

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2309

2001 SENATE TRANSPORTATION

SB 2309

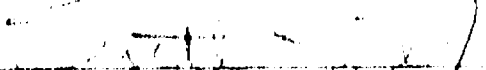
2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2309

Senate Transportation Committee

Conference Committee

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

Tape Number	Side A	Side B	Meter #
2	x		14.6-36.9
2-15	x	x	48.6-End; 6.6-9.0
Committee Clerk Signature 			

Minutes:SB 2309 relates to safety standards for passenger contract carriers; and to provide a penalty.

**Senator Trenbeath:** Let the record show that I am presiding while Sen. Stenehjem testifies.

**Senator Bob Stenehjem:** ( District 30; Supports) See attached testimony.

**John Risch:** (United Transportation Union; Lobbyist 156; Supports) See attached testimony and proposed amendment.

**Senator Trenbeath:** Why would the state of ND want to interfere with BNSF and van drivers?

**John Risch:** The problem we see is that there are no references to insured and underinsured insurance. We have discussed contract negotiations and it's never been worked out.

**Senator Trenbeath:** I'm not sure if "exclusions are broad enough.

**John Risch:** If they are not excluded now, they would have to follow regulations of Highway Patrol. Our intent is only for contract carriers.

Page 2

Senate Transportation Committee

Bill/Resolution Number SB 2309

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

**Senator Mutch:** Would shortline railroads be affected the same and are the employees covered by workman's comp?

**John Risch:** Yes to first question and No, there is no coverage.

**Senator Stenehjem:** There is already coverage, we just need to establish the "right" amount of coverage.

**Mike Muscha:**( Brotherhood of Locomotive Engineers; Lobbyist 207; Supports) See attached testimony.

**Douglas Erhart:** ( Brotherhood of Maintenance Way Employees; Supports) Supports bill.

**Dean Richter:** ( State Farm Insurance; Lobbyist 408; Supports) Supports bill.

**Pat Ward:** ( ND Domestic Insurance Company; Supports) Supports bill.

**Senator Stenehjem:** What exactly is "right" coverage, can we get a breakdown?

**Pat Ward:** I can get that for you.

**Tom Kelsch:** ( Pacific Railroad; Opposes) States that he opposes bill and his current coverage is \$1.5 million per person and incident.

Hearing closed

Committee reopened on 2-15-01.

Senator Trenbeath moves to Do Not Pass. Seconded by Senator Espegard. Roll call taken. 4-2-0.

Senator Trenbeath moves to reconsider. Seconded by Senator O'Connell. A verbal roll call was made to reconsider .6-0-0. Senator Trenbeath hands out a proposed amendment. Senator

Trenbeath moves to accept proposed amendment. Seconded by Senator Espegard. Roll call

taken. 6-0-0. Senator Trenbeath moves to Do Pass as Amended. Seconded by Senator Mutch.

Roll Call taken. 6-0-0. Floor Carrier is Senator Stenehjem.

Committee closed.

**FISCAL NOTE**  
 Requested by Legislative Council  
 01/23/2001

Bill/Resolution No.: SB 2309

Amendment to:

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.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

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

1999-2001 Biennium			2001-2003 Biennium			2003-2005 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.*

This legislation will not have a fiscal effect on the state or on agency appropriations.

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>	James M. Hughes	<b>Agency:</b>	Highway Patrol
<b>Phone Number:</b>	328-2455	<b>Date Prepared:</b>	01/25/2001



Date: 2-15  
 Roll Call Vote #: 7

Reconsidered

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. 23091

Senate Transportation Committee

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

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

Action Taken move to reconsider - verbal roll call

Motion Made By T. Keenan Seconded By O'Connell

1  
2  
3

Senators	Yes	No	Senators	Yes	No
Senator Stenejem, Chairman	X		Senator Bercler 6	X	X
Senator Trenbeath, Vice-Chair	X		Senator O'Connell 5	X	
Senator Espegard	X				
Senator Mutch	X				

