

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1457

2001 HOUSE INDUSTRY, BUSINESS AND LABOR
HB 1457

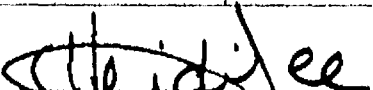
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1457

House Industry, Business and Labor Committee

Conference Committee

Hearing Date Feb 7, 2001

Tape Number	Side A	Side B	Meter #
1		X	23.4-31.0
Committee Clerk Signature 			

Minutes: Chairman R. Berg, Vice-Chair G. Keiser, Rep. M. Ekstrom, Rep. R. Froelich, Rep. G. Froseth, Rep. R. Jensen, Rep. N. Johnson, Rep. J. Kasper, Rep. M. Klein, Rep. Koppang, Rep. D. Lemieux, Rep. B. Pietsch, Rep. D. Ruby, Rep. D. Severson, Rep. E. Thorpe.

Rep Blair Thoreson: Sponsor **written testimony**

Chairman Berg: We'll close the hearing.

Vice-chairman Keiser: I move a do pass.

Rep M. Klein: I second.

9 yea, 1 nay, 5 absent Carrier Rep Ruby

Date: 2-7-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. ~~Click here to type Bill/Resolution No.~~ 1457

House Industry, Business and Labor Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Keiser Seconded By [Signature]

Representatives	Yes	No	Representatives	Yes	No
Chairman- Rick Berg	✓		Rep. Jim Kasper	✓	
Vice-Chairman George Keiser	✓		Rep. Matthew M. Klein	✓	
Rep. Mary Ekstorm			Rep. Myron Koppang		
Rep. Rod Froelich			Rep. Doug Lemieux	✓	
Rep. Glen Froseth	✓		Rep. Bill Pietsch	✓	
Rep. Roxanne Jensen			Rep. Dan Ruby	✓	
Rep. Nancy Johnson	✓		Rep. Dale C. Severson		
			Rep. Elwood Thorpe		✓

Total (Yes) 9 No 1

Absent 5

Floor Assignment Rep Ruby

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

REPORT OF STANDING COMMITTEE (410)
February 8, 2001 10:01 a.m.

Module No: HR-23-2695
Carrier: Ruby
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1457: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (9 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING). HB 1457 was placed on the Eleventh order on the calendar.

2001 SENATE INDUSTRY, BUSINESS AND LABOR

HB 1457

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1457

Senate Industry, Business and Labor Committee

Conference Committee

Hearing Date March 13, 2001.

Tape Number	Side A	Side B	Meter #
1	x		12.9 to 28.8
2	x		8.6 to 10.0
(3/14/01) 1		x	0.8 to 9.5
Committee Clerk Signature <i>Dowd & Perez</i>			

Minutes:

The meeting was called to order. All committee members present. Hearing was opened on HB 1457 relating to residential rental property smoke detection systems.

Representative Blair Thoreson, District 44, cosponsor. The intent is to clarify that the tenant is responsible for maintaining the system during the tenants' occupancy. Landlord is responsible to have certificate stating system is working signed by tenant when the unit is rented out.. Written testimony attached.

Senator Mathern: Is the certificate in the lease, is it a separate document?

Tom Tupa, ND Apt. Assn., introduced Rocky Gordon.

Rocky Gordon, Property Manager, in favor. Distributed copies of ND Apt Assn. check-in/check out sheet. We support the spirit of the law. The association's attorney raised questions about the word "certificate" in page 1 line 18. Maybe the statement in the checklist is not enough. Perhaps this word should be replaced with "form" or a similar term.

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Senate Industry, Business and Labor Committee

Bill/Resolution Number HB 1457

Hearing Date March 13, 2001.

Senator Krebsbach: Maybe we can change starting on line 17 "landlord may require the tenant to have signed documentation" and remove the word "certificate"

Discussion held regarding proper language for amendment.

No opposing testimony. Hearing concluded.

March 14, 2001. Tape 1-B-0.8 to 9.5

Committee reconvened. All members present.

Senator Krebsbach submitted amendment put together with Mr. Tupa and with the approval of the sponsor. Proposed amendment discussed.

Senator Every: Except for the word "documentation" we are changing it back to the original

Senator Krebsbach: The first line of amendment stands as proposed, on line 19 remove "if that is the case", capitalize "the" and after "is" add "then". Motion: adopt amendments.

Senator Tollefson: Second.

Roll call vote: 7 yes; 0 no. Motion carried.

Senator Krebsbach: Motion: do pass as amended. **Senator Tollefson:** Second.

