

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1222

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Dorinda Hallmark
Operator's Signature

10/2/03
Date

2003 HOUSE AGRICULTURE

HB 1222

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Deanna Holladay
Operator's Signature

10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1222

House Agriculture Committee

Conference Committee

Hearing Date 2--07--03

| Tape Number | Side A | Side B | Meter # |
|--|--------|--------|------------|
| ONE | A | | 43.7 TO 53 |
| ONE | | B | 00 TO 5.7 |
| Committee Clerk Signature <i>Edward D. Clifton</i> | | | |

Minutes:

CHAIRMAN NICHOLAS: Committee Members, we will open on HB 1222

REPRESENTATIVE POLLERT: State Representative from District 29. I am an elevator owner, seed plant and fertilizer owner. This Bill is a big concern for dealers, farmers and basically I am going to keep my remarks short. What the bill dose is give civil immunity for theft of anhydrous ammonia. If is my property, my product and my equipment, I don't think I should be liable for the unlawful acts of someone coming in and trying to destroy or my product. I ask for your support on this bill.

REPRESENTATIVE MUELLER: Would you contrast 1222 and 1194 for us. Which one is the better of the two.

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Date

Page 2
House Agriculture Committee
Bill/Resolution Number HB 1222
Hearing Date 2--07--03

VICE CHAIRMAN POLLERT: HB 1222 is a lot broader in scope. We will have whether Chairman Nicholas will support HB 1222 and with draw 1194 and do a do not pass.

REPRESENTATIVE KREIDT: Is there anything else going in the Senate in regards to this bill.

REPRESENTATIVE POLLERT: I don't know about the Senate but in the judiciary committee, the Attorney General has brought forth numerous meth bills and if I am correct one bill is similar in scope. It goes a few steps further as I think HB 1352 which would require locks, lock boxes on all anhydrous tanks. We don't think that bill will solve our problems.

CHAIRMAN NICHOLAS: Rep. Eckre.

REPRESENTATIVE ECKRE. I am on both bills also. I do believe this bill HB 1222 is a better bill. It includes more things. Which is a benefit to the Erg. Community. I do want to support this bill. Thank you

CHAIRMAN NICHOLAS: Any questions. Take next testimony ion support of 1222.

MARK SITZ: N.D. FARMERS UNION. We stand in support of HB 1222.

We have a meth problem in North Dakota which is growing. It is unfortunate that farmers are being victimized. Really stealing his anhydrous ammonia. This bill will take care of the liability to the farmers. It is important law to have in place. We recognize this bill going a little further then 1352. This bill included the dealers.

{{{{(we are on tape one ""SIDE B""

JOHN MITTLEIDER: ND FARM BUREAU. We are here to support 1222. We think it is a little broader bill. It supports dealers. And others that may be in the process of handling and using anhydrous. In response to Rep. Kingsbury's comment on 1352, The

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10/2/03
Date

Page 3
House Agriculture Committee
Bill/Resolution Number HB 1222
Hearing Date 2--07--03

Attorney General has discussed with us his amendments. That Bill, he is looking at conducting a pilot project. We are working with him as we speak. Farmers up in the Williston area to attempt to work through this pilot program. We don't think the locks bill is really going to what was it was intended for.

REPRESENTATIVE KREIDT: Who is going to pay for the locks.

JOHN MITTLEIDER: The logistics are not worked out yet. One arm of our organization is Nodak Mutual. Maybe they will put up some funding. As to buying locks.

VICE CHAIRMAN POLLERT: Is it 70 to 80 percent of the anhydrous is imported into this state. For our meth or 80 percent of the meth is imported.

JOHN MITTLEIDER: That is the number that I recall. Obviously the largest concentration of meth labs is in the Williston area.

GARY KNUTSON: With the ND Agriculture Association. In our membership we have approximately 300 dealers that handle a lot of fertilizer etc. And they have been pretty close in tracking this. We have worked with Rep. Pollert in terms of getting some introduction. As to liability for our farmers in this issue. We feel this is critical. This is an ugly problem. We are monitoring. Land security. Surveillance problem. We hope there will be a compound added to the ammonia so it will be unusable.

