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ROLL NUMBER

DESCRIPTION

1214

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Deanna Hall
Operator's Signature

10/2/03
Date

2003 HOUSE TRANSPORTATION

HB 1214

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1214

House Transportation Committee

☐ Conference Committee

Hearing Date January 23, 2003

Tape Number	Side A	Side B	Meter #
1	x		0.9 to 8.1
1	x		39 to 54.4
1		x	4.4 to 5.0
Committee Clerk Signature <i>Lauren B. Ford</i>			

Minutes:

Rep. Weisz, Chairman opened the hearing on HB 1214, a bill for an Act to amend and reenact subsection 2 of section 28-22-03.1 of the North Dakota Century Code, relating to motor vehicles as property exempt from process.

Rep. Gulleason appeared to introduce this bill on behalf of person from the southeastern part of the state. Basically it involves the vehicles of handicapped people who are involved in bankruptcy proceedings where their vehicle is not exempted because of the increased value due to the addition of handicapped modifications. It is a disparity against handicapped persons. She then read the lett from a constituent named David Miller. A copy of his letter--her testimony is attached.

Rep. Weisz, Chairman: What was the rationale in choosing the dollar value contained herein?

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House Transportation Committee
Bill/Resolution Number HB 1214
Hearing Date January 23, 2003

Rep. Gulleson I asked the Legislative Council to draft this bill and they found that the surrounding states have a value of not less than the \$1500. Those modifications are costly and just add to the value of the vehicle. The \$32,000 adds up to being a van type vehicle.

Rep. Amerman I represent District 26. I do not have any written testimony. I appear only representing Mr. Miller and ask that you support this bill.

Bruce Murray I am an employee Action in Advocacy project. We urge a 'Do Pass' for this bill. In discussing this bill with people in Bismarck in the past several weeks -- they assure that these modifications do cost and are needed. We urge passage of this bill.

Rep. Weisz, Chairman: (7.3) Do you think these dollar values are reasonable?

Bruce Murray: I believe they do --- the discussion around the table this past weekend was that if the modifications which were made did not exceed \$1500--then the vehicle isn't really modified. There being no further testimony for or against HB 1214, Rep. Weisz, Chairman closed the hearing on HB 1214. (8.1)

Discussion (39) to end of side A. The discussions questioned the 'parking permit' wording as almost anyone can get a parking permit from any doctor by asking for it. Other discussion was concerned about the higher dollar limit which might encourage people contemplating bankruptcy to go out and buy a van -- make a few modifications and then file. Net result would be a much better vehicle for minimal investment. Also there was concern that the language exempts the van and the van being sold to someone who is not handicapped but going through bankruptcy is the van still exempt under the present form of the bill? (54.7)

Discussion and action -- side B (4.4)

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House Transportation Committee
Bill/Resolution Number HB 1214
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Rep. Galvin: I move a "Do Pass" on HB 1214.

Rep. Zaiser seconded the motion.

On a voice vote the motion carried 10 ayes 2 nays 1 absent and not voting.

Rep. Thorpe was designated to carry HB 1214 on the floor.

End (5.0)

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Deanna Holbrook
Operator's Signature

10/2/03
Date

30379.0101
Title.0200

Adopted by the Transportation Committee
February 6, 2003

VK
2/6/03

HOUSE AMENDMENTS to HB 1214 htrn 2-7-03

Page 1, line 9, after "a" insert "permanent" and replace "that makes that" with "who is the owner of that motor vehicle"

Page 1, line 10, remove "individual eligible for parking privileges under section 39-01-15"

Renumber accordingly

Page No. 1

30379.0101

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Operator's Signature

Deanna Hall

Date

10/2/03

Date: 1/23/03
Roll Call Vote #: _____

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1214

House TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 30379.0100

Action Taken Do Pass

Motion Made By Rep. Galvin Seconded By Rep. Zaiser

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 10 No 2

Absent 1

Floor Assignment Rep. Thorpe

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

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Operator's Signature Doreen Hall Date 1/23/03

Date: 2-6
Roll Call Vote #: _____

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1214

House TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 1

Action Taken As Amended

Motion Made By Sh Seconded By De

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

Total Yes 9 No 1

Absent 3

Floor Assignment Rep Thorpe

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

REPORT OF STANDING COMMITTEE (410)
February 7, 2003 2:12 p.m.

Module No: HR-25-2031
Carrier: Thorpe
Insert LC: 30379.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1214: Transportation Committee (Rep. Weisz, Chairman) recommends
AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS**
(9 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). HB 1214 was placed on the Sixth
order on the calendar.

Page 1, line 9, after "a" insert "permanent" and replace "that makes that" with "who is the
owner of that motor vehicle"

Page 1, line 10, remove "individual eligible for parking privileges under section 39-01-15"

Renumber accordingly

2003 SENATE TRANSPORTATION

HB 1214

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Deanna Holladay
Operator's Signature

10/2/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1214

Senate Transportation Committee

☐ Conference Committee

Hearing Date 3-13-03

Tape Number	Side A	Side B	Meter #
1		X	4140-4700
Committee Clerk Signature <i>Mary K. Morrison</i>			

Minutes:

Chairman Senator Thomas Trenbeath opened the hearing on HB 1214 relating to motor vehicles as property exempt from process.

Bruce Murry (ND Protection and Advocacy Project) As a representative from the state agency that works with issues that affect people with disabilities he spoke in favor of HB 1214. It is very expensive to modify a decent vehicle to accommodate the disabled. They feel that \$1500 is a fair threshold for exemption to kick in.

Senator Trenbeath asked if this was just an additional exemption from execution.

Bruce Murry answered that it was.

Senator Espegard asked what this exempts a vehicle from.

Senator Trenbeath explained that it exempts it from judicial sale. It would be protected as an asset.

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10/2/03
Date

Page 2

Senate Transportation Committee
Bill/Resolution Number HB 1214
Hearing Date 3-13-03

James Moench (ND Disability Advocacy Consortium) Spoke in support of the bill and the concept. They feel the numbers are reasonable.

Senator Taylor asked if there is any exemption now.

Senator Trenbeath replied that just the regular motor vehicle exemption applies now.

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

Passed. Floor carrier is Senator Taylor.

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Donna Ballin
Operator's Signature

10/2/03
Date

Date: 3-13-03
Roll Call Vote #:

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1214

Senate TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do pass

Motion Made By Senator Nothing Seconded By Senator Taylor

Senators	Yes	No	Senators	Yes	No
Senator Thomas Trenbeath, Chair	✓		Senator Dennis Bercier		
Senator Duaine Espesgard, V. Chair	✓		Senator Ryan Taylor	✓	
Senator Duane Mutch	✓				
Senator Dave Nothing	✓				

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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Donna Hall
Operator's Signature

10/2/03
Date

REPORT OF STANDING COMMITTEE (410)
March 13, 2003 1:19 p.m.

Module No: SR-45-4687
Carrier: Taylor
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1214, as engrossed: Transportation Committee (Sen. Trenbeath, Chairman)
recommends DO PASS (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).
Engrossed HB 1214 was placed on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-45-4687

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Dan na G. Ballin
Operator's Signature

10/2/03
Date