

2021 HOUSE POLITICAL SUBDIVISIONS

HB 1157

2021 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Room JW327B, State Capitol

HB1157
1/21/2021
House Political Subdivisions

Relating to township excess levies for emergency purposes, relating to exceptions to tax levy limitations in townships

Chairman Dockter: (10:58). Opened the hearing.

Representatives	
Representative Jason Dockter	P
Representative Brandy Pyle	P
Representative Mary Adams	P
Representative Claire Cory	P
Representative Sebastian Ertelt	P
Representative Clayton Fegley	P
Representative Patrick Hatlestad	P
Representative Mary Johnson	P
Representative Lawrence R. Klemin	P
Representative Donald Longmuir	P
Representative Dave Nehring	P
Representative Marvin E. Nelson	P
Representative Luke Simons	P
Representative Nathan Toman	P

Discussion Topics:

- Emergency allowance
- FEMA money for emergencies

Rep Headland: (10:59). Introduced the bill.

Larry Syverson, North Dakota Township Officers Association: (11:12). In favor, testimony #2103.

Terry Tranor, Association of Counties: (11:18). In support.

Chairman Dockter: (11:22). Closed the hearing.

Carmen Hickle, Committee Clerk



North Dakota Township Officers Association

Promoting basic Grassroots Government!

Larry A Syverson, Executive Secretary
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January 21, 2021

House Political Subdivisions Committee

In support of HB 1157

Good morning Chairman Dockter and members of the House Political Subdivisions Committee. I am Larry Syverson, the Executive Secretary of the North Dakota Township Officers Association. NDTOA represents the nearly 6,000 Township Officers that serve 1,317 organized ND Townships.

Township roads are at the mercy of the weather and often unforeseen events. When those occurrences damage a road beyond usability the cost of repairs is huge, sometimes so huge the maximum levy ability of the township cannot even service the debt that would be incurred to make the repairs. Maintenance on the other roads of the township can't be put on hold while paying for one large repair.

Sometimes these events do not cover a wide enough area to qualify for FEMA assistance, but they are devastating at the local level. The citizens of the township should be able to levy on their own property to make the needed repairs; a township cannot depend on any other benefactor coming to the financial rescue.

NDTOA thanks you for your consideration and requests that you give HB 1157 a do pass recommendation.

Thank you Chairman Dockter and committee members; that concludes my prepared statement; I will try to answer any questions you may have.

2021 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Room JW327B, State Capitol

HB 1157
1/21/2021

Relating to township excess levies for emergency purposes, relating to exceptions to tax levy limitations in townships

Chairman Dockter: (2:27pm) Opened the hearing.

Representatives	Attendance
Representative Jason Dockter	P
Representative Brandy Pyle	P
Representative Mary Adams	P
Representative Claire Cory	P
Representative Sebastian Ertelt	P
Representative Clayton Fegley	P
Representative Patrick Hatlestad	P
Representative Mary Johnson	P
Representative Lawrence R. Klemin	P
Representative Donald Longmuir	P
Representative Dave Nehring	P
Representative Marvin E. Nelson	P
Representative Luke Simons	P
Representative Nathan Toman	P

All members present

Discussion Topics:

- Township levies
- Amendment

Rep. Johnson (2:27pm) – motion to amend Line 16 remove emergency conditions. Line 17 remove resolved, or whichever is less.

Rep. Nehring (2:28pm) – second the motion

Voice vote (2:43pm) – motion carried

Rep. Nelson (2:44pm) – move to amend amendment. Line 13 add or special, line 14 remove 01.

Rep. Johnson (2:46) – second the motion

Voice vote (2:46pm) - motion carried

Rep. Pyle – motion do pass as amended. LC 21.0484.02001. Title.03000.

Rep. Johnson – second the motion

Representatives	Vote
Representative Jason Dockter	Y
Representative Brandy Pyle	Y
Representative Mary Adams	Y
Representative Claire Cory	Y
Representative Sebastian Ertelt	N
Representative Clayton Fegley	Y
Representative Patrick Hatlestad	Y
Representative Mary Johnson	Y
Representative Lawrence R. Klemin	Y
Representative Donald Longmuir	Y
Representative Dave Nehring	Y
Representative Marvin E. Nelson	Y
Representative Luke Simons	N
Representative Nathan Toman	N

Do pass as amended 11-3-0

Rep. Fegley: Will carry the bill.