REPRESENTATIVE ONSTAD: The Attorney General has a retail meth program dealing with retailers and selling it. Some of the products involved in meth. Is there an education meth program. In conjunction with the Attorney General's Office to deal with the dealers. As far as security goes. Surveillance cameras.

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10/2/03
Date

Page 4
House Agriculture Committee
Bill/Resolution Number HB 1222
Hearing Date 2--07--03

GARY KNUTSON: We quite extensively addressed this problem last winter. Various cities in ND. This is about a five hour program. The dealers were encouraged to bring there staff to meetings. The Agr. Department under Mr Wagner put together a good program we also discussed surveillance and a lot of issues. We continue to communicate on security matters. We were in opposition to the Attorney General bill because of the locks. We don't feel like that is a solution.

CHAIRMAN NICHOLAS : Any other questions.

CYDE KREBS. SECOND VICE PRESIDENT OF THE GRAIN DEALERS ASSOCIATION.

I own and operate a fertilizer and feed plant at Glen Ullin. The NDGDA supports HB 1222.

We also supported 1194. We think this is a little bit better bill. We want to thank the sponsors for bring this forward.

CHAIRMAN NICHOLAS : Anyone else in support of this bill. Anyone in opposition of this bill.

WE WILL CLOSE THE HEARING ON HB 1222

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Donna Hall
Operator's Signature

10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1222

House Agriculture Committee

Conference Committee

Hearing Date 2--07--03

| Tape Number | Side A | Side B | Meter # |
|---|--------|--------|--------------|
| ONE | | B | 22.3 TO 47.9 |
| | | | |
| | | | |
| Committee Clerk Signature <i>Edward S. Elford</i> | | | |

Minutes:

CHAIRMAN NICHOLAS: Committee Members. We will open on HB 1222.

What are your wishes? Representative Boe moves for a do Pass on HB 1222.

Representative Kreidt seconded the motion. THE ROLL WAS TAKEN. THERE WERE

13 YES 0 NO 0 ABSENT. REPRESENTATIVE KREIDT HAS FLOOR ASSIGNMENT.

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Dorinda H. Ball
Operator's Signature

10/2/03
Date

HB 1222
27-03

Date:
Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House AGRICULTURE COMMITTEE

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By BOE Seconded By KREIDT

| Representatives | Yes | No | Representatives | Yes | No |
|--------------------------|-----|----|-----------------|-----|----|
| CHAIRMAN NICHOLAS | ✓ | | | | |
| VICE CHAIRMAN POLLERT | ✓ | | | | |
| REPRESENTATIVE BELTER | ✓ | | | | |
| REPRESENTATIVE BOEHNING | ✓ | | | | |
| REPRESENTATIVE KELSCH | ✓ | | | | |
| REPRESENTATIVE KINGSBURY | ✓ | | | | |
| REPRESENTATIVE KREIDT | ✓ | | | | |
| REPRESENTATIVE UGLEM | ✓ | | | | |
| REPRESENTATIVE WRANGHAM | ✓ | | | | |
| REPRESENTATIVE BOE | ✓ | | | | |
| REPRESENTATIVE FROELICH | ✓ | | | | |
| REPRESENTATIVE MELLER | ✓ | | | | |
| REPRESENTATIVE ONSTAD | ✓ | | | | |

Total (Yes) 13 No 0

Absent 0

Floor Assignment KREIDT

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Danna Hall
Operator's Signature

10/2/03
Date

REPORT OF STANDING COMMITTEE (410)
February 7, 2003 1:36 p.m.