Roll call vote: 7 yes; 0 no. Motion carried. Floor assignment: **Senator Krebsbach.**

March 14, 2001

[Handwritten signature]
3/14/01

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1457

Page 1, line 18, overstrike "a certificate" and insert immediately thereafter "documentation"

Page 1, line 19, remove ~~of~~, overstrike "that is the case", remove the overstrike over ~~The~~,
remove "the", and after "tenant" insert "then"

Re-number accordingly

REPORT OF STANDING COMMITTEE (410)
March 15, 2001 8:17 a.m.

Module No: SR-45-5642
Carrier: Krebsbach
Insert LC: 10690.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1457: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1457 was placed on the Sixth order on the calendar.

Page 1, line 18, overstrike "a certificate" and insert immediately thereafter "documentation"

Page 1, line 19, remove "if", overstrike "that is the case", remove the overstrike over "~~The~~", remove "the", and after "tenant" insert "then"

Renumber accordingly

2001 HOUSE INDUSTRY, BUSINESS AND LABOR
CONFERENCE COMMITTEE

HB 1457

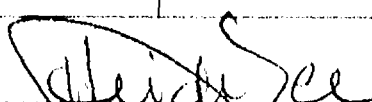
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1457 (CC)

House Industry, Business and Labor Committee

Conference Committee

Hearing Date April 2, 2001

Tape Number	Side A	Side B	Meter #
1	X		0-31.57
Committee Clerk Signature 			

Minutes: Rep. Ruby, Rep. Severson, Rep. Lemieux, Sen. Krebsbach, Sen. Tollefson, Sen. Every

Chairman Ruby: I notice the changes the Senate has made and I question the intent.

Sen. Krebsbach: We just wanted to clarify any doubt left after interpreting the bill.

Chairman Ruby: Tim Dawson provided the other language using "if". Both sentences imply that the tenant has the right to refuse to sign. What happens next?

Sen. Krebsbach: The landlord 'may require', then the landlord is liable.

Rep. Severson: How pertinent is that sentence?

Tom Tupa: I have no disagreement with the amendment. It's clear if a document is signed,

Page one lines fifteen through seventeen.

Rep. Severson: What if we take out the sentence on line 17?

Sen. Krebsbach: We don't really need "then."

Tupa: That would be all right.

Sen. Every: What happens if the system is wired?

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House Industry, Business and Labor Committee

Bill/Resolution Number HB 1457(C'C')

Hearing Date April 2, 2001

Rep. Severson: They still have a battery back-up that needs to be checked periodically.

Sen. Krebsbach: It was the City of Fargo that asked for the bill.

Chairman Ruby: The wiring is part of the structure.

Rep. Lemieux: We should add something saying that the tenant needs to maintain the backup.

Chairman Ruby: Would that include if it is the main system?

Rep. Severson: We don't have that in current law.

Sen. Krebsbach: The landlord needs to be sure that the system is operating when the tenant moves in.

Chairman Ruby: Then should we remove the sentence starting on line 17?

Sen. Krebsbach: That would clear up everything without changing the liability.

Sen. Tollefson: (11.2) "maintaining the system" seems to be too broad.

Rep. Severson: Anything that is attached to the wiring is the landlord's duty.

Sen. Tollefson: What if the alarm itself went out?

Rep. Lemieux: That's true. If the system is failing, the tenant needs to assure its maintenance. They should be responsible for the system working on a monthly basis.

Chairman Ruby: The tenant needs to check with the landlord to see about fixing the problem.

Rep. Severson: (16.7) A power surge creates a noise reaction. The only maintenance is the battery.

Sen. Tollefson: Maybe it's the word 'system' that's the problem.

Rep. Severson: It's the landlord's job to make sure that the system works before the new tenant moves in.

Tupa: I do not anticipate a problem with that.

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House Industry, Business and Labor Committee

Bill/Resolution Number HB 1457(C'C)

Hearing Date April 2, 2001

Sen. Tollefson: The document says alarm not system?

Tupa: Correct.

Sen. Krebsbach: Do all renters use this form?

Tupa: All members of our association use this form and we suggest usage by nonmembers as well.

Rep. Lemieux: We could add "monthly testing and yearly replacement".

Rep. Severson: You don't always need to do monthly checks.

Sen. Krebsbach: We could move the sentence in lines 19 and 20.

Rep. Severson: This is just a mute point.

Chairman Ruby: What if they don't sign the form?

Sen. Krebsbach: What about using the word "shall"?

Rep. Severson: That would cause too many problems.

Sen. Tollefson: I think that that sentence is pointless.

Rep. Lemieux: If we remove the sentence then no matter what the tenant is responsible.

Sen. Krebsbach: That is the intent of the bill.

Rep. Severson: Further above in the bill, it defines the landlords duties.

Rep. Severson: I move to recede and to further amend.

Sen. Every: I second.

6 yea, 0 nay, 0 absent Carrier Rep Ruby