

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

1398

2007 HOUSE TRANSPORTATION

HB 1398

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1398

House Transportation Committee

Check here for Conference Committee

Hearing Date: 01-25-2007

Recorder Job Number: 1887

Committee Clerk Signature

Sue M Thomas

Minutes:

Chairman Weisz opened the hearing on HB 1398. All Representatives were present.

HB 1398 relates to motor vehicles of disabled veterans which are exempt from registration fees.

Rep. Schmidt introduced the bill. See attached written testimony.

Rep. Weisz: The way I read the bill it would exempt for example, eighteen wheeler from this provision, is that correct?

Rep. Schmidt: I guess it reads it would but I don't think that is the intent.

Bob Hanson, commissioner of veteran's affairs for North Dakota, spoke in support of the bill. See written attached testimony.

Rep. Ruby: Under this it talks about house cars and you had mentioned larger vehicles and I can see if there is some kind of van that needs this for accessibility and things. House cars are usually motor coaches, or recreational vehicles?

Hanson: I think you are right on that. I did have one of the veteran's who contacted me and he has a motor home and he needs it when he travels, even though he may not be the one driving all the time. He needs something that allows him to not be scrunched up.

Rep. Ruby: What happens if the veteran passes away? Then does the surviving spouse then get the registration fees, or is there an exemption that carries to her?

Hanson: I believe that the spouse does not get the exemption.

John Jacobsen, Chairman of the Legislative Committee of the North Dakota Veterans Coordinating Council, spoke in support of the bill. See written attached testimony.

Rep. Weisz: Do you think your group would have an issue if we limited it to vehicles not exceeding twenty six thousand pounds, which is generally where the commercial category starts?

Jacobsen: I don't know how they would fee.

There were no further questions. There was no further support. There was no opposition to the bill.

Keith Magnusson, Deputy Director of the DOT was asked to answer some questions.

Rep. Weisz: Is there a reason why there wasn't a fiscal note on that?

Magnusson: As far as I know one wasn't requested.

Chairman Weisz closed the hearing. No action was taken at this time.

Date: 2-1-07
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1398

House Transportation Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Adopt Amendments voice vote

Motion Made By Ruby Seconded By Price

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz	}		Rep. Delmore	}	
Vice Chairman Ruby			Rep. Gruchalla		
Rep. Dosch			Rep. Myxter		
Rep. Kelsch			Rep. Schmidt		
Rep. Owens			Rep. Thorpe		
Rep. Price					
Rep. Sukut					
Rep. Vigesaa					

Total Yes _____ No _____

Absent _____

Floor Assignment _____

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

strike passenger, household + pick-up trucks

Date: 2-1-07
 Roll Call Vote #: 2

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 1398

House Transportation Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass As Amended

Motion Made By Kelsch Seconded By Delmore

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz	✓		Rep. Delmore	✓	
Vice Chairman Ruby	✓		Rep. Gruchalla	✓	
Rep. Dosch	✓		Rep. Myxter	✓	
Rep. Kelsch	✓		Rep. Schmidt	✓	
Rep. Owens	✓		Rep. Thorpe	✓	
Rep. Price	✓				
Rep. Sukut	✓				
Rep. Vigesaa	✓				

Total Yes 13 No 0

Absent 0

Floor Assignment Vigesaa

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

REPORT OF STANDING COMMITTEE

HB 1398: Transportation Committee (Rep. Welsz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1398 was placed on the Sixth order on the calendar.

Page 1, line 7, overstrike "Passenger motor" and insert immediately thereafter "Motor", overstrike ", house cars, or pickup trucks", remove the overstrike over "~~not exceeding~~", and after "~~ten~~" insert "twenty-six"

Page 1, line 8, remove the overstrike over "~~thousand pounds~~", after "~~4535.92~~" insert "11793.40", and remove the overstrike over "~~kilograms~~ gross weight"

Renumber accordingly

2007 SENATE TRANSPORTATION

HB 1398

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. Engrossed HB 1398

Senate Transportation Committee

Check here for Conference Committee

Hearing Date: March 9, 2007

Recorder Job Number: 4784

Committee Clerk Signature

Jody Hauge

Minutes:

Senator Gary Lee opened the hearing on Engrossed HB 1398 relating to motor vehicles of disabled veterans which are exempt from registration fees. There were 6 committee members present and non absent.

Senator Bakke introduced the bill for Rep. Arlo Schmidt. She read his written testimony (enclosed).

Senator Andrist asked if this just affect vehicles over 10,000 pounds.

Senator Bakke said that is the way she interpreted the bill.

Bob Hanson, Commissioner of Veterans' Affairs for North Dakota testified in support for Engrossed HB 1398. His written testimony is enclosed.

Senator Fiebiger asked why there was originally a 10,000 pound limit.

