

FISCAL NOTE
Requested by Legislative Council
12/26/2018

Bill/Resolution No.: SB 2119

- 1 A. **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.*

	2017-2019 Biennium		2019-2021 Biennium		2021-2023 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

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

	2017-2019 Biennium	2019-2021 Biennium	2021-2023 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill aligns NDCC 39-01-15 with the current process. The current process has been in place since 1997 after a court ruling stating it was unconstitutional to charge fees for permanent mobility impaired placards.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

There is no fiscal impact for this bill.

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, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

Name: Lindi Michlitsch

Agency: NDDOT

Telephone: 328-2734

Date Prepared: 12/27/2018

2019 SENATE TRANSPORTATION COMMITTEE

SB 2119

2019 SENATE STANDING COMMITTEE MINUTES

Transportation Committee
Lewis and Clark Room, State Capitol

SB2119
1/10/2019
30631

- Subcommittee
 Conference Committee

Committee Clerk: Liz Stenehjem

Explanation or reason for introduction of bill/resolution:

A bill relating to parking privileges for mobility-impaired individuals.

Minutes:

1 Attachment

Chairman Rust: Opened Committee hearing on SB 2119 and references fiscal note.

Jody Isaak, Motor Vehicle Division, Assistant Director Upper Motor Vehicle Division: Testifying on behalf of Lindi Michlitsch. See **Attachment #1** for testimony.

Dustin P: I support removing the fees even though they are small and modest, people that are already impaired and need to park closer are probably financially strapped.

There was no further testimony or questions.

Chairman Rust: Closed hearing.

Senator Dwyer: I move a Do Pass

Senator Bakke: Seconded motion

A roll call vote was taken; 6 yea, 0 nay, 0 absent

Chairman Rust: Senator Clemens will carry the bill.

**2019 SENATE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO:**

Senate Transportation Committee

Subcommittee

Amendment LC# or Description: SB 2119

- 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 Dwyer Seconded By Sen Bakke

Senators	Yes	No	Senators	Yes	No
Senator Rust - Chairman	✓		Senator Bakke	✓	
Senator Clemens - Vice Chairman	✓				
Senator Dwyer	✓				
Senator Fors	✓				
Senator Patten	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen Clemens

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

REPORT OF STANDING COMMITTEE

SB 2119: Transportation Committee (Sen. Rust, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2119 was placed on the
Eleventh order on the calendar.

2019 HOUSE TRANSPORTATION

SB 2119

2019 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

SB 2119
2/28/2019
#33009

- Subcommittee
 Conference Committee

Committee Clerk: Jeanette Cook

Explanation or reason for introduction of bill/resolution:

A BILL relating to parking privileges for mobility-impaired individuals.

Minutes:

Attachment #1

Chairman Ruby opened the hearing on SB 2119.

Lindi Michlitsch, Motor Vehicle Division Director at the Department of Transportation, introduced SB 2119, and provided written testimony. See attachment #1.

Chairman Ruby: What part of the constitution says this is not allowed?

Lindi Michlitsch: It was a court ruling that happened in 1997.

Chairman Ruby: What was it about that it has something to do with placards?

Lindi Michlitsch: It was a lawsuit that happened, and this was part of the court ruling. It was something that we thought we should clean up. It was questioned when the state auditors came and asked about it. It hasn't been charged, and there is no fiscal effect.

There was no further testimony in support of SB 2119.

There was no oppositional testimony on SB 2119.

Representative Grueneich moved a DO PASS on SB 2119.

Representative Hager seconded the motion.

A roll call vote was taken. Aye 13 Nay 0 Absent 1

Representative Hager will carry SB 2119.

**2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2119**

House Transportation 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 Grueneich Seconded By Hager

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN RUBY	✓		REP LAURIEBETH HAGER	✓	
VICE CHAIR BECKER	✓		REP KARLA ROSE HANSON	✓	
REP JIM GRUENEICH	✓		REP MARVIN NELSON	✓	
REP TERRY JONES	✓				
REP TOM KADING	✓				
REP EMILY O'BRIEN	A				
REP MARK OWENS	✓				
REP BOB PAULSON	✓				
REP GARY PAUR	✓				
REP ROBIN WEISZ	✓				
REP GREG WESTLIND	✓				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Hager

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

REPORT OF STANDING COMMITTEE

SB 2119: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2119 was placed on the Fourteenth order on the calendar.

2019 TESTIMONY

SB 2119

SB 2119
1/10/19

#1
pg 1

SENATE TRANSPORTATION COMMITTEE

Date: January 10, 2019 at 9:00 a.m.

**North Dakota Department of Transportation
Lindi Michlitsch, Motor Vehicle Division Director**

Senate Bill 2119

Good morning, Mr. Chairman and members of the committee. I'm Lindi Michlitsch, Motor Vehicle Division Director at the North Dakota Department of Transportation. Thank you for giving me the opportunity to discuss this proposed bill and answer any questions.

Senate Bill 2119 removes language from North Dakota Century Code 39-01-15 to align with the current process and comply with a 1997 court ruling that determined it was unconstitutional to charge fees for permanent mobility impaired placards.

There is no fiscal impact to this bill since this practice has been in place since 1997. SB2119 only seeks to align statute with the ruling.

Thank you, Mr. Chairman, I would be happy to answer any questions.

SB 2119
2-28-19
#1

HOUSE TRANSPORTATION COMMITTEE
February 28, 2019 at 9:45 a.m. – Fort Totten

North Dakota Department of Transportation
Lindi Michlitsch, Motor Vehicle Division Director

Senate Bill 2119

Good morning, Mr. Chairman and members of the committee. I am Lindi Michlitsch, Motor Vehicle Division Director at the North Dakota Department of Transportation (NDDOT). This is a NDDOT agency bill. Thank you for allowing me to explain this bill and answer any questions.

Senate Bill 2119 removes language from North Dakota Century Code 39-01-15 to align with the current process and comply with a 1997 court ruling that determined it was unconstitutional to charge fees for permanent mobility impaired placards.

There is no fiscal impact to this bill since this practice has been in place since 1997. SB2119 only seeks to align statute with the ruling.

Thank you, Mr. Chairman, I would be happy to answer any questions.