Module No: HR-24-2004
Carrier: Kreidt
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1222: Agriculture Committee (Rep. Nicholas, Chairman) recommends DO PASS
(13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1222 was placed on the
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-24-2004

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Dennis H. [Signature]
Operator's Signature

10/2/03
Date

2003 SENATE JUDICIARY

HB 1222

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Domena G. Ballarín
Operator's Signature

10/2/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1222

Senate Judiciary Committee

Conference Committee

Hearing Date 03/18/03

| Tape Number | Side A | Side B | Meter # |
|---|--------|--------|-----------|
| 1 | X | | 0.0 - 5.6 |
| | | | |
| | | | |
| Committee Clerk Signature <i>Maria L. Solberg</i> | | | |

Minutes: Senator John T. Traynor, Chairman, called the meeting to order. Roll call was taken and not all committee members present. Sen. Traynor requested meeting starts with testimony on the bill:

Testimony in Support of HB 1222

Chet Pollet - Rep Dist 29 Introduced the Bill. (meter 0.1) This Bill is a mirror bill to 1352.

Senator Thomas L. Trenbeath discussed if he thought Sec 1.7 would actually do what they were trying to do-protect owner from claims from the thief. Discussion that both bills had this same point.

Brian Kramer - ND Farm Bureau (meter 2.9) We support this bill.

Paul Thomas - ND Ag Coalition (meter 3) We support this bill

Mark Sitz - ND Farmers Union (meter 3.6) We support this bill.

Rep Bruce Eckre - Dist 25 Representative (meter 4.5) We have a lot of black dirt where I come from and these tanks are everywhere. I am in support of this bill.

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Operator's Signature

10/2/03
Date

Page 2
Senate Judiciary Committee
Bill/Resolution Number HB 1222
Hearing Date 03/18/03

Gary Knutson - ND Agricultural Association (meter 4.5) Representing fertilizer and anhydrous
dealers in the state and are in support of this bill.

Testimony in Opposition of HB 1222

None

Testimony Neutral to HB 1222

None

Senator John T. Traynor, Chairman closed the hearing

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Operator's Signature

10/2/03
Date

CONTINUED

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9/30/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1222

Senate Judiciary Committee

Conference Committee

Hearing Date 03/25/03

| Tape Number | Side A | Side B | Meter # |
|-------------|--------|--------|---------|
| 1 | X | | 20 - 24 |
| | | | |
| | | | |

Committee Clerk Signature *Maria L Solberg*

Minutes: Senator John T. Traynor, Chairman, called the meeting to order. Roll call was taken and all committee members present. Sen. Traynor requested meeting starts with testimony on the bill:

Discussion on this being a mirror bill to another bill being heard in the house.

Motion Made to DO NOT PASS HB 1222 by Sen. Trenbeath and seconded by Sen. Lyson

Roll Call Vote: 5 Yes. 0 No. 1 Absent

Motion Passed

Floor Assignment: Sen. Dever

Senator John T. Traynor, Chairman closed the hearing.

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Dorena Holbrook
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10/2/03
Date

Date: March 25, 2003
Roll Call Vote #: 1

**2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1222**

Senate JUDICIARY Committee

Check here for Conference Committee

Legislative Council Amendment Number _____
Action Taken DO NOT PASS

Motion Made By Sen. Trenbeath Seconded By Sen. Lyson

| Senators | Yes | No | Senators | Yes | No |
|---------------------------------|-----|----|---------------------|-----|----|
| Sen. John T. Traynor - Chairman | X | | Sen. Dennis Bercier | A | A |
| Sen. Stanley Lyson - Vice Chair | X | | Sen. Carolyn Nelson | X | |
| Sen. Dick Dever | X | | | | |
| Sen. Thomas L. Trenbeath | X | | | | |
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Total (Yes) FIVE (5) No ZERO (0)

Absent ONE (1)

Floor Assignment Sen. Dever

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

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Dennis Bercier
Operator's Signature 10/2/03
Date

REPORT OF STANDING COMMITTEE (410)
March 26, 2003 1:34 p.m.

Module No: SR-54-5819
Carrier: Dever
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1222: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO NOT PASS**
(5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1222 was placed on the
Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-54-5819

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