

profit that you're talking about, that was not in relation to the services that were, that were provided,...

SENATOR KRISTENSEN: Okay.

SENATOR MAURSTAD: ...that the fee would be illegal.

SENATOR KRISTENSEN: No. That's...no, they wouldn't be illegal. Let's just...let's take, can I take utilities for example,...

SENATOR MAURSTAD: Um-hum.

SENATOR KRISTENSEN: ...and let's say, well, let's don't do utilities. Let's do garbage pickup because that might be easier. The city of Minden, for example, hires its city employees to go out and pick up garbage. They charge so much a month as a fee. Now those fees, if they're part of an enterprise, in which that usually is, and that's where the definitional problems will come into is what's, what's an enterprise fund, but those fees that are there that go towards the actual cost of providing that enterprise or that service, that's fine. Let's say they made a pretty good profit, though, and took that profit from garbage collection and moved it over into the general operating fund. That's what's going to have to live within the restricted funds, or that fee...it isn't illegal, they can still collect it.

SENATOR MAURSTAD: Yeah.

SENATOR KRISTENSEN: But when you put it into that box of restricted funds, that means that's more money into there, you're going to have to live within that 2 percent/0 percent. If you pump more money in there you've got to take less money from somewhere else inside that box, that would probably be property tax.

SENATOR MAURSTAD: And I don't have...I don't necessarily have a problem with the end result of what your, what your discussion is. But I, I'm going to need to do, I'm going to need to do some checking and go back and reference some things because I think there's something out there that doesn't allow what you just described to occur. And so before...I'm basically going off of memory relative to that, and so I need to do some research relative to that. But I wanted to raise the issue,