

**2015 HOUSE JUDICIARY**

**HB 1183**

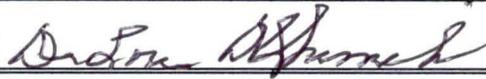
# 2015 HOUSE STANDING COMMITTEE MINUTES

House Judiciary Committee  
Prairie Room, State Capitol

HB 1183  
1/21/2015  
22289

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

Relating to middle name options on a marriage license application or marriage license.

## Minutes:

**Chairman K.Koppelman:** Opened the hearing on HB 1183 with testimony in support.

**Rep. Beadle:** I just got married in December. When we went to get our marriage license with the Cass County recorder my wife intended to change her name from Shana Alexander Haugen to Shana Alexander Haugen Beadle. A couple of friends of our that got married in the Moorhead side of the river were able to do that with no problem and friends in Grand Forks could do that too with no problem. No all recorders interrupt the law the same. We were told we could not do that. This bill allows whoever is changing their name elects they can use their sir name and their existing middle name in combination for the new middle name. You could already do it if you wanted to do it for two last names if you go and petition the court. You just cannot do it on the marriage license application process. Looking up surrounding state statues in Montana is silent on it because all their name changes stuff goes through a petition of the court. South Dakota and Minnesota just tells you to write you name in how you want it to be. We are the only state that has restrictions in statue that prevents you from doing that. I do not see a good reason for doing that and it overcomes the hassle of having two last names in all legal documents.

**Rep. P. Anderson:** Could she have used her last name and not her middle name as her middle name? She just couldn't use both of them.

**Rep. Beadle:** Correct. The statue currently reads that when you go fill the application for the license process it reads that your sir name could be a combination of old sir name; your new sir name or a combination thereof. Whether it is with hyphens or spaces or whatever. Your middle name can be your original middle name or your previous sir name. Some recorders overlook that and allow you to do it.

**Rep. G. Paur:** You can have two middle names; correct?

**Rep. Beadle:** If we make this change yes. Currently if you petition the court you can.

**Rep. G. Paur:** If you have middle initial and have two middle names what do you do then?

**Rep. Beadle:** Common practice in other states they just indicate their first middle name if there is only a blank for one middle initial.

**Rep. D. Larson:** Aren't there catholic kids when they get confirmed get an extra middle name? So aren't there two middle names allowed in something?

**Rep. Beadle:** I don't know either. There is an existing process for getting a second middle name and it would be through a court petition for a name change.

**Rep. Mary Johnson:** It is ceremonial.

**Chairman K.Koppelman:** This bill deals only with name changes in marriage. No fiscal note?

Rep. Beadle: There is no fiscal note.

Opposition: None

Neutral: None

Hearing closed.

**Do Pass Motion Made by Rep. D. Larson: Seconded by Rep. Lois Delmore:**

**Roll Call Vote: 12 Yes 0 No 1 Absent Carrier: Rep. P. Anderson:**

**2015 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL NO. HB 1183**

House JUDICIARY Committee

Subcommittee  Conference Committee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations

Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Rep. D. Larson: Seconded By Rep. Lois Delmore:

Representative	Yes	No	Representative	Yes	No
Chairman K. Koppelman	X		Rep. Pamela Anderson	X	
Vice Chairman Karls	X		Rep. Delmore	X	
Rep. Brabandt	X		Rep. K. Wallman	X	
Rep. Hawken	---				
Rep. Mary Johnson	X				
Rep. Klemin	X				
Rep. Kretschmar	X				
Rep. D. Larson	X				
Rep. Maragos	X				
Rep. Paur	X				

Total (Yes) 12 No 0

Absent 1

Floor Assignment: Rep. P. Anderson

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

**REPORT OF STANDING COMMITTEE**

**HB 1183: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends DO PASS**  
(12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1183 was placed on the  
Eleventh order on the calendar.

**2015 SENATE JUDICIARY**

**HB 1183**

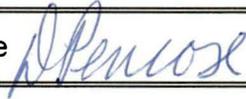
# 2015 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee  
Fort Lincoln Room, State Capitol

HB 1183  
3/11/2015  
24654

- Subcommittee  
 Conference Committee

Committee Clerk Signature



Minutes:

1

Ch. Hogue: We will open the hearing on HB 1183.

