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DESCRIPTION

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Dorena Bell
Operator's Signature

10/2/03
Date

2003 HOUSE AGRICULTURE

HB 1194

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Dorena Hall
Operator's Signature

10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1194

House Agriculture Committee

Conference Committee

Hearing Date 1--23--03

Tape Number	Side A	Side B	Meter #
TWO	A		32.0 TO 49.5
Committee Clerk Signature <i>Edward D. Elton</i>			

Minutes:

VICE CHAIRMAN POLLERT: Committee Members, we will open the hearing on HB 1194.

BRUCE ECKRE: My name is Bruce Eckre from Wahpeton, ND My District is very much agriculture production. Anhydrous ammonia is used a lot. My concern while talking to a lot of farmers during the campaign I found that a lot of farmers are very worried. We have a lot of college students in Eastern ND. We feel someone is going to get hurt or get caught sell it and there is going to be a lawsuit. We have some very successful farmers in Eastern ND and they would make an easy target for lawsuit. The farmers are very concerned about this.

There is another Bill that is in Judiciary. I don't know that happened but it is very similar And we can work this out and put both bill together.

REPRESENTATIVE POLLERT: I raise in support of HB 1194. There is another Bill that is a little more comprehensive. I feel that if we are going to have people come on our property And do damage to my equipment or destroy my product that we should have civil immunity.

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Dorena Ballantyne
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10/2/03
Date

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House Agriculture Committee
Bill/Resolution Number HB 1194
Hearing Date 1--23--03

It is just as simple as that. I am a sponsor on this Bill.

REPRESENTATIVE KELSCH: How are the two Bills going to fit together.

I think the other Bill mandates locks on anhydrous ammonia. And that it can't be moved with out locks on the tanks.

REPRESENTATIVE KELSCH: If both Bills are in acted what are the results.

REPRESENTATIVE POLLERT: Madam Chair, what I see happening I see HB 1194 I see HB 1222 staying in the hopper and when we find out with HB 1352, which there is considerable discussion on then we will see what will happen. That is where we are with HB 1194.

CHAIRMAN KELSCH: Any additional testimony in favor of Bill

STEVE STREGE: Thank you madam chair. My name is Steve Strege. I am with the grain dealers association. There are actually three Bills. There are HB 1222, HB 1352 and HB 1194 We like 1222 the best because it offers immunity of civil liability without requiring the locks. There was plenty of testimony yesterday as to whether the locks are effective. Also issue of where are the keys going to be. We think this Bill should protect dealers as well as farmers. Line 7 of bill strike out farming and put in the word business. Or a person in the normal course of business etc. Another reason we are appaeased to the locking mechanism is because that bill says if you are in compliance with the locking requirements you are immune from liability. Well then is the reverse also true? If you don't have a lock on there, or maybe if you do and you don't have it locked and somebody gets at it and they get hurt then you are liable. If you can dress up 1194?

MARK SITZ: We support Bill. Need right language. The concept is good.

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House Agriculture Committee
Bill/Resolution Number HB 1194
Hearing Date 1--23--03

Get the word farming out of bill and make it business.

DAN KUNTZ; I represent the Santa Fee Railroad. We support the Bill. We store on our land. We support the amendment by MR. STREGE. We are in the supply chain. Moving this product. We are obligated to handle these cars. We don't own the cars. We get them from the manufactures and take them to the suppliers in ND. Often times they may be stored on railroad property. We have not had a problem in ND. But I understand there have been incidents in other states. Thank you.

VICE CHAIRMAN: Any other testimony.

SANDY CLARK: We support the bill with the amendments.

JERRY KNUTSON: NORTH DAKOTA AGRICULTURE ASSOCIATION.

VICE CHAIRMAN POLLET: ANY OPPOSITION? House bill 1199 is going to stay open

And there will be nothing done until we hear as to the other bills of a similar nature,

WE WILL CLOSE THE HEARING ON HB 1194

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Dorena H. Ball
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10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1194

House Agriculture Committee

Conference Committee

Hearing Date 2--07--03

Tape Number	Side A	Side B	Meter #
ONE		B	47.9 TO 49.0
Committee Clerk Signature <i>Edward J. Ellyson</i>			

Minutes:

CHAIRMAN NICHOLAS: We will open on HB 1194.

REPRESENTATIVE KELSCH MOVES FOR A DO NOT PASS. IT WAS SECONDED BY REPRESENTATIVE BELTER. THE VOTE WAS TAKEN. THERE WERE

13 YES 0 NO 0 ABSENT REPRESENT KREIDT CARRIED THE BILL.

COMMITTEE MEMBERS WE WILL CLOSE ON HB 1194.

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Dorinda Ball...
Operator's Signature

10/2/03
Date

HB 1194
020703

Date:
Roll Call Vote #:

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

House AGRICULTURE COMMITTEE

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DO NOT PASS

Motion Made By WELSON Seconded By BELTER

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN NICHOLAS	✓				
VICE CHAIRMAN POLLERT	✓				
REPRESENTATIVE BELTER	✓				
REPRESENTATIVE BOEHNING	✓				
REPRESENTATIVE KELSCH	✓				
REPRESENTATIVE KINGSBURY	✓				
REPRESENTATIVE KREIDT	✓				
REPRESENTATIVE UGLEM	✓				
REPRESENTATIVE WRANGHAM	✓				
REPRESENTATIVE BOE	✓				
REPRESENTATIVE FROELICH	✓				
REPRESENTATIVE MELLER	✓				
REPRESENTATIVE ONSTAD	✓				

Total (Yes) 13 No 0

Absent 0

Floor Assignment KREIDT

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Dorena Ballarín
Operator's Signature
Date 10/2/03

REPORT OF STANDING COMMITTEE (410)
February 7, 2003 1:23 p.m.

Module No: HR-24-1999
Carrier: Kreidt
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1194: Agriculture Committee (Rep. Nicholas, Chairman) recommends DO NOT PASS
(13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1194 was placed on the
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-24-1999

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