

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

1302

2007 HOUSE POLITICAL SUBDIVISIONS

HB 1302

2007 HOUSE STANDING COMMITTEE MINUTES

Bill No. HB 1302

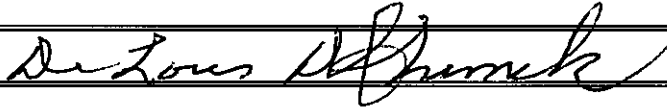
House Political Subdivisions Committee

Check here for Conference Committee

Hearing Date: January 19, 2007

Recorder Job Number: 1453, 1456

Committee Clerk Signature



Minutes:

Chairman Herbel opened the hearing on HB 1302.

Representative Hawken: This bill is being submitted at the request of one of my constituents.

He is an apartment owner and thinks that older people should be able to have pets, but he feels very strongly that he needs to have a pet deposit that is reasonable so that if there is a problem he can recoup his losses. I also have an amendment. The apartment people were going to put in their own bill, but after they saw this they asked if we would amend it slightly and there would only be one bill. At the bottom where change would have been may not exceed two months rent, the proposed amendment I have for you would be the great of \$2,500 or two months rent. We are raising the amount of the deposit for pets.

Rep. Kim Koppelman Representative Hawken's do you have any objection to clarifying the language on two months rent?

Rep. Hawken: They really did not want to do that for the simple reason that they do not want to come back. The two months rent would float and it certainly different in every different in every single town.

Rep. Kim Koppelman: I am not saying remove the dollar amount, I am saying when you make a statement to read an amount the greater of \$2,500 or two months rent. Worried about

deposit being two months rent so then when I leave I don't have to pay my last two months rent.

Rep. Hawken: This only refers to pet deposits. I cleared this through allot of people in different parts of the state and this was their preferred language so I can not see that that would make a difference.

Rep. Louis Pinkerton: For my clarification your amendment would make it greater of either the \$2500 or two months rent. So the pet deposit would have to be \$2500. Many people are using the building rental to have your pet there as a drawing card. They say we want an extra \$400 so that would have to be \$2500 or 2 months rent.

Rep. Hawken: It is not mandated they charge this. That is the maximum. They can certainly be anywhere under this. This is probably more for condo rentals than apartment rentals. A problem has come up in a number of our communities.

Rep. Louis Pinkerton: This is increasing the maximum charge?

Rep. Hawken: Yes

Rep. Steve Zaiser: Do you think this might cause people to go to the maximum.

Rep. Hawken: I would doubt it. Apartment rental in many communities is a little scary so I don't believe that would happen. This lets people have pets and protect their property.

Rep. Donald Dietrich: How does a service animal come into play?

Rep. Hawken: Are you referring to a dog for the blind? They are exempt. There is nothing regarding that. I am sure people can work that out. I am sure the landlord would be able to work that out.

Chairman Herbel: I think you had indicated that rental is getting to be tough competition so they will be some what prudent about what they do.

Rep. Hawken: I honestly don't think this bill will affect too many rentals. There are those that can truly care where the landlord does care about pets being there, but he also has to take care of his business side.

Rocky Gordon: ND Apartment Association: Service animals are not considered pets and so this would have no effect on service animals. There was a little bit of concern about the ceiling here, does that mean it is going to be \$2500. I can assure that is not the case. When we deal with security deposits outside of pet situations, ND allows for an amount up to one month's rent. That is extremely rare that that is charged. It is typically more like half. In the Bismarck in the past few years we have seen a lot of \$99 more in specials. I don't think raising the ceiling to \$2500 is going to change that. A number of years ago the apartment association put this bill in response to residence requesting the ability to have pets and we were limited before to one month's rent. It is not financially feasible to go to court to get your expenses back. Over the years inflation has caused the price to raise to \$2500. We are encouraging landlords to open up apartments to as many pet owners and can, but they will get compensated for any damages.

Rep. Nancy Johnson: Definition of a pet? Pet means any domesticated animal.

No opposition.

Closed the hearing.

Chairman Herbel reopened the hearing on HR 1302. Job #1456

Do Pass As Amended Motion Made By Rep. Kim Koppelman Seconded By Rep. Dwight Wrangham Voice vote carried.

Do Pass As Amended Motion Made By Rep. Kim Koppelman, Seconded by Rep. Donald

Dietrich

Discussion:

Page 4
House Political Subdivisions Committee
Bill No. HB 1302
Hearing Date: January 19, 2007

Vote: 13 Yes 0 No 1 Absent Carrier: Rep. Nancy Johnson

Hearing closed.

