

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1062

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Operator's Signature

Yolanda Rickford

Date

10/2/03

2003 HOUSE TRANSPORTATION

HB 1062

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10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1062

House Transportation Committee

☐ Conference Committee

Hearing Date January 17, 2003

Tape Number	Side A	Side B	Meter #
1		x	0.3
			end at 3.0
Committee Clerk Signature <i>Laurie L. Zink</i>			

Minutes:

Rep. Weisz, Chairman opened the hearing on HB 1062 a bill for an Act to amend and reenact subsection 1 of section 39-12-04 of the North Dakota Century Code, relating to width limits and the movement of implements of husbandry.

Rep. Metcalf prime sponsor of the bill spoke for the bill stating the basis for the proposed legislation. A copy of his testimony is attached.

Following Rep. Metcalf's testimony Chairman Weisz called for further testimony either for or against. There being none, the hearing was closed. (3.0)

Rep. Hawken, Vice Chairman moved a Do Pass. Rep. Delmore seconded the motion.

There being no discussion, Chairman Weisz called for the vote. Upon a roll call vote the motion carried 12 Aye 1 Nay 0 Absent.

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Date: 1/17/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1062

House TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 30177.0100

Action Taken DO Pass

Motion Made By Rep Hawken Seconded By Rep. Delmore

Representatives	Yes	No	Representatives	Yes	No
Robin Weisz - Chairman	✓		Lois Delmore	✓	
Kathy Hawken - Vice Chairman	✓		Arlo E. Schmidt	✓	
LeRoy G. Bernstein	✓		Elwood Thorpe	✓	
Mark A. Dosch	✓		Steven L. Zaiser	✓	
Pat Galvin	✓				
Craig Headland	✓				
Clara Sue Price	✓				
Dan J. Ruby		✓			
Dave Weiler	✓				

Total Yes 12 No 1

Absent 0

Floor Assignment Rep. Zaiser

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

REPORT OF STANDING COMMITTEE (410)
January 17, 2003 11:32 a.m.

Module No: HR-09-0718
Carrier: Zaiser
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1062: Transportation Committee (Rep. Weisz, Chairman) recommends DO PASS
(13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1062 was placed on the
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-09-0718

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10/2/03
Date

2003 SENATE TRANSPORTATION

HB 1062

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Operator's Signature

Yolanda Rickford

Date

10/2/03

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1062

Senate Transportation Committee

☐ Conference Committee

Hearing Date 3-14-03

Tape Number	Side A	Side B	Meter #
1		X	35-425
Committee Clerk Signature <i>Mary K Monson</i>			

Minutes:

Chairman Senator Thomas Trenbeath opened the hearing on HB 1062 relating to width limits and the movement of implements of husbandry.

Representative Ralph Metcalf (District 24) See attached testimony in support of HB 1062.

Senator Espgaard asked if equipment of husbandry includes the contractor who is seeding the ditches.

Rep. Metcalf answered that this is a possibility, however, it does says government entities. It doesn't say contractors.

Senator Trenbeath pointed out that the implement would be an implement of husbandry but the contractor would not be able to move it down the highway unless it was DOT.

The hearing on HB 1062 was closed.

Senator Nething moved a Do Pass. Seconded by **Senator Taylor**. Roll call vote 5-0-1.

Passed. Floor carrier is **Senator Taylor**.

Date: 3-14-02
Roll Call Vote #:

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1062

Senate TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do pass

Motion Made By Senator Nething Seconded By Senator Taylor

Senators	Yes	No	Senators	Yes	No
Senator Thomas Trenbeath, Chair	✓		Senator Dennis Bercier		
Senator Duaine Espegard, V. Chair	✓		Senator Ryan Taylor	✓	
Senator Duane Mutch	✓				
Senator Dave Nething	✓				

Total (Yes) 5 No 0

Absent 1

Floor Assignment Senator Taylor

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

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Valosta Rickford
Operator's Signature

10/2/03
Date

REPORT OF STANDING COMMITTEE (410)
March 14, 2003 1:06 p.m.

Module No: SR-46-4814
Carrier: Taylor
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1062: Transportation Committee (Sen. Trenbeath, Chairman) recommends DO PASS
(5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1062 was placed on the
Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-46-4814

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Yolanda Rickford
Operator's Signature

10/2/03
Date

2003 TESTIMONY

HB 1062

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Yolanda Rickford

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10/2/03

**TESTIMONY SUPPORTING HB 1062
HOUSE OF REPRESENTATIVES TRANSPORTATION COMMITTEE
JANUARY 17, 2003**

Good morning Chairman Weisz and members of the House Transportation Committee. I am Representative Ralph Metcalf from the new and greater District 24 representing North Dakotans living in 22 townships in Western Barnes County and 10 townships in Northwestern Ransom County.

For all practical purposes HB 1062 is a house keeping bill, but it does correct a situation that may create unnecessary costs, litigation and mainly frustration.

As you can see the only correction made is to add the words "government entities" on lines 12 and 15. A situation arose concerning a Soil Conservation District that was transporting their no-till drill which they rent to various farmers within the district. For some reason, they stopped at a weigh station and were informed by the inspector on duty that they were in violation of the law because they did not have an over width permit and they were not exempt from that requirement because the district is not a "farmer, rancher, dealer or manufacturer." They were not cited as the inspector did use some common sense, but I believe it is preferable to correct this situation to eliminate problems and frustrations in the future.

The key word to focus on is in line 11, "husbandry". To allay any fears that this will open up over width exceptions to other types of equipment, it is essential to know that this bill pertains only to what most people know as farm equipment.

When I requested this measure to be drawn up, I asked only to include Soil Conservation Districts in this exception. However, the legislative council suggested that this be changed to include all governmental entities in case other agencies may be in need of this exception. Again, I state that this exception is for implements of husbandry only.

Thank you for consideration and I will be happy to hear your questions and concerns.

**TESTIMONY SUPPORT HB 1062
SENATE TRANSPORTATION COMMITTEE
MARCH 14, 2003**

Good morning Chairman Trenbeath and members of the Senate Transportation Committee. I am Representative Ralph Metcalf from the new and greater District 24 representing North Dakotans living in 22 townships in Western Barnes County and 10 townships in Northwestern Ransom County.

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