Chairman Dockter: 2:48pm hearing closed

Carmen Hickle, Committee Clerk by Anna Fiest

January 21, 2021

DP 1/21/21
1081

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1157

Page 1, line 13, after "annual" insert "or special"

Page 1, line 13, remove "section"

Page 1, line 14, replace "58-04-01" with "chapter 58-04"

Page 1, line 16, remove ", or until the emergency conditions have been"

Page 1, line 17, remove "resolved, whichever is less"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1157: Political Subdivisions Committee (Rep. Dockter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1157 was placed on the Sixth order on the calendar.

Page 1, line 13, after "annual" insert "or special"

Page 1, line 13, remove "section"

Page 1, line 14, replace "58-04-01" with "chapter 58-04"

Page 1, line 16, remove ", or until the emergency conditions have been"

Page 1, line 17, remove "resolved, whichever is less"

Renumber accordingly

2021 SENATE POLITICAL SUBDIVISIONS

HB 1157

2021 SENATE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Sakakawea, State Capitol

HB 1157
3/4/2021

A BILL for an Act to create and enact section 57-15-19.7 of the North Dakota Century Code, relating to township excess levies for emergency purposes; and to amend and reenact section 57-15-20.2 of the North Dakota Century Code, relating to exceptions to tax levy limitations in townships; and to provide an effective date.

Chairman Burckhard opened the hearing on HB 1157 at 8:31 a.m. Members present: Burckhard, Anderson, Lee, Larson, Kannianen, Heitkamp, Oban.

Discussion Topics:

- Special assessment district
- Levy authority
- Mill levy 10-year timeframe

[8:31] Representative Craig Headland, District 29. Introduced HB 1157.

[8:43] Senator Terry Wanzek, District 29. Provided oral testimony in favor and photos of flooding (testimony #7408).

[8:55] Linda Svihovec, ND Association of Counties. Provided oral testimony in favor.

[8:57] Larry Syverson, Executive Secretary, ND Township Officers Association. Provided testimony #7384 in favor.

Additional written testimony: N/A

Chairman Burckhard closed the hearing on HB 1157 at 9:04 a.m.

