

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2290

2001 SENATE TRANSPORTATION

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2290

Senate Transportation Committee

Conference Committee

Hearing Date 2-1-01;2-8-01;2-15-01

Tape Number	Side A	Side B	Meter #
2	x		0.0-14.6
2-8-01	1	x	7.4-9.0
2-15-01	1	x	26.3-41.8
Committee Clerk Signature <i>Joyita Sel</i>			

Minutes: SB 2290 relates to recreation vehicle franchises.

**Senator Jerry Klein:** ( District 14; Supports)

**Jeff Hase:** ( recreation vehicle dealer from Martin,ND; Supports) See attached testimony.

**Senator O'Connell:** Is there a discount when merchandise is returned?

**Jeff Hase:** 100% of the net cost for unused, recreation vehicles, 85% on unused parts.

**Jeff Hase:** Snowmobiles are a great example of this. When we get good snow, we get too many dealers. This kind of law will keep dealers in ND from becoming overpopulated and not affect the good long standing dealers out there. This bill will give recreation vehicle dealers the same rights as other dealers across the state.

**Senator Trenbeath:** Can't you protect yourselves with a territory with a contract with a company?

**Jeff Hase:** Yes, sometimes companies will do that.

Hearing closed on SB 2290.

Page 2

Senate Transportation Committee

Bill/Resolution Number SB 2290

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Committee reopened on SB 2290 on 2-8-01.

Senator Espegard moves to Do Pass. Seconded by Senator O'Connell. Floor Carrier is Senator Trenbeath. Roll Call taken 5-1-0. Committee closed.

Committee reopened on 2-8-01. There is a verbal roll call taken to reconsider this bill and keep it within the committee. Roll Call taken. 6-0-0.

Committee reopened on 2-15-01.

**Thomas Kelsch:** Hands out proposed amendments. See attached.

Senator Espegard moves to Do Not Pass. Seconded by Senator Mutch. Roll Call taken. 4-1-1.

Floor carrier is Senator Espegard.

**Senator Stenehjelm:** Do you have another vehicle for these amendments?

**Thomas Kelsch:** Yes.

Committee closed.

## PROPOSED AMENDMENTS TO SENATE BILL NO. 2290

Page 1, line 1, replace the second "and" with a comma and after "51-20-02" insert "and 39-18-01"

Page 1, line 2, after "franchises" insert "mobile home dealer's licenses"

Page 3, after line 16 insert:

"3. Notwithstanding subsection 1 hereof, a travel trailer distributor is not obligated to purchase travel trailers in the dealer's inventory if the dealer cancels or discontinues the contract, however, in the event the travel trailer distributor cancels or discontinues the contract, the travel trailer distributor shall be obligated only to purchase the dealer's current model new and unused travel trailers."

Page 3, line 17, replace "3" with "4"

Page 3, after line 20 insert:

**"SECTION 3. AMENDMENT.** Section 39-18-01 of the North Dakota Century Code is amended and reenacted as follows:

**39-18-01. Mobile home dealer's license--Fees--Dealer's plates.** No person, partnership, corporation, or limited liability company may engage in the business of buying, selling, or exchanging of mobile homes or travel trailers, or advertise or hold oneself or itself out to the public as being in the business of buying, selling, or exchanging of mobile homes or travel trailers without first being licensed to do so as hereinafter provided.

Application for dealer's license and renewal license must be made to the department on such forms as the department prescribes and furnishes, and the application must be accompanied by an annual fee of thirty-five dollars for which must be issued one dealer plate. A dealer's license expires on December thirty-first of each year, and application for renewal of a dealer's license must be made on or before the expiration of the current dealer's license.

A mobile home dealer's license must be issued only to those who will maintain a permanent office and place of business, and an adequate service department, during the licensing year, and will abide by all the provisions of law pertaining to mobile home dealers.

In addition, the dealer shall maintain that person's business records in one central location.

Upon the payment of the fee of ten dollars for each additional plate, the

department shall register and issue dealer's license plates for use on any mobile homes owned by the licensed dealer, and the mobile homes bearing the dealer's license plates may be lawfully operated upon the public highways of the state of North Dakota by the dealer, and the dealer's agents and servants, during the year of the registration. A dealer's license plates expire on December thirty-first of each year.

The term "mobile home" as used in this chapter includes and has the same meaning as "housetrailer", and both terms have the meaning prescribed in section 39-01-01. The term "travel trailer" as used in this chapter has the meaning as prescribed in section 39-01-01.

Any mobile home dealer licensed under the provisions of this chapter may sell house cars ~~without being licensed under the provisions of chapter 39-22.~~ The provisions of this chapter, not chapter 39-22, shall apply to house car dealers and manufacturers. A mobile home dealer plate displayed on a house car must be displayed on the rear of the vehicle."

Renumber accordingly

Date: 2-8  
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO.

SB 2290

Senate Transportation Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

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

Action Taken Do Pass

Motion Made By Espgaard Seconded By O'Connell

Senators	Yes	No	Senators	Yes	No
Senator Stenehjem, Chairman	X		Senator Bercler <u>1</u>	X	<del>X</del>
Senator Trenbeath, Vice-Chair	X		Senator O'Connell <u>5</u>	X	
Senator Espgaard	X				
Senator Mutch		X			

Total (Yes) 5 No 1

Absent 0

Floor Assignment Trenbeath

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

Date: 2-8-01  
 Roll Call Vote #:

*2 of Reconsider stay in committee*

**2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. 2290**

Senate Transportation Committee

Subcommittee on \_\_\_\_\_  
 or  
 Conference Committee

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

Action Taken Reconsider

Motion Made By \_\_\_\_\_ Seconded By \_\_\_\_\_

Senators	Yes	No	Senators	Yes	No
1 Senator Stenehjem, Chairman	X		Senator Bercier 6	X	
2 Senator Trenbeath, Vice-Chair	X		Senator O'Connell 5	X	
4 Senator Espgaard	X				
3 Senator Mutch	X				

Total (Yes) 6 No 0

Absent 0

Floor Assignment \_\_\_\_\_

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



Date: 2-15  
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2390

Senate Transportation Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

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

Action Taken Do Not Pass

Motion Made By Espgaard Seconded By Mutch

	Senators	Yes	No	Senators	Yes	No
1	Senator Stenehjem, Chairman	X		Senator Bercier 6		
2	Senator Trenbeath, Vice-Chair	X		Senator O'Connell 5		X
4	Senator Espgaard	X				
3	Senator Mutch	X				

Total (Yes) 4 No 1

Absent 1

Floor Assignment Espgaard

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