Rep. Thomas Beadle: Sponsor, support (see attached #1).

Ch. Hogue: So what was the reason given, just that it wasn't authorized by statute, so they couldn't do it?

Rep. Thomas Beadle: Currently in statute, the restriction is that the middle name can either be the current middle name or the original surname. That's what basically is in statute.

Ch. Hogue: If she wants a hyphenated surname, she has to drop her middle name.

Rep. Thomas Beadle: The surname option is a separate change. We have two different sections within that chapter of statute, one deals with surname and the other one deals with middle names. She could do the surname change and add a second surname on to her name with the hyphen or she could choose to move her original surname to a new middle name. This is just changing the statute to change the middle name options with the marriage application process. I would point out that not all ND county recorders interpret this in the same. We had some friends that got married in Grand Forks County and still did it. It is clearly against statute but it still happens.

Sen. Casper: You're saying that you can still have a hyphenated surname so under this law; your wife could have been Shana Alexandra Ann Haugen-Beadle.

Rep. Thomas Beadle: That's just silly.

Sen. Casper: Is that possible. I don't believe so.

Rep. Thomas Beadle: This is a constituent bill and Sen. Casper is our Senator in Fargo.

Ch. Hogue: Thank you. Further testimony in support. Testimony in opposition. Neutral testimony. We will close the hearing. We now have the bill before us, what are the committee's wishes.

Sen. Casper: I move a Do Pass.

Sen. Grabinger: Second the motion.

**6 YES 0 NO 0 ABSENT**

**DO PASS**

**CARRIER: Sen. Casper**

Date: 3/11/2015

Roll Call Vote #: 1

2015 SENATE STANDING COMMITTEE  
ROLL CALL VOTE

BILL/RESOLUTION NO. 1183

Senate JUDICIARY Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar

Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Sen. Casper Seconded By Sen. Grabinger

Senators	Yes	No	Senators	Yes	No
Chairman Hogue	✓		Sen. Grabinger	✓	
Sen. Armstrong	✓		Sen. C. Nelson	✓	
Sen. Casper	✓				
Sen. Luick	✓				

Total (Yes) 6 No 0

Absent \_\_\_\_\_

Floor Assignment Sen. Casper

**REPORT OF STANDING COMMITTEE**

**HB 1183: Judiciary Committee (Sen. Hogue, Chairman) recommends DO PASS**  
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1183 was placed on the  
Fourteenth order on the calendar.

**2015 TESTIMONY**

**HB 1183**

#1-1

**HB 1183**

Senate Judiciary Committee

11:00 am | March 11, 2015

Chairman Hogue and members of the Senate Judiciary Committee, for the record I am Representative Thomas Beadle, District 27 in Fargo.

HB 1183 comes to you on behalf of a newly married man who experienced an unexpected hurdle when he and his fiancé went to the county recorder's office to get a marriage license. When my wife and I went to get the marriage license, she had the intention of moving her maiden last name to become a new middle name, while still maintaining her existing middle name. This change would have allowed her to go from Shana Alexandra Haugen, to Shana Alexandra Haugen Beadle. This is the same change that some of our friends have been able to do, and is something that is common in other states. Despite knowing about people who have had this change made in other ND counties when they were married, and knowing of individuals who have had dual middle names at Birth and through court order, we were informed that she must instead choose between Alexandra and Haugen as her middle name should she wish to change her surname to Beadle. As you can imagine, this wasn't well received, but we have moved on, her name has been changed, and I am now bringing this bill before you to make sure that future Brides aren't faced with similar circumstances.

To clarify, I would just like to make it clear to the committee that this is not establishing a new precedent. We currently allow individuals to petition the court for a name change to allow for dual middle names, and this can also be done on at birth. Additionally, many other states including Montana and Minnesota allow this change already. Because of that, if you are a Fargo resident, but you choose to get married in Moorhead, you can already do this. Since an individual having dual last names is a pain as both last names must then be used on every legal document signed in the future, the dual middle names is an attractive option for individuals who wish to retain their name as a part of their identity.

Mr. Chairman and members of the committee, this is a good change and is one that will help women deal with this matter on their own terms without going to the courts. The house unanimously passed this bill, and I urge a Do Pass recommendation from your committee and hope we can have similar overwhelming support from the Senate.

With that I will stand for any questions that the committee may have.