70367.0102
Title.0200

Adopted by the Political Subdivisions
Committee

January 19, 2007

House Amendments to HB 1302 (70367.0102) - Political Subdivisions Committee
01/19/2007

Page 1, line 13, after "one" insert "the greater of two" and remove the overstrike over "~~thousand~~
~~five hundred dollars~~" and insert immediately thereafter "or an amount equivalent to"

Renumber accordingly

**2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1302**

House Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass As Amended

Motion Made By Rep. Kim Koppelman Seconded By Rep. Dwight Wrangham

Representatives	Yes	No	Representatives	Yes	No
Rep. Gil Herbel-Chairman			Rep. Kari Conrad		
Rep. Dwight Wrangham-V. Chair			Rep. Chris Griffin		
Rep. Donald Dietrich			Rep. Lee Kaldor		
Rep. Patrick Hatlestad			Rep. Louis Pinkerton		
Rep. Nancy Johnson			Rep. Steve Zaiser		
Rep. Lawrence Klemin					
Rep. Kim Koppelman					
Rep. William Kretschmar					
Rep. Vonnie Pietsch					

Handwritten:
 Done
 Vote!
 Carried

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

**2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. HB 1302**

House Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass As Amended

Motion Made By Rep. Kim Koppelman Seconded By Rep. Donald Dietrich

Representatives	Yes	No	Representatives	Yes	No
Rep. Gil Herbel-Chairman	X		Rep. Kari Conrad	X	
Rep. Dwight Wrangham-V. Chair	X		Rep. Chris Griffin	X	
Rep. Donald Dietrich	X		Rep. Lee Kaldor	X	
Rep. Patrick Hatlestad	X		Rep. Louis Pinkerton		
Rep. Nancy Johnson	X		Rep. Steve Zaiser	x	
Rep. Lawrence Klemin	X				
Rep. Kim Koppelman	X				
Rep. William Kretschmar	X				
Rep. Vonnie Pietsch	x				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Rep. Nancy Johnson

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

REPORT OF STANDING COMMITTEE

HB 1302: Political Subdivisions Committee (Rep. Herbel, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1302 was placed on the Sixth order on the calendar.

Page 1, line 13, after "~~one~~" insert "the greater of two" and remove the overstrike over "~~thousand five hundred dollars~~" and insert immediately thereafter "or an amount equivalent to"

Renumber accordingly

2007 SENATE INDUSTRY, BUSINESS AND LABOR

HB 1302

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1302

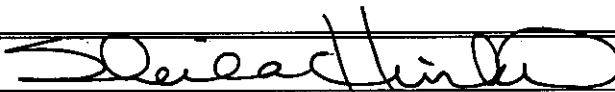
Senate Industry, Business and Labor Committee

Check here for Conference Committee

Hearing Date: **February 12, 2007**

Recorder Job Number: **3340**

Committee Clerk Signature



Rental Security Deposits:

Representative Kathy Hawkin, Dist. 46 – In Favor

Explained of constituent rental properties and want to raise the amount of pet allowance on the property to \$2500 Max or 2 months rent. Service dogs are not included.

S Heitkamp: \$2500 or 2 months rent, whichever is greater?

K Hawkin: Yes.

S Klein: \$2500 or 2 mos. Rent. It was \$1500, raised \$1000 for carpet and paint.

S Potter: What if someone cheated and snuck a cat in? Does this change anything?

K Hawkin: That would have to be determined. That's probably a lawsuit. This is an upfront cost.

S Heitkamp: This doesn't stop me if I have a piece of property from charging a lesser deposit, if I want to compete for the pet owners.

K Hawkin: No it does not. This is a maximum.

Rocky Gordon – Lobbyist ND – In Favor

This is an updating to pass on increased costs. This bill opens the market for people with pets.

S Klein: Do they realize that with a pet they'll need to have a bigger deposit?

R Gordon: They're aware of it. Not just because of the money, but we want to open market for people with pets so they could be responsible for what damages pets might do.

S Klein: So you weren't renting to pet owners?

R Gordon: That's correct. In a \$500 a month apartment, we could charge \$500 as a security deposit and landlords weren't willing to take the risk, so by doing this we've opened up the market a little more.

Claus Lembke – ND Association of Realtors - *In Support*

Support the legislation, "it makes sense."

Motion for a Do Pass by S Andrist

Second by S Wanzek

Vote for DO PASS HB 1302 - 6 – 0 – 1 Passed

Carrier: S Andrist

Date: 8-12-07

Roll Call Vote : _____

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1302

Senate INDUSTRY BUSINESS & LABOR Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DO Pass

Motion Made By Andrist Seconded By Wanzek

Senators	Yes	No	Senators	Yes	No
Chairman Klein, Jerry	✓		Senator Behm, Arthur	NP	
Senator Hacker, Nick VC	✓		Senator Heitkamp, Joel	✓	
Senator Andrist, John	✓		Senator Potter, Tracy	✓	
Senator Wanzek, Terry	✓				

Total Yes 5 No 0

Absent 1

Floor Assignment Andrist

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

REPORT OF STANDING COMMITTEE

HB 1302, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1302 was placed on the Fourteenth order on the calendar.