

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

1301

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LuCosta Rickford
Operator's Signature

10/2/03
Date

17

2003 HOUSE JUDICIARY

HB 1301

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10/3/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1301

House Judiciary Committee

Conference Committee

Hearing Date 1-29-03

Tape Number	Side A	Side B	Meter #
2		xx	13-30

Committee Clerk Signature

A. Penrose

Minutes: 12 members present, 1 member absent (Rep. Onstad)

Chairman DeKrey: We will open the hearing on HB 1301.

Rep. Mark Dosch: Introduced HB 1301. (see attached testimony)

Rep. Eckre: Are these currently being sold in ND, sold in convenience stores now?

Rep. Dosch: No, but are moving into the state.

Rep. Eckre: Are foreign countries producing these bids.

Rep. Dosch: You order them from India and it made a referral to a company in US.

Chairman DeKrey: Thank you. Anyone else wishing to testify from out of town.

Keith Johnson, representative of the ND Public Health Association: Support. We view bids as cigarettes with training wheels, they have more nicotine than regular cigarettes.

Chairman DeKrey: Thank you. We will continue with questions for Rep. Dosch.

Rep. Klemin: Did you say there are some states that have banned the sale of these items.

La Costa Rickford
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10/3/03
Date

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House Judiciary Committee
Bill/Resolution Number HB 1301
Hearing Date 1-29-03

Rep. Dosch: Yes, Illinois, Vermont, and West Virginia, have banned it all together; several other states have also banned them for their youth.

Rep. Klemin: This is a pretty broad statute, as far as not only sale, but possession and use and infractions; the youth being the primary target of this product. I'm not sure how the infraction would work out in juvenile court, but would you be inclined to narrow it down to sale, or something like that then possession.

Rep. Dosch: We used the tobacco laws. I would be open to that.

Rep. Kingsbury: If it is a tobacco product, say a law enforcement officer catches a minor smoking, he's not going to know if it is a cigarette or bids. Would it fall under the same categories, \$25 fine.

Rep. Dosch: My understanding is that it would fall under the same tobacco fines as they are now

Chairman DeKrey: Thank you.

Kathleen Mangskau, Tobacco Program Administrator for ND Dept of Health: Support (see attached testimony). Would like to amend the bill to include kreteks.

Rep. Klemin: Would our existing tobacco products law apply to bidis or kreteks.

Ms. Mangskau: In most states, the laws do not apply to bidis or kreteks.

Chairman DeKrey: Thank you for appearing before our committee. Anyone else wishing to testify for HB 1301.

John Quinlan, ND Tax Department: Currently they are a class of cigarettes under our law.

Chairman DeKrey: Do we have retailers selling them.

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House Judiciary Committee
Bill/Resolution Number HB 1301
Hearing Date 1-29-03

Mr. Quinlan: Generally you will find at record stores, and specialty tobacco shops are the types of stores that will sell them. They are sold on a limited basis.

Chairman DeKrey: Thank you. Any further testimony on HB 1301. We will close the hearing.

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Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1301

House Judiciary Committee

Conference Committee

Hearing Date 2-3-03

Tape Number	Side A	Side B	Meter #
2		x	44-end

Committee Clerk Signature *A. Penno*

Minutes: 12 members present, 1 member absent (Rep. Bernstein)

Chairman DeKrey: What are the committee's wishes in regard to HB 1301.

Rep. Klemin: Move to amend to add kreteks, take out possession on line 7, line 8 remove the infraction to sell or distribute.

Rep. Maragos: Seconded.

Voice vote: Roll call fails.

Chairman DeKrey: Check with LC to get the amendments in written form of what you are looking for. We will close for now.

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Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1301

House Judiciary Committee

Conference Committee

Hearing Date 2-11-03

Tape Number	Side A	Side B	Meter #
3	xx		10-16.8
Committee Clerk Signature <i>A. Penrose</i>			

Minutes: 13 members present.

Chairman DeKrey: What are the committee's wishes in regard to HB 1301.

Rep. Klemin: I have an amendment 30377.0101. I move the amendment.

Rep. Maragos: Seconded.

Voice vote: Carried.

Rep. Maragos: I move a Do Pass as amended.

Rep. Grande: Seconded.

12 YES 1 NO 0 ABSENT DO PASS AS AMENDED CARRIER: Rep. Wrangham

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10/2/03
Date

30377.0101
Title.0200

Prepared by the Legislative Council staff for
Representative Klemin
February 10, 2003

VR
2/12/03

HOUSE AMENDMENTS TO HOUSE BILL NO. 1301 JUD 2-12-03

Page 1, line 2, remove ", possession, and use"

Page 1, line 7, remove ", purchase, possession, and use"

Page 1, line 8, remove ", purchase, distribute, possess, smoke, or use"

Renumber accordingly

Page No. 1

30377.0101

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10/2/03
Date

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Date: 2/11/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1301

House Judiciary Committee

Check here for Conference Committee

Legislative Council Amendment Number 30377.0101 . 0200

Action Taken Do Pass as Amended

Motion Made By Rep. Maragos Seconded By Rep. Grande

Representatives	Yes	No	Representatives	Yes	No
Chairman DeKrey	✓		Rep. Delmore	✓	
Vice Chairman Maragos	✓		Rep. Eckre	✓	
Rep. Bernstein	✓		Rep. Onstad	✓	
Rep. Boehning		✓			
Rep. Galvin	✓				
Rep. Grande	✓				
Rep. Kingsbury	✓				
Rep. Klemin	✓				
Rep. Kretschmar	✓				
Rep. Wrangham	✓				

Total (Yes) 12 No 1

Absent 0

Floor Assignment Rep. Wrangham

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

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Operator's Signature Lu Costa Rickford Date 10/3/03

Date: 2/3/03
 Roll Call Vote #: Voice Vote on Amendment

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1301

House Judiciary Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass on Amendment

Motion Made By Rep. Klemm Seconded By Rep. Maragos

Representatives	Yes	No	Representatives	Yes	No
Chairman DeKrey		✓	Rep. Delmore		✓
Vice Chairman Maragos	✓		Rep. Eckre	✓	
Rep. Bernstein	AB		Rep. Onstad		✓
Rep. Boehning		✓			
Rep. Galvin		✓			
Rep. Grande		✓			
Rep. Kingsbury		✓			
Rep. Klemm	✓				
Rep. Kretschmar	✓				
Rep. Wrangham		✓			

Total (Yes) 4 No 8

Absent 1

Floor Assignment _____

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

Amendment Failed

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La Costa Rickford 10/2/03
 Operator's Signature Date