Total (Yes) 6 No 0

Absent 0

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

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

*[Handwritten signature]*  
2-15-1

PROPOSED AMENDMENTS TO SENATE BILL NO. 2309

Amendments to SB 2309

TRANS

2/15/01

Page 1, line 11, after "standards" insert "for contract carriers" and replace "a minimum combined single limit" with "uninsured and underinsured motorist"

Page 1, line 12, replace "four" with "not less than one" and replace "bodily injury liability, property" with "the benefit of the passengers being transported"

Page 1, line 13, remove "damage liability, and uninsured and underinsured motorist coverage"

Renumber accordingly







**REPORT OF STANDING COMMITTEE**

**SB 2309: Transportation Committee (Sen. Stenehjem, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2309 was placed on the Sixth order on the calendar.

Page 1, line 11, after "standards" insert "for contract carriers" and replace "a minimum combined single limit" with "uninsured and underinsured motorist"

Page 1, line 12, replace "four" with "not less than one" and replace "bodily injury liability, property" with "the benefit of the passengers being transported"

Page 1, line 13, remove "damage liability, and uninsured and underinsured motorist coverage"

Renumber accordingly

2001 HOUSE TRANSPORTATION

SB 2309

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2309

House Transportation Committee

Conference Committee

Hearing Date March 8, 2001

Tape Number	Side A	Side B	Meter #
1	X		1,903
Committee Clerk Signature <i>Lawrence J. Fink</i>			

Minutes: Rep. Weisz - Chairman opened the hearing on SB 2309 as engrossed: A BILL for an Act to amend and reenact section 8-02-08 of the North Dakota Century Code, relating to safety standards for passenger contract carriers; and to provide a penalty.

Sen. Stenehjem: I am state senator from District 30 here in Bismarck. A copy of Sen. Stenehjem's written testimony is attached.

Rep. Mahoney: ( 2110 ) On page 2 lists violations of this bill as infractions.

Sen. Stenehjem: That is correct.

Rep. Mahoney: That is in there where there was nothing before.

Sen. Stenehjem: Yes

Rep. Mahoney: ( 2138 ) Do you think this is strong enough? For enforcement ?

Sen. Stenehjem: I think the companies basically now -- what we found and what we did in the Senate when the bill originally came in -- it had \$4 million worth of coverage. We were concerned that maybe that was too much -- so we had someone from the insurance companies do

some research -- can we even get \$4 million worth of coverage? -- currently the as the amended Senate bill came over to you -- that is what the current van contractors to their knowledge carry \$1 million of insurance -- in overall coverage -- we figured if that is what they have with the major contractors in the state -- I think they have 100 and some vans that you use for this purpose -- we felt that that was reasonable -- we certainly thought that \$50,000 was not nearly enough.

Rep. Mahoney: What I was wondering was the infraction penalty is only up to \$500 -- is that a little weak for enforcement?

Sen. Stenejem: If you feel that is too weak -- I have no problem with strengthening the penalty.

John Rieh: I represent the United Transportation Union railroad workers across the state of North Dakota. Mr. Rieh made available copies of his written testimony. A copy is attached.

Mike Muscha: I represent the Brotherhood of Locomotive Engineers in North Dakota. A copy of Mr. Muscha's comments are attached.

Pat Ward: I represent the North Dakota Insurance Companies and we support SB 2309.

Rep. Weisz - Chairman if there are no other persons wishing to appear either for or against 2309 we will close the hearing to receipt of any further testimony. ( 2956 )

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2309 B

House Transportation Committee

Conference Committee

Hearing Date March 9, 2001

Tape Number	Side A	Side B	Meter #
2	x		204
Committee Clerk Signature <i>Laura B. Zink</i>			

Minutes: Rep. Weisz - Chairman opened the discussion for action on SB 2309.

Following discussion, Rep. Kelsch move a 'Do Pass' for SB 2309.

Rep. Hawken i move a second to that motion.

On a roll call vote, motion carried: 13 yeas 0 nays 1 absent.

Rep. Hawken was designated to carry SB 2309 on the floor.