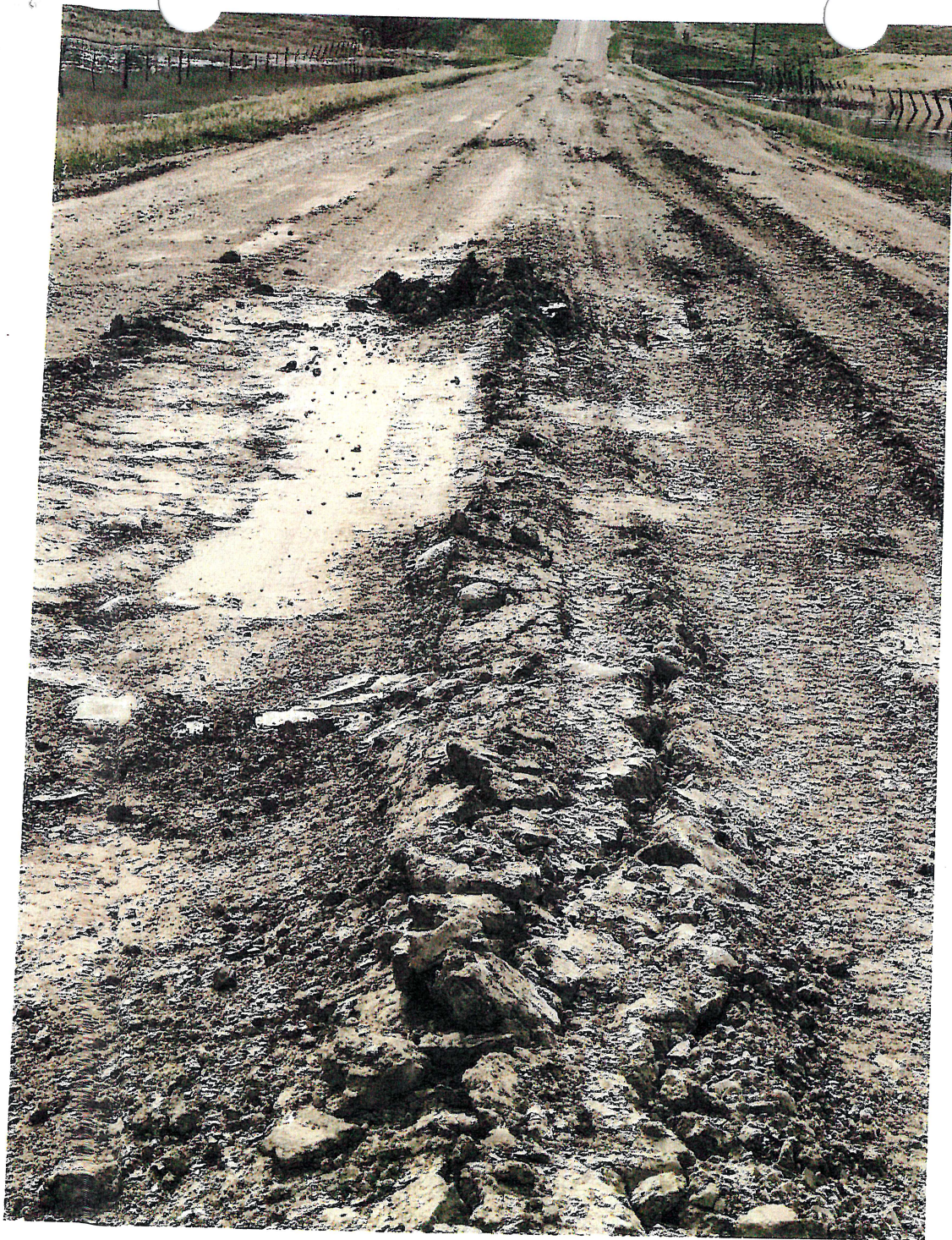
Patricia Lahr, Committee Clerk

#7408

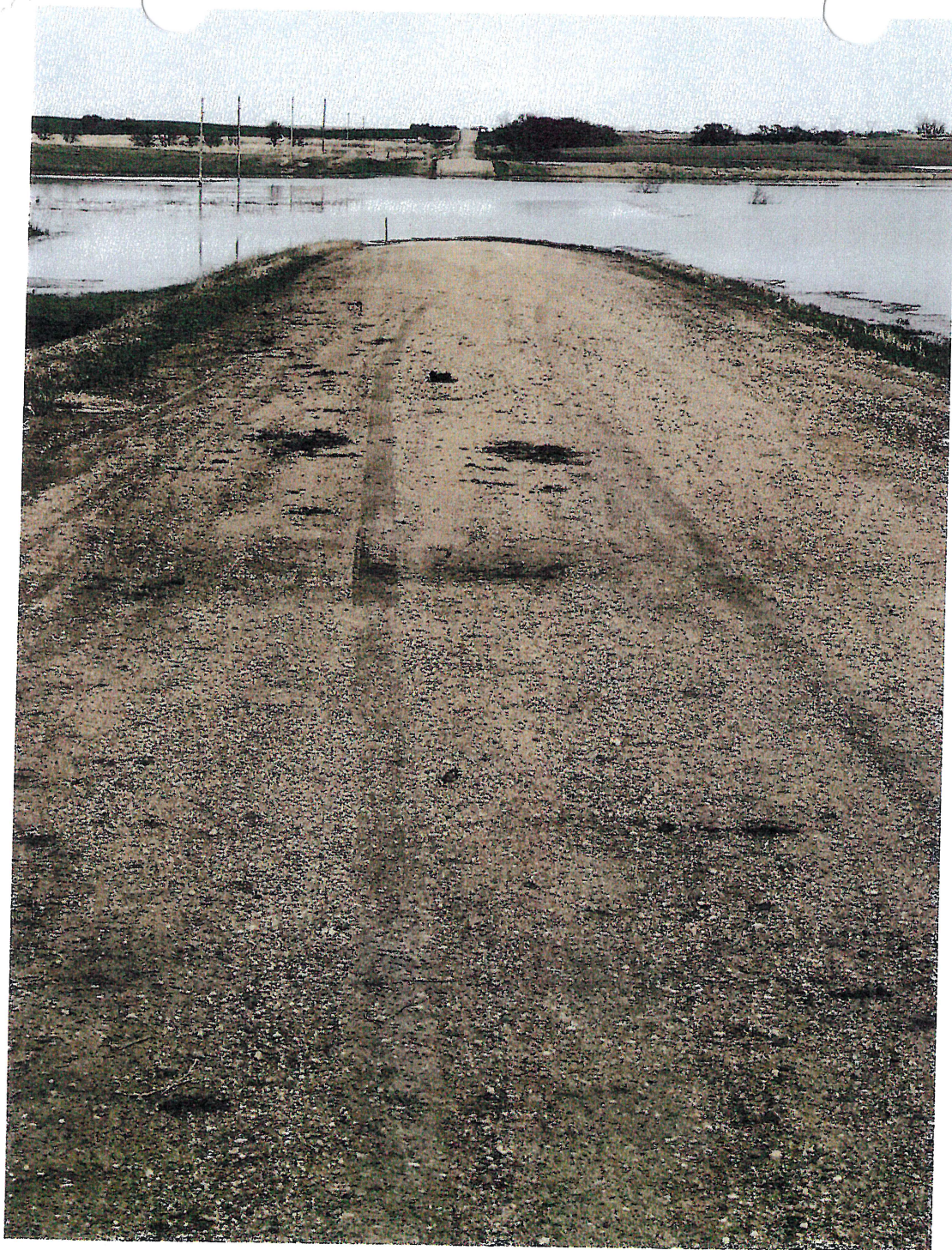














North Dakota Township Officers Association

Promoting basic Grassroots Government!

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March 4, 2021

Senate Political Subdivisions Committee

In support of HB 1157

Good morning Chairman Burckhard and members of the Senate Political Subdivisions Committee. I am Larry Syverson, the Executive Secretary of the North Dakota Township Officers Association. NDTOA represents the nearly 6,000 Township Officers that serve 1,317 organized ND Townships.

Township roads are at the mercy of the weather and often unforeseen events. When those occurrences damage a road beyond usability the cost of repairs is huge, sometimes so huge the maximum levy ability of the township cannot even service the debt that would be incurred to make the repairs. Maintenance on the other roads of the township can't be put on hold while paying for one large repair.

Sometimes these events do not cover a wide enough area to qualify for FEMA assistance, but they are devastating at the local level. The citizens of the township should be able to levy on their own property to make the needed repairs; a township cannot depend on any other benefactor coming to the financial rescue.

NDTOA thanks you for your consideration and respectfully requests that you give HB 1157 a do pass recommendation.

Thank you Chairman Burckhard and committee members; that concludes my prepared statement; I will try to answer any questions you may have.

2021 SENATE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Sakakawea, State Capitol

HB 1157
3/11/2021

