

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1239

2001 HOUSE TRANSPORTATION

HB 1239

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1239

House Transportation Committee

Conference Committee

Hearing Date February 1, 2001

Tape Number	Side A	Side B	Meter #
J	x		3,059
Committee Clerk Signature <i>Laura L. J. J.</i>			

Minutes: Rep. Weisz - Chairman opened the hearing on HB 1239; A BILL for an Act to amend and to reenact sections 39-06.1-06 and 39-09-02 of the North Dakota Century Code, relating to the fees for violating school zone speed limits.

Rep. Carlisle: For the record, I represent District 30 in Bismarek. What the bill is going to do is to potentially make school speed zones violations the same as construction zones. The reason I am here is I am honoring a commitment from a Bismarek police officer. He said our kids are as important as construction workers. So I drafted this bill. I look back in 1368 of the original bill two years ago for the highway construction zone legislation. I lifted a bit of the testimony by the DOT at that time. It was that this type legislation would make the construction zones much safer. So I am applying that to the school zones. The only other change I made --- on page three being a novel idea -- although I don't know how the League of Cities is going to feel -- but any fees collected will be deposited in the state school fund. So that will be up to you work out. Essentially it is a bill that mirrors the construction zone legislation.

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House Transportation Committee

Bill/Resolution Number HB 1239

Hearing Date February 1, 2001

Rep. Carlisle: Rep. Blair Thoreson is also a sponsor on this bill but he had a conflict in that he had to testify on another bill and couldn't be here. But he is in favor of this bill.

Rep. Kempenich: I represent District 39. I signed onto this bill because I too think it makes sense. Some of the mechanics, like Rep. Carlisle said, you will have look at to see if it will work or not. I do think that putting a minimum in these types of zones is the same as that which is behind the construction zone bill. There is a lot of foot traffic in these areas at given- certain times of the day. It does create a certain amount of hazard so that is one of the main reasons I support it.

I hope the committee will look favorably to implementing this bill.

There being no other persons wishing to testify either for or against: Rep. Weisz -

Chairman closed the hearing for receipt of any further testimony on HB 1239. (3622)

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1239 B

House Transportation Committee

Conference Committee

Hearing Date February 2, 2001

Tape Number	Side A	Side B	Meter #
2		x	1,912
			end 2620
Committee Clerk Signature <i>Laussub, J.</i>			

Minutes: Rep. Weisz - Chairman opened the discussion for action on HB 1239.

Rep. Hawken: 1915 I move an amendment to HB 1239 that the fines go to school funds Page 3 line 3 through line 5.

Rep. Price: I second the motion.

On a voice vote the motion carried. 12 yeas 1 nay (Rep. Kelsch: wants her vote noted).

Rep. Mahoney: (2445) I move a 'Do Pass as Amended' for HB 1366.

Rep. Price: I second the motion.

Motion carried on roll call vote: 12 yeas 1 nay 1 absent.

Rep. Hawken was designated to carry HB 1366 on the floor.

END (2620)

10390.0101
Title.0200

Adopted by the Transportation Committee
February 1, 2001

YR
2/1/01

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1239

Page 3, remove lines 3 and 4

Page 3, line 5, remove "the state school fund."

Renumber accordingly

Date: 2/01/01
Roll Call Vote #:

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1239

House Transportation Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as Amended

Motion Made By Rep. Mahoney Seconded By Rep. Price

Representatives	Yes	No	Representatives	Yes	No
Robin Weisz - Chairman	✓		Howard Grumbo	✓	
Chet Pollert - Vice Chairman	✓		John Mahoney	✓	
Al Carlson	✓		Arlo E. Schmidt	✓	
Mark A. Dosch	✓		Elwood Thorpe		✓
Kathy Hawken	✓				
Roxanne Jensen	✓				
RaeAnn G. Kelsch	✓				
Clara Sue Price	✓				
Dan Ruby	✓				
Laurel Thoreson	A				

Total (Yes) 12 No 1

Absent 1

Floor Assignment Rep. Hawken

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

REPORT OF STANDING COMMITTEE (410)
February 2, 2001 12:05 p.m.

Module No: HR-19-2212
Carrier: Hawken
Insert LC: 10390.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1239: Transportation Committee (Rep. Weisz, Chairman) recommends
AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS**
(12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1239 was placed on the Sixth
order on the calendar.

Page 3, remove lines 3 and 4

Page 3, line 5, remove "the state school fund."

Renumber accordingly

2001 SENATE TRANSPORTATION

HB 1239

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1239

Senate Transportation Committee

Conference Committee

Hearing Date 3-9-01

Tape Number	Side A	Side B	Meter #
1	x		41.2-52.5
Committee Clerk Signature <i>Suzette Schaper</i>			

Minutes: **HB 1239** relates to the fees for violating school zone speed limits.

Rep. Ron Carlisle: (District 30; Supports) What this bill does is raise the traffic fines for school zones to be the same as the new construction zone violation fees. It does the exact same as the construction zone fees. Aren't kids just as important as construction workers? In effect, it doubles current fine to a \$40 minimum. The bill was engrossed. Originally, the fines were going to go to the Common School Trust Funds. The House put the fines back into the local entities.

Senator Espegard: What's the speed limit for a school zone?

Senator Trenbeath: 20 mph unless posted lower when the lights are flashing.

Rep. Blaire Thoreson: (District 44; Supports) Supports this bill. I live by a school, but sometimes people get a little led-footed through the school zones. I would hope that this bill would remind people that the safety of the children is paramount and to slow down.

Senator Stenehjem: What's the fine for speeding in Bismarek or Fargo?

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Senate Transportation Committee
Bill/Resolution Number HB 1239
Hearing Date 3-9-01

Lynn Heinert: (NDDOT; Neutral) I believe the fine for speeding through a school zone in Bismarek is \$50 . Fargo I do not know.

Senator Stenehjem: The proposed bill states that the fine would be \$40. Bismarek's fine is now \$50. Does the Home Rule supersede the state law?

Senator Trenbeath: Yes.

Hearing closed.

Discussion held.

Senator O'Connell motions to Do Pass. Seconded by Senator Espegard. Roll call taken. 4-1-1.

Floor carrier is Senator O'Connell.

Date: 3rd
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1239

Senate Transportation Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By O'Connell Seconded By Espgaard

Senators	Yes	No	Senators	Yes	No
Senator Stenehjem, Chairman	X		Senator O'Connell	X	
Senator Trenbeath, Vice-Chair		X	Senator Bereler		
Senator Mutch	X				
Senator Espgaard	X				

Total (Yes) 4 No 1

Absent 1

Floor Assignment O'Connell

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

REPORT OF STANDING COMMITTEE (410)
March 9, 2001 11:43 a.m.

Module No: SR-41-5205
Carrier: O'Connell
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1239, as engrossed: Transportation Committee (Sen. Stenehjem, Chairman)
recommends **DO PASS** (4 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed
HB 1239 was placed on the Fourteenth order on the calendar.