

1999 HOUSE TRANSPORTATION

HCR 3076

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 3076

House Transportation Committee

Conference Committee

Hearing Date February 26, 1999

Tape Number	Side A	Side B	Meter #
1	x		0-7.7
Committee Clerk Signature <i>Laura</i>			

Minutes:

VICE CHAIRMAN MICKELSON OPENED THE HEARING ON HCR 3076; A BILL DIRECTING THE LEGISLATIVE COUNCIL TO STUDY THE PROVISION OF AIR SERVICE IN THIS STATE.

REPRESENTATIVE KATHY HAWKEN, Dist. 46, introduced HCR 3076. She said that it was heard in Judiciary Committee and the idea of the resolution is to review the dual system that is currently working in the state. She pointed out that even if you are innocent in a criminal case, it doesn't leave your record.

REP. MAHONEY asked Rep. Hawken if she was aware that this had already been looked at several years ago. He also noted a double jeopardy case that came up recently much like this.

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REP. HAWKEN said she was aware of the bill being proposed last session, but the changes still need to be made. The record keeping needs to be rectified as you can have a DUI on your record and have it off in five years if there are no further violations.

REP. JENSEN questioned the language that states "apply in the case of a DUI."

REP. MAHONEY pointed out clarification that section 39-08-01 is where that language comes in. It could be a bit more specific in that regard.

REP. MEYER asked if someone loses their license due to a DUI, how does the work permit operate?

REP. MAHONEY further pointed out that after the hearing, the guilty party must turn in their license and are not eligible for a work permit for 30 days.

REPRESENTATIVE ANDREW MARAGOS, Dist. 3, testified in support of HCR 3076. He spoke on behalf of former State Representative William Kretchmar who could not attend the hearing. He noted that it was in the best interest of the state to take another look at this even though it has been presented before. He urged a Do Pass vote.

REP. MAHONEY asked if it really is a duplication of proceedings?

REP. MARAGOS said that something is not right from the fairness standpoint. It definitely warrants another chance.

VICE CHAIRMAN MICKELSON CLOSED THE HEARING ON HCR 3076.

GENERAL DISCUSSION TOOK PLACE. REPS. MAHONEY, MEYER, AND SCHMIDT PARTICIPATED.

COMMITTEE ACTION

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House Transportation Committee

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REP. MEYER moved a DO PASS on HCR 3076. REP. JENSEN seconded the motion. The motion failed.

ROLL CALL - 4 YEA, 8 NAE, 3 ABSENT AND NOT VOTING.

REP. KEMPENICH moved a DO NOT PASS on HCR 3076. REP. KELSCH seconded the motion. The motion carried.

ROLL CALL - 8 YEA, 4 NAE, 3 ABSENT AND NOT VOTING.

FLOOR ASSIGNMENT - REP. MAHONEY

Date: 2/26
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 3076

House Transportation Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By Rep Meyer Seconded By Rep Jensen

Representatives	Yes	No	Representatives	Yes	No
Representative Keiser, Chair			Representative Thorpe	✓	
Representative Mickelson, V. Ch.		✓			
Representative Belter		✓			
Representative Jensen	✓				
Representative Kelsch		✓			
Representative Kempenich		✓			
Representative Price		✓			
Representative Sveen	✓				
Representative Weisz		✓			
Representative Grumbo					
Representative Lemieux					
Representative Mahoney		✓			
Representative Meyer	✓				
Representative Schmidt		✓			

Total (Yes) 4 No 8

Absent _____

Floor Assignment _____

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

Date: 2/26
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 3076

House Transportation Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken DO NOT PASS

Motion Made By Rep Kempenich Seconded By Rep Kelsch

Representatives	Yes	No	Representatives	Yes	No
Representative Keiser, Chair			Representative Thorpe		✓
Representative Mickelson, V. Ch.	✓				
Representative Belter	✓				
Representative Jensen		✓			
Representative Kelsch	✓				
Representative Kempenich	✓				
Representative Price	✓				
Representative Sveen		✓			
Representative Weisz	✓				
Representative Grumbo					
Representative Lemieux					
Representative Mahoney	✓				
Representative Meyer		✓			
Representative Schmidt	✓				

Total (Yes) 8 No 4

Absent 3

Floor Assignment Rep Mahoney

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

REPORT OF STANDING COMMITTEE (410)
February 26, 1999 9:57 a.m.

Module No: HR-35-3643
Carrier: Mahoney
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HCR 3076: Transportation Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING). HCR 3076 was placed on the Eleventh order on the calendar.