

**2021 HOUSE FINANCE AND TAXATION**

**HB 1195**

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Finance and Taxation Committee Room JW327E, State Capitol

HB 1195  
1/18/2021

A bill relating to sales tax special events.
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**Chairman Headland** opened the hearing at 9:02am. Roll call was taken:

Representatives	Present
Representative Craig Headland	Y
Representative Vicky Steiner	Y
Representative Dick Anderson	Y
Representative Glenn Bosch	Y
Representative Jason Dockter	Y
Representative Sebastian Ertelt	Y
Representative Jay Fisher	Y
Representative Patrick Hatlestad	Y
Representative Zachary Ista	Y
Representative Tom Kading	N
Representative Ben Koppelman	Y
Representative Marvin E. Nelson	Y
Representative Nathan Toman	Y
Representative Wayne A. Trottier	Y

### Discussion Topics:

- Taxing vendors at special events

**Representative Bellew** introduced bill. Testimony #1126 to include a letter from Lianne Zeltinger.

**Lianne Zeltinger, Minot Flea Market**, testified in support. Testimony #1018.

**Shannon Fleischer, Office of State Tax Commissioner**, answered questions from the committee.

**Representative B. Koppelman** made a motion for an amendment on page 1 line 7 replace ten with twenty-five.

**Representative D. Anderson** seconded the motion.

Voice vote-motion passed.

**Representative B. Koppelman** made a motion for a Do Pass As Amended.

**Representative D. Anderson** seconded the motion.

<b>Representatives</b>	<b>Vote</b>
Representative Craig Headland	Y
Representative Vicky Steiner	Y
Representative Dick Anderson	Y
Representative Glenn Bosch	Y
Representative Jason Dockter	AB
Representative Sebastian Ertelt	Y
Representative Jay Fisher	Y
Representative Patrick Hatlestad	Y
Representative Zachary Ista	Y
Representative Tom Kading	AB
Representative Ben Koppelman	Y
Representative Marvin E. Nelson	Y
Representative Nathan Toman	Y
Representative Wayne A. Trottier	Y

**Motion carried 12-0-2**

**Representative Fisher is the bill carrier.**

Meeting adjourned at 9:24am.

*Mary Brucker, Committee Clerk*

January 18, 2021

  
1/18/21

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1195

Page 1, line 7, overstrike "ten" and insert immediately thereafter "twenty-five"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1195: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1195 was placed on the Sixth order on the calendar.

Page 1, line 7, overstrike "ten" and insert immediately thereafter "twenty-five"

Renumber accordingly

## HB 1195 Testimony

Mr. Chairman, members of the Finance and Tax committee, I am introducing HB 1195 at the request of a constituent.

Her concerns are with NDCC 57-39.2-10.1. Responsibilities of special events promoters – Penalty.

I have attached a copy of the letter that she sent to me. I had Legislative Council draft a bill addressing her concerns. After I presented the bill to her, it was my understanding that she wanted the whole section repealed. She did say that the bill is not what she wanted but she could live with it.

After looking at the bill, I think it addresses her concerns. Thank you committee members.

Dear Representative Bellu,

Re: 57-39.2-10.1 Responsibilities of special event promoters-Penalty

I have asked about this bit of legislation the last couple of sessions.

I have included a couple of copies of letters that we used to receive prior to each event from the State. We haven't received them for at least 2 ½ years. Are we still required to send in names?

I have several issues with this. I spoke with Auditor Gallion in Minot in 2018. He did check with the Tax office and suggested I visit with them. I was told they gather this information for educational purposes only. If that is the case, why can I not just send in the names of new vendors? Why do I have to send names, addresses, and phone numbers of each and every vendor who set up at every market?

How fiscally prudent is it for the tax office to research each and every name? Or do they? If they don't, why should promoters send in names? I have never been a vendor, only a promoter, but those who have been vendors for 30+ years or less, tell me they have never been contacted by the tax office and they have never had to prove their sales totals or contact information.

We, as promoters, are not our brothers' keepers, nor are we employees of the state. Why are we responsible for reporting to the state? I take the word of our vendors, but do not know if the contact information I give is accurate.

I would appreciate answers to any or all of my questions. I would really appreciate getting rid of this law because it is time consuming and I can not swear that the information I am sending in is accurate for each and every vendor.

Respectfully,

Lianne Zeltinger

422 17th St NW

Minot, ND 58703

701 340-4474

January 17, 2021

To the Members of the Finance and Taxation Committee,

I appreciate your consideration on the HB1195. I also appreciate this virtual webinar option. It certainly provides citizens the opportunity to share their thoughts and concerns with committee members without losing a day of work, driving in storms, etc.

My husband and I manage the Minot Flea Market. In compliance with the N.D.C.C. 57-39.2-10.1 I have been submitting the name and contact information of each vendor for each of the eight markets per year for the last five years to the Compliance Section of the Sales and Special Tax Office.