Mr. Hanson said he did not know but offered to find out.

Senator Nething said he thought that was what the veteran's affairs wanted at the time.

Mr. Hanson said that this exemption is not meant for a commercial driver's use that is why they went to twenty-six thousand pounds.

Some discussion followed on size of pickups and motor homes and use for the disabled.

Pamela Mack, Director of Advocacy Services with the ND Protection and Advocacy Project testified in support of Engrossed HB 1398. Her written testimony is enclosed.

Representative Schmidt testified in support of Engrossed HB 1398. His testimony is enclosed and had been read by Senator Bakke.

Senator Lee closed the hearing on Engrossed HB 1398.

Senator Andrist moved for a Do Pass on Engrossed HB 1398.

Senator Bakke seconded the motion.

The clerk called the role 6-0-0.

Senator Bakke will carry the bill.

REPORT OF STANDING COMMITTEE (410)
March 9, 2007 11:59 a.m.

Module No: SR-45-4863
Carrier: Bakke
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1398, as engrossed: Transportation Committee (Sen. G. Lee, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1398 was placed on the Fourteenth order on the calendar.

2007 TESTIMONY

HB 1398

TESTIMONY
Rep. Arlo Schmidt, D 7
HB 1398
House Transportation Committee

Same given to Senate

Mr. Chairman, members of the committee, I am Representative Arlo Schmidt and I represent District 7.

HB 1398 is a bill designed to allow "all" 100% disabled veterans to take advantage of having disabled veterans plates and receiving the motor vehicle excise tax exemption on a maximum of 2 of their vehicles.

Currently North Dakota has approximately 60,000 veterans. Of these 60,000 individuals, 500 to 600 are disabled veterans with a disability rating of 100%.

Some of these 100% disabled veterans drive vehicles which exceed the 10,000 pound weight limit, yet are not allowed to utilize the exemption, nor allowed to display a distinctive disabled veterans license plate.

HB 1398 will correct this problem.

This bill just seems to be the right thing to do. It will provide a bit of recognition to those who have given so much of their lives for which they will never recover, to help the rest of us live in a free America.

Testimony - HB 1398
House Transportation Committee
Bob Hanson, Commissioner,
ND Dept. of Veterans' Affairs
January 25, 2007

Chairman Weisz, members of the committee. I am Bob Hanson, commissioner of veterans' affairs for North Dakota.

HB 1398 is a simple bill. It's an equity bill. It will allow all veterans who have a 100% service connected disability to be treated exactly the same when buying a vehicle.

Currently, a 100% disabled veteran may get an excise tax exemption and disabled veterans license plates for a maximum of two vehicles. PROVIDED the vehicle is less than 10,000 pounds gross weight. I have been told of several veterans who are 100% disabled and because their vehicle is over this weight limit are not entitled to the exemption. Some of these veterans need these larger vehicles because of their disability, yet they are unable to utilize it. It seems the vehicle weight should not overshadow who it was meant to be helped with this benefit.

I know many veterans who have a 100% disability rating. I can see the sacrifice they have made for us, and what it cost them and their families. We have somewhere in the neighborhood of about 500 - 600 veterans in our state who are at a 100% disability rating. That's about 10% of the veterans' population in North Dakota. It's not even 1% of our state's population.

North Dakota is a state with a rich history of supporting its veterans. Somewhere along the line this one got overlooked. I encourage you to take action to change the law to recognize all our 100%ers should be treated equally.

Thank you.

ND VETERANS COORDINATING COUNCIL

The Coordinating Council is composed of veterans appointed from the veterans organizations and represents North Dakota veterans. The purpose of the Coordinating Council is to determine the needs of North Dakota's veterans and to propose the means to alleviate those needs so that the veteran and his family may enjoy a satisfying quality of life. It is of the utmost importance that the members of this council be willing to work hard and spend the time needed to help their fellow veterans.

The Coordinating Council, through their Legislative Committee, is responsible for introducing legislation intended to meet and/or alleviate the needs of veterans and their family. The Legislative Committee may be made up of members of the Coordinating Council or may be other veterans appointed by the members of the Council from each of the veterans organizations represented. Only the Legislative Committee will develop proposed legislative bills. If the bill is approved by the Council the members of the Legislative Committee are responsible to actively promote that legislation by lobbying members of the state legislature.

Only the members of the Coordinating Council Legislative Committee are to testify before legislative committees and meet with and lobby members of the legislature. Other members of the Coordinating Council and other veterans will not testify nor lobby members of the legislature unless specifically asked to do so by the Legislative Committee and will limit their discussions to the particular piece of legislation they have been asked to help with. The reason for this is so the legislators will not be given differing points of view about a piece of legislation but only that agreed upon by the Council and the Legislative Committee.

