

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2292

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanne Waller  
Operator's Signature

10/21/03  
Date

2003 SENATE POLITICAL SUBDIVISIONS

SB 2292

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanne Waller  
Operator's Signature

10/21/03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2292

Senate Political Subdivisions Committee

☐ Conference Committee

Hearing Date February 7, 2003

Tape Number	Side A	Side B	Meter #
1	X		1966 - 4040
Committee Clerk Signature <i>Shirley Long</i>			

Minutes:

VICE CHAIRMAN SYVERSON opened the hearing on 2292 relating to landlord's mobile home liens.

SENATOR COOK, Mandan ND introduced this bill on behalf of a constituent. Senator Cook explained that we have situations in the state where people own a mobile home and pay rent to a lot to park that mobile home and then all of the sudden take off leaving the mobile home sitting there. A few years ago we enacted legislation that allowed the owner of the mobile home park to remove that mobile home and put it in storage and establish a lien on that mobile home to recover his costs of moving it to storage. What this bill does is allow for accrued rent while it is on the lot.

Testimony in Favor of SB 2292

Kent French, Mobile Park Owner testified in favor of SB 2292. We have situations from time to time where people abandon their mobile homes. What mobile park owners would like to be able

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Deanna Waller*  
Operator's Signature

12/21/03  
Date

Page 2

Senate Political Subdivisions Committee

Bill/Resolution Number SB 2292

Hearing Date February 7, 2003

to do is charge for the back lot rent which is what we feel is very fair. There is a process when the home is sold that the money goes to the state and the mobile park owner has no mechanism to recoup the back lot rent they have coming.

Rob Forward, Attorney for ND Manufacture Housing Association. The window of time begins when the people have abandoned the home or the landlord has received a eviction judgment.

That lien continues until it is paid off. This bill would help them collect back rent.

No testimony in opposition fo SB 2292.

VICE CHAIR SYVERSON closed the hearing on SB 2292.

SENATOR SYVERSON moved a DO PASS on SB 2292

SENATOR CHRISTENSON seconded the motion

Roll call vote: 6 Yes 0 No 0 Absent

Carrier: SENATOR GARY LEE

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Deanna Waller*  
Operator's Signature

12/21/03  
Date

Date: 2-7-03  
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2292

Senate Political Subdivisions Committee

☐ Check here for Conference Committee

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

Action Taken Do Pass

Motion Made By Senator Syverson Seconded By Senator Christensen

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman	X				
Senator John O. Syverson, V C	X				
Senator Gary A. Lee	X				
Senator Judy Lee	X				
Senator Linda Christenson	X				
Senator Michael Polovitz	X				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Gary Lee

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

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Wallis  
Operator's Signature

10/21/03  
Date

REPORT OF STANDING COMMITTEE (410)  
February 7, 2003 1:13 p.m.

Module No: SR-24-1989  
Carrier: G. Lee  
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2292: Political Subdivisions Committee (Sen. Cook, Chairman) recommends DO  
PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2292 was placed on the  
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-24-1989

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Wall  
Operator's Signature

10/21/03  
Date

2003 HOUSE TRANSPORTATION

SB 2292

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanne Waller  
Operator's Signature

10/21/03  
Date

# 2003 HOUSE STANDING COMMITTEE MINUTES

## BILL/RESOLUTION NO. SB 2292

House Transportation Committee

☐ Conference Committee

Hearing Date February 27, 2003

Tape Number	Side A	Side B	Meter #
1	x		44.3 to 53.0
Committee Clerk Signature <i>Laura B. French</i>			

Minutes:

Rep. Hawken, Vice Chairman opened the hearing on SB 2292, a bill for an Act to amend and reenact section 35-20-17 of the North Dakota Century Code, relating to landlord's mobile home liens.