I find submitting the same names eight times a year a bit redundant. I have been told by long time vendors that they have not been contacted to verify their participation or activities. In 2018 I was told by the tax office that this information is used for educational purposes only.

I submit that we as managers of special events would only need to submit the names and contact information of the new vendors or those who have a change in their contact information. The list of such would be significantly shorter for the office to peruse, which, to me would be fiscally prudent. For example, our normal attendance at each market is 80 to 90 vendors of which only about seven to twelve would be new the flea market.

Thank you for your time.

Respectfully submitted,

Lianne Zeltinger

422 17<sup>th</sup> St NW

Minot, ND 58703

701 340-4474

**2021 SENATE FINANCE AND TAXATION**

**HB 1195**

# 2021 SENATE STANDING COMMITTEE MINUTES

## Finance and Taxation Committee Fort Totten Room, State Capitol

HB 1195  
3/22/2021

A BILL for an Act to amend and reenact section 57-39.2-10.1 of the North Dakota Century Code, relating to sales tax special events.

**Chair Bell** calls the meeting to order. Chair Bell, Vice Chair Kannianen, Senators Meyer, Patten, Piepkorn, Weber are present. Senator J. Roers absent [9:48]

### **Discussion Topics:**

- Event vendor reporting

**Representative Bellew** [9:48] introduces bill in favor and submits testimony on behalf Lianne Zeltinger #10300

**Chair Bell** adjourns the meeting. [9:53]

*Joel Crane, Committee Clerk*

**Bellew, Larry D.**

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**From:** lifab@minot.com  
**Sent:** Thursday, January 14, 2021 8:45 PM  
**To:** Bellew, Larry D.  
**Subject:** HB1195

\*\*\*\*\* **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. \*\*\*\*\*

See, I already messed up hitting the send tab before I was done!! Lianne

So HERE is what I prepared.

To the members of the Finance and Taxation Committee,

I appreciate your consideration on the HB1195. I also appreciate this virtual webinar option. It certainly provides citizens the opportunity to share their thoughts with committee members without losing a day of work, etc.

My husband and I manage the Minot Flea Market. I have been submitting names and contact information of each vendor for each of the 8 markets per year for the last five years to the Compliance Section of the Sales and Special tax office.

*find* I find submitting the same names eight times a year a bit redundant. I have been told by long time vendors that they have not been contacted to verify their participation or activities. In 2018 I was told by the tax office that this information is used for educational purposes only.

I submit that we as managers of special events, would only need to submit names and contact information of new vendors or for those who have a change in such information. The list of such would be significantly shorter for the office to peruse, which, to me, would be fiscally prudent. For example, our normal attendance is 80 to 90 vendors of which only ten to twelve would be new to the flea market.

Thank you for your time.

Respectfully submitted,

Lianne Zeltinger  
422 17th St NW  
Minot ND 58703  
701 340-4474

# 2021 SENATE STANDING COMMITTEE MINUTES

## Finance and Taxation Committee Fort Totten Room, State Capitol

HB 1195  
3/30/2021

A BILL for an Act to amend and reenact section 57-39.2-10.1 of the North Dakota Century Code, relating to sales tax special events.

**Chair Bell** calls the meeting to order. Chair Bell, Vice Chair Kannianen, Senators Meyer, Patten, Piepkorn, J. Roers, Weber are present. [10:47]

### Discussion Topics:

- Licenses for vendors
- Sales tax permits
- Tax tracking responsibility

**Emily Thompson [10:47]**, Code Reviser for Legislative Council, answers questions from the committee.

**Senator J. Roers [10:58]** motions DO NOT PASS.

**Senator Patten [10:58]** seconds.

Senators	Vote
Senator Jessica Bell	N
Senator Jordan Kannianen	N
Senator Scott Meyer	N
Senator Dale Patten	Y
Senator Merrill Piepkorn	N
Senator Jim Roers	Y
Senator Mark Weber	N

Motion fails 2-5-0. [11:01]

**Senator Piepkorn [11:02]** motions DO PASS.

**Senator Meyer [11:03]** seconds.

Senators	Vote
Senator Jessica Bell	Y
Senator Jordan Kannianen	Y
Senator Scott Meyer	Y
Senator Dale Patten	N

Senator Merrill Piepkorn	Y
Senator Jim Roers	N
Senator Mark Weber	Y

Motion passes 5-2-0. [11:03]

**Senator Piepkorn** will carry.

**Chair Bell** adjourns the meeting. [11:04]

*Joel Crane, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HB 1195, as engrossed: Finance and Taxation Committee (Sen. Bell, Chairman)**  
recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING).  
Engrossed HB 1195 was placed on the Fourteenth order on the calendar.