A BILL for an Act to create and enact section 57-15-19.7 of the North Dakota Century Code, relating to township excess levies for emergency purposes; and to amend and reenact section 57-15-20.2 of the North Dakota Century Code, relating to exceptions to tax levy limitations in townships; and to provide an effective date

9:03:21 AM Chairman Burckhard opened committee work on HB 1157.

Senators present: Burckhard, Anderson, Heitkamp, Lee, Kannianen, Larson, Oban

Discussion Topics:

- Township tax levies
- Special meetings

9:04:45 AM Senator Heitkamp moves DO NOT PASS

9:07:25 AM Senator Larson seconded

Senators	Vote
Senator Randy A. Burckhard	N
Senator Howard C. Anderson, Jr.	N
Senator Jason G. Heitkamp	Y
Senator Jordan Kannianen	A
Senator Diane Larson	N
Senator Judy Lee	Y
Senator Erin Oban	N

9:13:55 AM Roll Call Vote 2-4-1 Motion failed

9:14:43 AM Senator Lee moves DO PASS

9:14:47 AM Senator Anderson seconded

Senators	Vote
Senator Randy A. Burckhard	Y
Senator Howard C. Anderson, Jr.	Y
Senator Jason G. Heitkamp	N
Senator Jordan Kannianen	absent
Senator Diane Larson	N
Senator Judy Lee	Y
Senator Erin Oban	Y

9:16:18 AM Roll Call Vote 4-2-1 (vote left open for Senator Kannianen)

9:55:00 AM Senator Kannianen returned

9:55:37 AM Roll Call Vote 5-2-0

Senators	Vote
Senator Randy A. Burckhard	Y
Senator Howard C. Anderson, Jr.	Y
Senator Jason G. Heitkamp	N
Senator Jordan Kannianen	Y
Senator Diane Larson	N
Senator Judy Lee	Y
Senator Erin Oban	Y

9:56:13 AM Senator Anderson will carry

9:56: 15 AM Chairman Burckhard adjourned

Patricia Lahr, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1157, as engrossed: Political Subdivisions Committee (Sen. Burckhard, Chairman)
recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING).
Engrossed HB 1157 was placed on the Fourteenth order on the calendar.