Kent French I represent the North Dakota Manufactured Homes Association, the organization which requested Sen. Cook to sponsor this legislation. It is kind of a house keeping bill because it allows the landlords and the home owners of rental communities to collect rents which are due them. The way the law is now we may move the home off and store the home but we are not able to collect back rents. There are quite a number of homes especially in Fargo and Grand Forks abandoned and are now owned by the finance companies that have gone out of business. There is value in the houses but they can't get a hold of the finance companies, the home are taking up space. the owners and landlord's are not able to collect rent off of them. We are asking that this bill be passed so that we are able to just get our due rent. We can get it in round about ways but

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Deanna Wall*  
Operator's Signature

10/21/03  
Date

Page 2  
House Transportation Committee  
Bill/Resolution Number SB 2292  
Hearing Date February 27, 2003

this just clears it up puts it into this senate bill so that we can use this instead of back 'dooring' our collections.

Rep. Thorpe: ( 47.4 ) You mentioned there is another way you can do it now. May be you could explain how that is done -- how you do it now 'the back way'.

Kent French: May I should defer that to legal counsel -- he can explain it better than I -- it takes an attorney to do it?

Rep. Delmore: Why it worse ( more of problem ) in some cities than others?

Kent French: We the problem in Bismarck -- I have it in two of my communities -- there seems to be more there and maybe it is just the economy. They report to me that they are having serious problem in Grand Forks.

Rob Forward: ( sp? ) Lawyer representing the North Dakota Manufactured Housing Association -- responding to Rep. Thorpe's question -- a scenario best illustrates the situation -- one of their tenants abandons their mobile home -- he disappears, not to be found -- The landlord has the option of going after an eviction action and establishing an eviction judgment which orders the home to be removed and also includes judgment for the rent -- it is pointless because if they have abandoned the home you really don't need an order to leave. The other remedy they have is to sue that tenant in small claims court or -- in regular district and get a judgment -- you still have problems collecting from that tenant -- you could theoretical take the small claims judgment to get a district court judgment to levy on that home -- sell the home -- get your judgment paid that way. That is the round about way. The amendment to this bill would include accrued rent in the landlord's and instead of going through an eviction action where there an abandonment -- you have your lien in place for storage, removal costs -- the landlord would

Page 3  
House Transportation Committee  
Bill/Resolution Number SB 2292  
Hearing Date February 27, 2003

retain possession of that home and it could not be moved until that lien is paid even though his lien is not in priority. That is quite a benefit in dealing with some of the finance companies that are being dissolved and going through bankruptcy now.

There being no other persons wishing to testify for or against SB 2292, Vice Chairman Hawken closed the hearing.

Hearing record ended ( 53.0)

Rep. Weisz, Chairman opened the discussion for action on SB 2292. Rep. Galvin moved a 'Do Pass' motion for SB 2292. Rep. Ruby seconded the motion. On a roll call vote the motion carried 10 Ayes 0 Nays 3 Absent and not voting.

Rep. Galvin was designated to carry SB 2292 on the floor.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Waller  
Operator's Signature

12/21/03  
Date

Date: 2/27/03  
Roll Call Vote # 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2292

House TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 30637.0100

Action Taken Do Pass

Motion Made By Rep. Galvin Seconded By Rep. Ruby

Representatives	Yes	No	Representatives	Yes	No
Robin Weisz - Chairman	✓		Lois Delmore	✓	
Kathy Hawken - Vice Chairman	✓		Arlo E. Schmidt	✓	
LeRoy G. Bernstein	✓		Elwood Thorpe	✓	
Mark A. Dosch	✓		Steven L. Zaiser	A	
Pat Galvin	✓				
Craig Headland	✓				
Clara Sue Price	A				
Dan J. Ruby	✓				
Dave Weiler	A				

Total Yes 10 No 0

Absent 3

Floor Assignment Rep. Galvin

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

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanne Waller 10/21/03  
Operator's Signature Date

**REPORT OF STANDING COMMITTEE (410)**  
February 27, 2003 2:45 p.m.

Module No: HR-35-3624  
Carrier: Galvin  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
SB 2292: Transportation Committee (Rep. Welsz, Chairman) recommends **DO PASS**  
(10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2292 was placed on the  
Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-35-3624

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna D. Hall  
Operator's Signature

10/21/03  
Date