

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SEN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1423

2001 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1423

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1423 A

House Government and Veterans Affairs Committee

Conference Committee

Hearing Date 2/09/01

Type Number	Side A	Side B	Meter #
1		X	1122-4404
Committee Clerk Signature <i>Robin L. Small</i>			

Minutes:

REP. M. KLEIN called the hearing to order, with all committee members present.

In favor:

REP. ALAN H. CALRSON, DISTRICT 41

CARLSON introduces the bill to the committee. International family of codes and conform to local needs.

REP. M. KLEIN asks if this is going in the direction of new building codes. CARLSON replies yes. REP. DEVLIN asks if this would take away local control? CARLSON doesn't believe so.

In favor:

DOREEN MEHLHOFF, EXECUTIVE OFFICER OF THE NORTH DAKOTA ASSOCIATION OF BUILDERS

Please see attached testimony.

REP. DEVLIN comments again that he is concerned that local control is being taken away.

MEHLHOFF comments about maybe amending the state code.

In favor:

RICHARD GREY, DIVISION OF COMMUNITY SERVICES

Please see attached testimony.

JERRY RATZLAFF, PRESIDENT, NORTH DAKOTA BUILDING OFFICIALS ASSOC.

Please see attached testimony.

RICHARD GRAY addresses the committee again. GRAY talking about cities and counties participating. REP. KLEMIN asks how many are there. GRAY replies that it all depends.

REP. BRUSEGAARD asks about local jurisdiction. GRAY comments, amend the code, trying to get a state code. GRAY mentions that JOHN BJORNSON passed out amendments, add continuation to existing code. The committee then goes over the amendments.

Oppose: (section 1)

LOIS HARTMAN, NORTH DAKOTA FIREFIGHTERS ASSOCIATION

HARTMAN comments that they are opposed to section one.

Neutral:

JERRY HJELMSTAD, NORTH DAKOTA LEAGUE OF CITIES

HJELMSTAD states to the committee that they are in support of the amendment.

In favor:

TERRY TRAYNOR, NORTH DAKOTA ASSOCIATION OF COUNTIES

TRAYNOR states to the committee that they are in favor of this bill.

Being there was no further testimony in favor or in opposition the hearing was then closed.

Action was not taken at this time.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1423 B

House Government and Veterans Affairs Committee

Conference Committee

Hearing Date 2/15/01

Tape Number	Side A	Side B	Meter #
1	X		2925-3781
Committee Clerk Signature <i>Robin A. Small</i>			

Minutes:

COMMITTEE WORK:

REP. M. KLEIN called the committee to order. HB 1423 was heard on Feb. 9th, 2001.

ACTION:

All members were present, except REP. BRUSEGAARD.

REP. GRANDE motioned to accept the amendments, seconded by REP. HAAS. A voice vote was taken with the majority passing it. REP. CLARK then motions for a DO PASS AS AMENDED, seconded by REP. MEIER. The roll call vote was taken with 11 YES, 3 NO and 1 ABSENT AND NOT VOTING. The motion passes. The CARRIER of the bill is REP. GRANDE.

HB 1423: DO PASS AS AMENDED 11-3

CARRIER: REP. GRANDE

VX  
2/15/01

HOUSE AMENDMENTS TO HB 1423, HOUSE GVA 2/15/01  
Page 1, line 2, after "code" insert "; and to provide for transition"

HOUSE AMENDMENTS TO HB 1423, HOUSE GVA 2/15/01  
Page 2, line 1, overstrike "latest edition of the"

Page 2, line 3, after "of" insert "State", remove the overstrike over "building", after "officials"  
insert "code", and remove the overstrike over the period

Page 2, line 4, remove the overstrike over "2."

Page 2, line 5, remove the overstrike over "3."

Page 2, line 8, remove "2."

HOUSE AMENDMENTS TO HB 1423, HOUSE GVA 2/15/01  
Page 3, after line 27, insert:

**"SECTION 4. TRANSITION.** The state building code in effect on January 1, 2001, must remain in effect until publication of rules under section 54-21.3-03 to implement the International building, residential, mechanical, and fuel gas codes as the state building code."

Renumber accordingly

Date: 2/15/01

Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1423

House GOVERNMENT AND VETERANS AFFAIRS Committee

Subcommittee on \_\_\_\_\_

or

Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Accept the Amendments

Motion Made By Grande Seconded By Haas

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN KLEIN			REP KROEBER		
VICE CHAIR GRANDE					
REP BELLEW					
REP BRUSEGAARD					
REP CLARK					
REP DEVLIN					
REP HAAS					
REP KASPER					
REP KLEMIN					
REP MEIER					
REP WIKENHEISER					
REP CLEARY					
REP HUNSKOR					
REP METCALF					

*Voice Vote passes*

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

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

Date: Feb. 15, 2001

Roll Call Vote #: 2

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1423

House GOVERNMENT AND VETERANS AFFAIRS Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken No Pass As Amended

Motion Made By Clark Seconded By Meier

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN KLEIN	✓		REP KROEBER		✓
VICE CHAIR GRANDE	✓				
REP BELLEW	✓				
REP BRUSEGAARD					
REP CLARK	✓				
REP DEVLIN		✓			
REP HAAS	✓				
REP KASPER	✓				
REP KLEMIN	✓				
REP MEIER	✓				
REP WIKENHEISER	✓				
REP CLEARY	✓				
REP HUNSKOR	✓				
REP METCALF		✓			

Total (Yes) 11 No 3

Absent 1

Floor Assignment Rep. Grande

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



**REPORT OF STANDING COMMITTEE**

HB 1423: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1423 was placed on the Sixth order on the calendar.

