

# MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

1175

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Dorinda Bell  
Operator's Signature

10/2/03  
Date

2003 HOUSE HUMAN SERVICES

HB 1175

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Dorena Ballantyne*  
Operator's Signature

10/2/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1175

House Human Services Committee

Conference Committee

Hearing Date January 13, 2003

Tape Number	Side A	Side B	Meter #
1	x		0.6-9.6
1	x		46.8-55.5
1		x	0.1-11.7

Committee Clerk Signature

*Sharon Kenyon*

Minutes:

Rep. Ekstrom appeared as prime sponsor in support of the bill with written testimony, as well as copies of the statute and its provisions. Also attached is documentation from Birch Burdick, who is the Cass County State's Attorney. Rep. Ekstrom states that this bill rescinds Century Code Section 12.1-20-10 which deals with Unlawful Cohabitation and that no one has been charged with a violation since 1938.

Discussion was made as to population of who might be living together, ex. senior citizens because of social security laws and financial reasons and; in reference to the Supreme Court decision if this is in regards to someone not wanting to rent to an individual that is not married. It was noted that this bill does not affect that previous statute.

No one more appeared in favor of this bill and no one appeared in opposition.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Dorinda Ball*  
Operator's Signature

10/2/03  
Date

Page 2  
House Human Services Committee  
Bill/Resolution Number HB 1175  
Hearing Date January 13, 2003

Rep. Potter wondered why we need this if the law is fairly unenforceable, as well as Rep. Weisz being concerned with this changing how the courts deal with landlords that do not want to rent to unmarried couples.

Discussion was also made in reference to the bill Rep. Kasper sponsored last session and if this was addressing that, and that this bill does affect disabled people living together because of SSI (Social Security Income), they can't afford not to.

Rep. Niemeier made a motion of DO PASS, seconded by Rep. Potter. Vote of 12-yes, 1-no, 0-absent. Rep. Niemeier will carry the bill.

Judy Roberts, the Human Services Intern gave explanation of the bill which talks about renting and landlords rights where they added subsection 4 where nothing in this chapter prevents a person from refusing to rent a dwelling to 2 unrelated individuals of opposite sex and who are not married to each other.

Further discussion and comments on when did the court make a ruling that connected renting and cohabitation, this being an unenforceable statute, the fines, concerns of this bill passing that the issue of the rental would or could be challenged and defeated, with a possibility of taking this to court and challenge it based on the fact that we removed the cohabitation issue, or the fact that if they were of the same sex, they couldn't be denied but if the opposite sex, they could be.

Rep. Neimeier noted that she doesn't see the clear intent of these 2 things, and wants to know where the clear intent is that says we did not address the cohabitation in the last session.

Rep. Price notes that we are considering two separate issues and that our intent is not in the landlord rights area as we are only looking at the cohabitation area.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of document being filmed.

Dorinda Ballerich  
Operator's Signature

10/2/03  
Date

Page 3  
House Human Services Committee  
Bill/Resolution Number HB 1175  
Hearing Date January 13, 2003

Rep. Uglem asked if it would be best if it becomes a problem to address it in the rental section of the law instead of here anyway? or is that not an option while we discuss this.

Discussion of Legislative intent and the committee's intent, proper protocol and wondered if the Supreme Court took this into consideration, the rental property rights if we put our intent in the minutes.

Rep. Pollert noted that he wanted to make sure that the rental property rights were still in place and if not, then he would want to make further discussion to change it.

Rep. Weisz had a concern with the fact that if we repeal this, that's the question that would maybe come before the court. Did that then give clear intent that we intended to eliminate the clarification part and maybe use it concerning rental. Because if they use it now, feels it should be eliminated. Concerns of making it clear legislative intent.

Judy Roberts, Intern stated that subsection 4 will hold clear unless challenged.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Ball  
Operator's Signature

10/2/03  
Date

Date: 1-13-03

Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1175

House \_\_\_\_\_ HUMAN SERVICES \_\_\_\_\_ Committee

Check here for Conference Committee

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

Action Taken Do Pass

Motion Made By Rep. Niemeier Seconded By Potter

Representatives	Yes	No	Representatives	Yes	No
✓ Rep. Clara Sue Price - Chair	✓		Rep. Sally Sandvig	✓	
✓ Rep. Bill Devlin, Vice-Chair	✓		Rep. Bill Amerman	✓	
Rep. Robin Weisz		✓	Rep. Carol Niemeier	✓	
✓ Rep. Vonnie Pietsch	✓		Rep. Louise Potter	✓	
✓ Rep. Gerald Uglem	✓				
✓ Rep. Chet Pollert	✓				
✓ Rep. Todd Porter	✓				
✓ Rep. Gary Kreidt	✓				
✓ Rep. Alon Wieland	✓				

Total (Yes) 12 No 1

Absent 0

Floor Assignment Rep. Niemeier

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

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Dorinda Ballentine Date 1/12/03  
Operator's Signature

**REPORT OF STANDING COMMITTEE (410)**  
January 13, 2003 11:32 a.m.

Module No: HR-05-0470  
Carrier: Niemeler  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
**HB 1175: Human Services Committee (Rep. Price, Chairman) recommends DO PASS**  
**(12 YEAS, 01 NAY, 0 ABSENT AND NOT VOTING). HB 1175 was placed on the**  
**Eleventh order on the calendar.**

(2) DESK, (3) COMM

Page No. 1

HR-05-0470

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Dorinda Bell*  
Operator's Signature

1/12/03  
Date

