

MICROFILM DIVIDER

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ROLL NUMBER

DESCRIPTION

1345

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Deanna Hallworth
Operator's Signature

10/3/03
Date

2003 HOUSE POLITICAL SUBDIVISIONS

HB 1345

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Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1345

House Political Subdivisions Committee

Conference Committee

Hearing Date: January 31, 2003

Tape Number	Side A	Side B	Meter #
1	X		30.1-53.8
1		X	0.0-25.1
Committee Clerk Signature <i>Micki Schmidt</i>			<i>2-18-03</i>

Minutes:

TAPE 1; SIDE A:

(30.1) REP. GLEN FROSETH: We will open the hearing on HB 1345.

(30.4) DOREEN STRYLIE MELHOFF: (Testimony in support) The Bill basically says that these homes coming in will keep the same standards as law requires.

(32.5) REP. AL CARLSON: (Testimony in support) (A home builder) Explained building codes and how it's unified across the country. It didn't address modular homes that are being pre built and bought and put into place on site. There might be thirty inspections on a house that I build from scratch. It's for public safety that those inspections take place. they make sure that we follow codes. When a pre-manufactured house is built, there are not nearly the requirements, because our building inspector isn't going out to their facility in most cases and inspecting the house in phases. This Bill is not meant to keep anyone from selling, building or delivering those houses into ND and housing our residents.

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House Political Subdivisions Committee

Bill/Resolution Number HB 1345

Hearing Date: January 31, 2003

(37.3) REP. BRUCE ECKRE: Where are these coming in from?

(37.5) REP. AL CARLSON: Mostly coming from rural area's and Canada. Canadian's have some very strict energy standards among their products, but there are some differences in their mechanical and electrical.

(39.4) REP. MARY EKSTROM: Could you define modular.

(40.0) REP. AL CARLSON: I'm not sure what the definition is, or if there is a definition.

(40.0) REP. GIL HERBEL: How would you inspect a home like that, when the walls are enclosed already?

(40.7) REP. AL CARLSON: They will talk about the third party inspection and that will address some of that.

(44.6) REP. CAROL NEIMEIER: If the jurisdiction is able to amend the state building code, who has the authority to accomplish that?

(44.7) REP. AL CARLSON: It can be more restricted than that.

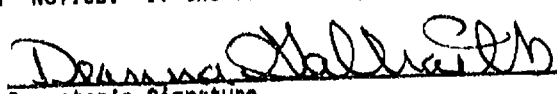
(46.6) DOREEN STRYLIE MELHOFF: (See attachment #1- amendment) Most states have laws of which they have to conform to at the state level. Explained the Third Party Inspection. The Division of Community Services is currently gathering local amendments. Devils Lake has an amendment that requires homes to have 7 foot 6 inch ceilings in their building code. **(53.8)**

***TAPE 1; SIDE B:**

(0.0) DOREEN STRYLIE MELHOFF: (continued testimony) Most states have their own support programs and they keep the standards the same for both.

(1.7) REP. MARY EKSTROM: The buildings that we are referring to, not modular, not mobile, is there a substantial difference in prices?

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Hearing Date: January 31, 2003

(1.9) DOREEN STRYLIE MELHOFF: Yes and no. The factory built modular homes don't have a chastity under them like a manufactured home does. There can be a good price advantage in some cases and they can be more affordable, but we have found some instances that the property, foundation, water etc... are costing more.

(4.1) REP. GIL HERBEL: Sounds like you're in favor of the 3rd party inspection, what kind of authority should they have, are there a lot of 3rd party inspectors in the state now?

(4.5) DOREEN STRYLIE MELHOFF: There are in central building commission, contracts with folks to be those 3rd party inspectors. They are not licensed, but they are people who have education on what to look for.

(6.5) REP. GLEN FROSETH: If they don't contract with the 3rd party inspection, they still are still subjected to all inspections by the State Electrical Board and other state boards. Is there a uniform building code between Canada and us?

(8.1) DOREEN STRYLIE MELHOFF: No.

(8.3) PAUL BUSCH; BUSCH LUMBER CO. IN DICKINSON: (Testimony in support)
What we're looking for is a level plane. Our buildings have codes to follow. Modular homes should follow state law.

(10.1) REP. DALE SEVERSON: Who distributes these homes?

(10.4) PAUL BUSCH: Two are in Minot, Canada, etc...

(11.3) JEFF KOHLER; KOHLER'S HOME IMPROVEMENT, BISMARCK: (Testimony in support) Explained the mandatory inspections we're subjected to.

