

# MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

1395

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Deanna Halliwell  
Operator's Signature

10/3/03  
Date

2003 HOUSE POLITICAL SUBDIVISIONS

HB 1395

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Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1395

House Political Subdivisions Committee

Conference Committee

Hearing Date: February 6, 2003

Tape Number	Side A	Side B	Meter #
1	X		1.6-14.8
Committee Clerk Signature <i>Mickie Schmidt</i>			<i>2-18-03</i>

Minutes:

**TAPE 1; SIDE A:**

**(1.6) REP. GLEN FROSETH:** We will open the hearing on HB 1395. I'll have the clerk take the roll. We have a quorum.

**(2.5) REP. MIKE GROSZ:** (Testimony in support) (See attachment #1)

**(4.7) REP. NANCY JOHNSON:** This allows the local city or county to determine if they want to permit their county to be open until two o'clock am?

**(4.8) REP. MIKE GROSZ:** It's up to the local establishment.

**(5.0) REP. GIL HERBEL:** Do you think that if this were to pass, that if one establishment stayed open, that within a city area, that all of the rest would feel obligated to stay open?

**(5.3) REP. MIKE GROSZ:** It's a strong possibility.

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Date

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House Political Subdivisions Committee  
Bill/Resolution Number HB 1395  
Hearing Date: February 6, 2003

**(5.7) REP. GIL HERBEL:** I remember when the line for division for mountain and central time. When the bars closed in Mandan, they would run over to Bismarck. Do you think this would create any problems there?

**(6.1) REP. MIKE GROSZ:** I've heard the stories about Bismarck. We've had Minnesota people coming over to Fargo and Grand Forks and spending their money in North Dakota!

**(6.4) REP. MARY EKSTROM:** Have you talked to Fargo or some of the border cities about the kinds of problems they might have?

**(6.9) REP. MIKE GROSZ:** No

**(7.0) REP. MARY EKSTROM:** What about the additional costs of law enforcement?

**(7.1) REP. MIKE GROSZ:** I hope not, however I've looked at South Dakota's situation and a couple of articles where there has not been an increase in criminal activity.

**(7.3) REP. GLEN FROSETH:** The new language on lines 18 and 20. What does that specifically clear up?

**(7.5) REP. MIKE GROSZ:** I too had those questions when I got the bill draft from Legislative Council. What he is attempting to do there is just clean up some language in the Sunday permit laws. There was some confusion on the sale of liquer also.

**(9.0) PATTY LEWIS; ND HOSPITALITY ASSOCIATION:** (Testimony in support) One of the things I'm hearing from borrower's in major cities is that the habits of many young adults are changing. Many of them don't go out until about 10 o'clock at night because of movies, concerts, games, so that by the time they usually get out to a liquer establishment is likely 10:30 to 11:00 pm. We do not support drunk driving. By saying that the 2 am opening will increase that, may be a little bit misleading because regardless of the time of day, it is still ilegal to drive drunk.

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House Political Subdivisions Committee  
Bill/Resolution Number HB 1395  
Hearing Date: February 6, 2003

**(11.5) BILL HICKSON: OWNER OF 3 SPORTS BARS IN BISMARCK:** (Testimony in support) Our customers are coming in at 10:30 or 11:00 at night. It's only about an hour and a half before we have to start kicking them out.

**(12.2) REP. GIL HERBEL:** Will this effect the number of DUI's?

**(12.4) BILL HICKSON:** I can't answer that. I think as adults, they should be responsible. We send a lot of people home in cabs.

**(13.0) REP. BYRON CLARK:** (Testimony in support)

**(14.2) REP. GLEN FROSETH:** Any further testimony? Opposition? Seeing none, we will close the hearing on HB 1395. (14.7)

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1395

House Political Subdivisions Committee

Conference Committee

Hearing Date: February 6, 2003

Tape Number	Side A	Side B	Meter #
2	X		3.0-9.9
Committee Clerk Signature <i>Mickie Schmidt</i>			<i>2-20-03</i>

Minutes:

**TAPE 2; SIDE A:**

**(3.0) CHAIRMAN GLEN FROSETH:** We will open the hearing on HB 1395.

**(3.2) REP. ANDREW MARAGOS:** I WILL MOVE A DO PASS.

**(3.3) REP. MARY EKSTROM:** I SECOND IT.

**(3.5) CHAIRMAN GLEN FROSETH:** Any discussion? There was concern with the increased DUI issue and the issue of rushing to a party afterwards, the effect of concerts getting out at about 11:00 PM, the different closing times between state lines and cities and how they effect the bars. It was stated that DUI's don't increase with the time that the bar is open. They only increase with the amount of alcohol someone consumes. It was stated how it brings money into the state because of the cut off time in bars.

(Rep.'s Eckre and Sandvig were not in favor)

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Date

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House Political Subdivisions Committee  
Bill/Resolution Number HB1395  
Hearing Date: February 6, 2003

Are you ready for a vote? I'll have the clerk call the Roll Call Vote: 9-y; 5-n; 0-absent;

Carrier; Rep. Johnson

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**FISCAL NOTE**  
 Requested by Legislative Council  
 01/21/2003

Bill/Resolution No.: HB 1395

1A. **State fiscal effect:** Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues			\$824,000	\$72,000		
Expenditures						
Appropriations						

1B. **County, city, and school district fiscal effect:** Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. **Narrative:** Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

HB 1395 enables businesses that sell alcoholic beverages to remain open until 2:00 AM. We estimate that the additional hour of operation will result in increased sales tax revenues totaling \$896,000 during the 2003-05 biennium.

3. **State fiscal effect detail:** For information shown under state fiscal effect in 1A, please:

A. **Revenues:** Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

B. **Expenditures:** Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

C. **Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

<b>Name:</b>	Kathryn L. Strombeck	<b>Agency:</b>	Tax Dept.
<b>Phone Number:</b>	328-3402	<b>Date Prepared:</b>	02/05/2003

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Date: 2-6-03

Roll Call Vote #: 2

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1395

House \_\_\_\_\_ "POLITICAL SUBDIVISION" \_\_\_\_\_ Committee

Check here for Conference Committee

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

Action Taken Do Pass

Motion Made By Rep. Maragos Seconded By Rep. Ekstrom

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	0				
Alon Wieland	✓				
Bruce Eckre		✓			
Mary Ekstrom	✓				
Carol A. Niemeier		✓			
Sally M. Sandvig		✓			
Vonnie Pletsch	✓				

Total (Yes) 10 No 3

Absent 1

Floor Assignment Rep. Iverson

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

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REPORT OF STANDING COMMITTEE (410)  
February 6, 2003 1:09 p.m.

Module No: HR-23-1845  
Carrier: Iverson  
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE  
HB 1395: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends DO  
PASS (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1395 was placed on  
the Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-23-1845

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2003 SENATE POLITICAL SUBDIVISIONS

HB 1395

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