The Coordinating Council is responsible for providing help and support to the Administrative Committee and their two sub-committees, the Veterans Home and the Department of Veterans Affairs. The Legislative Committee in particular is charged with providing support in the hearings in legislative committees for the budgets of the Administrative Committee and it's sub-committees and any other bills they have before the legislature.

If the Administrative Committee becomes aware of an unmet need of veterans, or feels there is a need for a legislative bill, either through their sub-committees or other means, this information is to be brought to the Coordinating Council as well as any suggestions the Administrative Committee may have for meeting the need or the proposed bill. The Coordinating Council will review the information. If the suggestions of the Administrative Committee will require legislation the Coordinating Council will assign the Legislative Committee the responsibility to develop appropriate legislation. The Legislative Committee will report back to the Council and Administrative Committee with the proposed legislation for their discussion and approval.

NORTH DAKOTA VETERANS COORDINATING COUNCIL

My name is John L. Jacobsen. I am the Chairman of the Legislative Committee of the North Dakota Veterans Coordinating Council. I am also a member of the American Legion and the Veterans of Foreign Wars.

I served in the North Dakota National Guard and the US Army Reserve for a total of 30 years. I retired in 1995 as a Colonel. I served on Active Duty in 1991 during Operation Desert Shield/Desert Storm in the Persian Gulf, stationed in the United Arab Emirates.

The Coordinating Council is made up of 15 members, 3 from each of the five Veterans Organizations in North Dakota:

- American Legion
- AMVETS
- Disabled American Veterans
- Veterans of Foreign Wars
- Vietnam Veterans of America

It is the policy of the Coordinating Council to support legislation that will benefit the welfare of the members of the Armed Forces. The committee **MUST** concur totally, that is all 15 members must agree on the legislation to be supported or else it does not get the support.

In this case, I have been instructed to recommend to this legislative committee that a "DO PASS" on HB 1398 is supported by the Legislative Committee of the Coordinating Council.

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Testimony - HB 1398
House Transportation Committee
Bob Hanson, Commissioner,
ND Dept. of Veterans' Affairs
March 9, 2007

Chairman Lee, members of the committee. I am Bob Hanson, commissioner of veterans' affairs for North Dakota.

HB 1398 is a simple bill. It's an equity bill. It will allow veterans who have a 100% service connected disability to be treated the same when buying a vehicle.

Currently, a 100% disabled veteran may get an excise tax exemption and disabled veterans license plates for a maximum of two vehicles. This is provided the vehicle is less than 10,000 pounds gross weight. I have been told of several veterans who are 100% disabled and because their vehicle is over this weight limit are not entitled to the exemption. Some of these veterans need these larger vehicles because of their disability, yet they are unable to utilize it. It seems the vehicle weight should not overshadow who the benefit was meant to help.

I know many veterans who have a 100% disability rating. I see the sacrifice they have made for us, and what it costs them and their families. We have somewhere in the neighborhood of a little over 600 veterans in our state who have a service-connected 100% disability rating. That's about 1% of the veterans' population in North Dakota.

North Dakota has, and is continuing, its history of supporting its veterans. I encourage you to support changing this law to recognize all our 100%ers should be treated equally when purchasing their personal vehicles.

The House changed the weight limit to 26,000 pounds as this, we've been told, is the weight at which an individual must have a commercial drivers license (CDL).

We respectfully ask your favorable consideration of this bill as passed by the House.

Thank you.

TESTIMONY – PROTECTION AND ADVOCACY PROJECT

HOUSE BILL 1398 (2007)

SENATE TRANSPORTATION COMMITTEE

Honorable Gary Lee, Chairman

March 9, 2007

Chairman Lee, and members of the Senate Transportation Committee, I am Pamela Mack, Director of Advocacy Services with the North Dakota Protection and Advocacy Project (P&A).

Since September 11, 2001 people across the nation have developed an increased understanding and empathy for the role that our military service plays in the freedoms that we enjoy. As a person with a family member who is currently serving in Iraq, the reality of the war and the potential risks is a daily thought.

In addition to my personal experiences, the work that the ND Protection & Advocacy Project does for people with disabilities creates an understanding of the sacrifices that veterans have made. Our National Association reports that over 23,000 soldiers have been wounded in the war in Iraq and Afghanistan and that brain injuries account for approximately two-thirds of the known injuries suffered in the war. It is also estimated that at least 10 percent of soldiers and marines that have served may have undiagnosed brain injuries. These numbers only touch on one aspect of potential disabilities that affect our veterans.

The people of North Dakota and our Legislators continue to recognize the importance of caring for our veterans with disabilities and House Bill 1398 is another way to accomplish this. Thank you for the opportunity to testify in favor of House Bill 1398. I would be happy to answer any questions that you might have.