Page 1, line 2, after "code" insert "; and to provide for transition"

Page 2, line 1, overstrike "latest edition of the"

Page 2, line 3, after "of" insert "State", remove the overstrike over "~~building~~", after "~~officials~~" insert "code", and remove the overstrike over the period

Page 2, line 4, remove the overstrike over "2"

Page 2, line 5, remove the overstrike over "3"

Page 2, line 8, remove "2."

Page 3, after line 27, insert:

**"SECTION 4. TRANSITION.** The state building code in effect on January 1, 2001, must remain in effect until publication of rules under section 54-21.3-03 to implement the international building, residential, mechanical, and fuel gas codes as the state building code."

Renumber accordingly

2001 SENATE POLITICAL SUBDIVISIONS

HB 1423

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1423

Senate Political Subdivisions Committee

Conference Committee

Hearing Date March 9, 2001

Tape Number	Side A	Side B	Meter #
1	X		0.0-End
		X	3.4-7.6
March 15, 2001	X		17.6-19.6
March 16, 2001 1	X		0.3-27.2
Committee Clerk Signature <i>Mary Jo Wocken</i>			

Minutes:

The hearing was opened on HB1423, which relates to the state building code. All the senators were present except for Senator Lee who was absent.

REPRESENTATIVE AL CARLSON: District 41. This bill deals with the state building code.

There are two main interests in the bill. That happens to be that in and give you a bit of history.

The building code that we use in the state is the UBC and its the Uniform Building Code. It was last updated 1997 and as of now, these are going to be no further updates to the UBC. The UBC

is one across the nation of three codes that were basically used, the UBC being one, the Building Officials and Code Administrators, (BOCA) and the Southern Building Code was the third one.

For years now they have studying and trying to come with a what they call the International

Building Code, or the International Family of Code which they would role all of these codes into

one family of codes. That now has been accomplished. And what this bill does, is it brings those

codes into play as a building codes for the state of North Dakota, International Building Family

of Codes. There are building administrators here and officials, there are representatives from the building industry as well, there is a key ingredient from my perspective is the builder is the part that gives the local jurisdictions the ability to amend the state building code to conform to local needs. And that is part of this bill. And those are the two interests that I bring. Number one I think it is time to bring the codes together and the second one I think that we're not the exactly the same as Florida or California. So we need the ability to have review and to have local jurisdiction make some adjustments to that code. Those things are both in this bill and there are some concerns about who decides what those changes will be. You will hear debate on that today and there are some amendments dealing with, who will be the group that meets and reviews this and puts together any changes necessary to adjust to local needs. My main concern as I was involved in introducing the bill, was number one to get it to the International Family of Codes and number two to make sure that we had that local control where we could make conformity to local needs in the bill. DORENE MELHOFF: North Dakota Association of Builders. See written attached testimony. She explained her handout, section by section. (Meter #3.1- 12.9) Todd Kranda for the North Dakota Society of Professional Engineers has signed in support of this and these amendments. The engineers agree that they would like to be involved at that point to in the voting. Tom Kranda had to go to another hearing but asked me to mention that for that group. SENATOR FLAKOLL: The House may amend it though, they still have to have approval in the state is that correct? DORENE MELHOFF: I am not certain of that. I don't believe so. Rich Gray from the Division of Community Services might be able to better answer your question as far as state approval from the local. SENATOR COOK: Dorene, we've been holding 1118, because it deals with the same section. Are you saying if we take out Section One, we can let HB1118 go through and then we won't have problems with codifying? DORENE

MELLIORFF: Correct, and I know Joel Boesjplug is here and is the expert on that section. Yes, I believe its completely dealt with in 1118 and the reference is done in 1118, as well, so everything should be codified. JERRY HJELMSTAD: North Dakota League of Cities. See written attached testimony. Mr. Hjelmstad explained his testimony and amendments proposed to the committee. I ask for a Do Pass with these amendments. SENATOR WATNE: I look at your amendments and then I look at Dorene's amendments and both of you remove Lines 1-4 of the first part. And then you have only the eligible jurisdiction and she has five other entities am I understanding that correctly? JERRY HJELMSTAD: Right, that would be the main differences. Just a variation of how the amendments to the state building code itself would be approved. SENATOR WATNE: So do you have an objection to those other five adults outlined in Dorenes' amendments? JERRY HJELMSTAD: I guess from our viewpoint, we feel it is important to have a majority of the enforcing jurisdictions approving the amendments because we're trying to promote uniformity across the state. That's the way the procedure is now, that a majority of those enforcing jurisdictions must approve that amendment before it can be adopted, so that is the key I guess for us is that you can't get a majority of enforcing jurisdictions to agree to it, your not really going to have a fair uniform code across the state. So we would like to keep as a majority of the uniform. As far as the other votes, I don't know how that would fit in with related to getting a majority of the enforcing jurisdictions. SENATOR MATHERN: I guess I don't understand exactly what your saying? Are you opposed to the five people having a vote on the board and saying that there wouldn't be a majority with 104 compared to 5? JERRY HJELMSTAD: No, I am not saying that they wouldn't still have their majority available, but, I think the way the system is set up now, anytime there is an amendment proposed you need to get a majority of those enforcing jurisdictions. Now, when you add the five, are you really going to be doing anything. I mean you

