

2009 HOUSE TRANSPORTATION

HB 1130

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1130

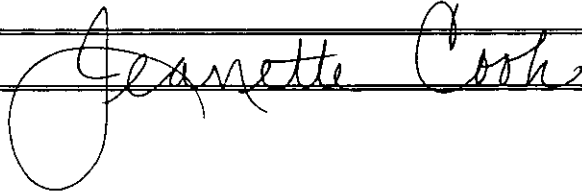
House Transportation Committee

☐ Check here for Conference Committee

Hearing Date: 01/08/09

Recorder Job Number: 6685 & 6686

Committee Clerk Signature



Minutes:

Chairman Ruby: We will start the hearing. The bill we have is 1130. The clerk will read the title.

The title was read.

Lawrence Hopkins, Deputy Treasurer for the Office of State Treasurer, testified in support of HB 1130. See attachment #1.

Chairman Ruby: Any questions?

Representative Vigesaa: So basically the money has always been distributed to the counties regardless of the language of the serial line?

Lawrence Hopkins: When this was brought to our attention, it does make sense, trailers don't have motors. So, when I called the Motor Vehicle Department and asked them why would they include trailers in that number, their explanation was that to them motor vehicle registrations is more of a generic term. They weren't trying to limit anything by the term motor vehicle, it is just all of their registrations.

Representative Vigesaa: OK.

Chairman Ruby: Alright, it is pretty cut and dried. Thank you. Is there anyone else wishing to testify on this HB 1130? Is there anyone here in opposition to HB 1130?

There was no opposition to HB 1130.

Chairman Ruby: We will close the hearing on HB 1130.

Representative Delmore made a motion for **Do Pass** on HB 1130.

Representative R. Kelsch seconded the motion.

Chairman Ruby: Any discussion? Roll call vote will be taken.

A roll call vote was taken on the bill: **Yea: 14 Nay: 0 Absent: 0**

Chairman Ruby: Who wants to carry this bill?

Representative Frantsvog will carry the bill.

FISCAL NOTE
Requested by Legislative Council
12/23/2008

Bill/Resolution No.: HB 1130

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2007-2009 Biennium		2009-2011 Biennium		2011-2013 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2007-2009 Biennium			2009-2011 Biennium			2011-2013 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill is a minor "housekeeping" bill to clarify language. It has no fiscal impact.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

This bill has no fiscal impact.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

Name:	Shannon L. Sauer	Agency:	NDDOT
Phone Number:	328-4375	Date Prepared:	01/05/2009

Date: 1-8-09

Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1130

House TRANSPORTATION Committee

☒ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken ☒ Do pass ☐ Don't Pass ☐ Amended

Motion Made By Rep. Delmore Seconded By Rep. R. Kelsch

Representatives	Yes	No	Representatives	Yes	No
Representative Ruby - Chairman	✓		Representative Delmore	✓	
Rep. Weiler - Vice Chairman	✓		Representative Griffin	✓	
Representative Frantsvog	✓		Representative Gruchalla	✓	
Representative Heller	✓		Representative Potter	✓	
Representative R. Kelsch	✓		Representative Schmidt	✓	
Representative Sukut	✓		Representative Thorpe	✓	
Representative Vigasaa	✓				
Representative Weisz	✓				

Total Yes 14 No 0

Absent 0

Bill Carrier Bob Frantsvog

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

REPORT OF STANDING COMMITTEE (410)
January 8, 2009 11:41 a.m.

Module No: HR-03-0100
Carrier: Frantsvog
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1130: Transportation Committee (Rep. Ruby, Chairman) recommends DO PASS
(14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1130 was placed on the
Eleventh order on the calendar.

2009 SENATE APPROPRIATIONS

HB 1130

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1130

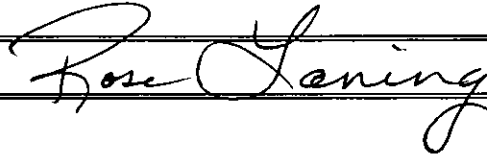
Senate Appropriations Committee

☐ Check here for Conference Committee

Hearing Date: March 4, 2009

Recorder Job Number: 10208

Committee Clerk Signature



Minutes:

Chairman Holmberg called the committee hearing to order on HB 1130 which relates to vehicle registrations for purposes of highway tax distribution fund allocations.

Lance Hopkins, Deputy Treasurer, State of North Dakota

Testified in favor of HB 1130. Written attached testimony # 1.

Chairman Holmberg closed the hearing on HB 1130.

Senator Wardner moved Do Pass.

Senator Fischer seconded.

A Roll Call vote was taken. Yea: 11 Nay: 0 Absent: 3

Senator Wardner will carry the bill.

Date: 3-4-09
Roll Call Vote #: 1

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

Senate Senate Appropriations Committee

☐ Check here for Conference Committee HB 1130

Legislative Council Amendment Number _____

Action Taken ☒ Do Pass ☐ Do Not Pass ☐ Amended

Motion Made By Sen. Wardner Seconded By Sen. Fischer

Representatives	Yes	No	Representatives	Yes	No
Senator Krebsbach	✓		Senator Seymour	A	
Senator Fischer	✓		Senator Lindaas	✓	
Senator Wardner	✓		Senator Robinson	A	
Senator Kilzer	✓		Senator Warner	✓	
V. Chair Bowman	✓		Senator Krauter	✓	
Senator Christmann	A		Senator Mathern	✓	
V. Chair Grindberg	✓				
Chairman Holmberg	✓				

Total Yes 11 No 0

Absent 3

Floor Assignment Sen. Wardner

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

REPORT OF STANDING COMMITTEE (410)
March 4, 2009 4:10 p.m.

Module No: SR-38-4057
Carrier: Wardner
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1130: Appropriations Committee (Sen. Holmberg, Chairman) recommends DO PASS
(11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1130 was placed on the
Fourteenth order on the calendar.

2009 TESTIMONY

HB 1130

Attachment
#1

HB1130 Testimony – Support of HB 1130

Mr. Chairman, members of the committee:

For the record, I am Lawrence Hopkins, Deputy Treasurer for the Office of State Treasurer. I am here in support of House Bill 1130 relating to motor vehicle registrations.

The State Auditor's Office has asked that we clarify the language in 54-27-19. The highway tax distribution to counties is based on the number of motor vehicle registrations as reported to the Treasurer's Office by the Department of Transportation.

Although trailers do not have motors, we do have an Attorney General's opinion that states trailers are assessed a motor vehicle registration fee. It further states, "Generally, when construing a statute of doubtful meaning, courts will give weight to a long continued practical construction placed on the state by the officers charge with the duty of executing and applying the statute."

For as long as the Department of Transportation has been sending the number of "Motor Vehicle Registrations" to the Treasurers Office they have included trailers in that count. Section 1 of this bill removes the word "motor" in order to remove any confusion that could arise. The distribution will continue to be calculated in the same manner that has been used for the past 20 years.

There is no fiscal impact created by the change to this bill.

Same
given to
Senate