(15.6) RICH GREY; DIVISION OF COMMUNITY SERVICES: (Testimony in support)
This is becoming a bigger business. 36 states have programs already. We've become the fourth

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House Political Subdivisions Committee

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member of the Interstate Compact. What we're doing here is really making sure that when a building comes into North Dakota, and this legislation passed a HB1210 according to last session, no matter where they go, we know that most of our jurisdictions do not enforce them. If passed, every contractor, every manufacturer who wants to build a product coming into North Dakota will be required to hire one of these certified 3rd party's. We have a manufacturer in the state right now who has a certified 3rd party, but they're not working under a program because we don't have a state program. The cost of a 3rd party inspection runs anywhere from \$300 to \$1500 per inspection. The Industrial Buildings Commission is doing a study right now to get a better handle on what this is costing from their certified.

(24.4) DOREEN STRYLIE MELHOFF: There were some groups that were unable to be here today and wanted me to share their names. They are American Institute of Architect, AIA of ND, ND Society of Professional Engineer, etc... (couldn't make the names out)

(24.7) REP. GLEN FROSETH: Any testimony in support? Opposition? Hearing none, I will close the hearing on HB 1345. We will hold this until next week. I think we will consider this amendment. **(25.5)**

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1345

House Political Subdivisions Committee

Conference Committee

Hearing Date: February 6, 2003

3:00 P.M.

Tape Number	Side A	Side B	Meter #
3	X		5.1-10.5
Committee Clerk Signature <i>Micki Schmidt</i> 2-20-03			

Minutes:

TAPE 3; SIDE A:

(5.5) CHAIRMAN GLEN FROSETH: We will open the hearing on HB 1345. (Handed out an amendment; attachment #1) Explained the amendment. Any discussion on the amendment?

(7.6) REP. ANDREW MARAGOS: I WOULD MOVE THE AMENDMENT.

(7.7) REP. RON IVERSON: I SECOND IT.

(7.7) CHAIRMAN GLEN FROSETH: Any further discussion? There was concern on the exemption listed. Any structures built still needs to be inspected by a state inspection. We will take a voice vote on the amendments: All in favor say I: 14-y; 0-n; the amendment passes.

(9.2) REP. RON IVERSON: I WOULD MOVE A DO PASS AS AMENDED.

(9.3) REP. MIKE GROSZ: I SECOND IT.

(9.4) CHAIRMAN GLEN FROSETH: Rep.'s Ekstrom and Niemeier resists. I will have the clerk take the Roll Call Vote: 12-y; 2-n; 0-absent; Carrier; Rep. Grosz. (10.5)

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10/3/03
Date

30533.0101
Title.0200

Adopted by the Political Subdivisions
Committee
February 6, 2003

YR
2/7/03

HOUSE AMENDMENTS TO HOUSE BILL NO. 1345 Po1 Sub 2-6-03

Page 1, line 2, after "code" insert "; and to amend and reenact section 54-21.3-07 of the North Dakota Century Code, relating to modular residential and commercial structures"

Page 1, after line 10, insert:

"SECTION 2. AMENDMENT. Section 54-21.3-07 of the North Dakota Century Code is amended and reenacted as follows:

54-21.3-07. Modular residential and commercial structures - Third-party inspections - Rules. The manufacturer of a modular residential or commercial structure that is built in a factory ~~may~~ shall contract with a third party for the inspection of the structure for compliance with all applicable building, electrical, fire, and plumbing codes and standards during the manufacturing process in the factory. A third party that conducts inspections and certifies compliance with all applicable codes and standards must be approved as a certified third-party inspector by the division of community services. The department of commerce shall adopt rules for the certification of inspectors and for the procedures to be followed in conducting inspections of modular residential and commercial structures. # When a manufacturer of modular residential or commercial structures contracts with a certified third-party inspector to monitor compliance with all applicable building, electrical, fire, and plumbing codes and standards for a modular residential or commercial structure, no further inspection by state or local building, electrical, fire, or plumbing inspectors may be required for that structure during the manufacturing process in the factory. This section does not apply to a factory manufacturing fewer than six residential or commercial structures per year."

Renumber accordingly

Page No. 1

30533.0101

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Date: 2-6-03

Roll Call Vote #: 2

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1345

House "POLITICAL SUBDIVISION" Committee

Check here for Conference Committee

Legislative Council Amendment Number 30533.0101 0200

Action Taken Do Pass As Amended

Motion Made By Rep. Iverson Seconded By Rep. Grosz

Representatives	Yes	No	Representatives	Yes	No
Chairman Glen Froseth	✓				
Vice-Chairman Nancy Johnson	✓				
Mike Grosz	✓				
Gil Herbel	✓				
Ron Iverson	✓				
William E. Kretschmar	✓				
Andrew Maragos	✓				
Dale Severson	✓				
Alon Wieland	✓				
Bruce Eckre	✓				
Mary Ekstrom		✓			
Carol A. Niemeler		✓			
Sally M. Sandvig	✓				
Vonnie Pietsch	✓				

Total (Yes) 12 No 2

Absent 0

Floor Assignment Rep. Grosz

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

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