they want.

Page 2  
House Political Subdivisions Committee  
Bill/Resolution Number SB2334  
Hearing Date 3-8-01

Chair Froseth : What does the code say about road work and maintenance? Do they have the flexibility to use the mills?

Bryan : Under current law, the township has 18 mills as general levy authority. What we've noticed over the last several years, is that the 18 mills has been used up for other purposes. This bill will open that up.

Chair Froseth : Any further testimony for or against? Hearing none, SB2334 is closed. What does the committee wish?

Vice-Chair Severson : I move a DO PASS.

Rep. Disrud : I second.

**VOTE: 13 YES and 0 NO with 2 absent. PASSED. Rep. Tieman will carry the bill.**

Date: 3-8-01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2334

House POLITICAL SUBDIVISIONS Committee

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

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

Action Taken Do Pass

Motion Made By Vic Chan Swanson Seconded By Rep Disrud

Representatives	Yes	No	Representatives	Yes	No
Chairman Glen Froseth			Rep. Wayne W. Tieman		
Vice-Chair Dale C. Severson					
Rep. Lois Delmore					
Rep. Rachael Disrud					
Rep. Bruce Eckre	13				
Rep. Mary Ekstrom					
Rep. April Fairfield	13				
Rep. Michael Grosz					
Rep. Jane Gunter					
Rep. Gil Herbel					
Rep. Nancy Johnson					
Rep. William E. Kretschmar					
Rep. Carol A. Niemeier					
Rep. Andrew G. Maragos					

Total (Yes) 13 No 0

Absent Dale

Floor Assignment Rep. Tieman

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

**REPORT OF STANDING COMMITTEE (410)**  
March 8, 2001 11:12 a.m.

Module No: HR-40-5105  
Carrier: Tieman  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**SB 2334: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2334 was placed on the Fourteenth order on the calendar.**

2001 TESTIMONY

SB 2334

TESTIMONY FOR SENATE BILL NO. 2334  
SENATE POLITICAL SUBDIVISIONS COMMITTEE

PREPARED BY

Bryan Hoime

North Dakota Township Officers Association

Good morning Mr. Chairman, members of the committee, SB 2334 is a simple attempt to give some flexibility to a township for mowing or snow removal. Currently section one of the bill allows for up to 3 mills to be used for purchase of mowing or snow removal equipment. We're removing the "equipment" part and giving the intent in the new language to allow townships the most flexibility they can get, the ability to use these 3 mills for mowing or snow removal costs or to purchase equipment for these activities.

We've seen in some areas of the state where general fund dollars, 18 mills, were being used up for snow removal and that these additional 3 mills, which identify snow removal, couldn't be used because it specifically states equipment. This simple amendment to township code should address that problem.

Again our intent in this legislation is to allow this section of code to be used for mowing and snow removal costs as well as purchase of equipment as the township sees fit.

We encourage a DO PASS recommendation on this legislation.

3-8-01

TESTIMONY FOR SENATE BILL NO. 2334  
HOUSE POLITICAL SUBDIVISIONS COMMITTEE

PREPARED BY  
Bryan Hoime  
North Dakota Township Officers Association

Good morning Mr. Chairman, members of the committee, SB 2334 is a simple attempt to give some flexibility to a township for mowing or snow removal. Under current law, sections one and two of the bill allows for up to 3 mills to be used for purchase of mowing or snow removal equipment. We've seen in some areas of the state where general fund dollars, 18 mills, were being used up for snow removal and that these additional 3 mills, which identify snow removal equipment, couldn't be used because it specifically states equipment.

This simple amendment to township code should address that problem by removing the "equipment" part and giving the intent in the new language of this bill to allow townships the most flexibility they can get, the ability to use these 3 mills for mowing or snow removal costs or to purchase equipment for these activities. Many townships use area farmers or county equipment or private contractors for removal of snow problems. This seems to be more efficient than using township owned pieces of equipment when a large area in the township needs to be cleared, especially during snow emergencies.

Our intent in this legislation is to allow this section of code to be used for mowing and snow removal costs as well as purchase of equipment as the township sees fit.

We encourage a DO PASS recommendation on this legislation.