

1999 SENATE TRANSPORTATION

SB 2233

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2233

Senate Transportation Committee

Conference Committee

Hearing Date January 29, 1999

Tape Number	Side A	Side B	Meter #
1	x		4,770-End
Tape 2-February 4, 1999	x		2714-2915
Committee Clerk Signature <i>Row A. Schaubauer</i>			

Minutes:

SENATOR SCHOBINGER opened the hearing on SB 2233. Committee members present included: Sens. R. Schobinger, D. Mutch, D. Cook, D. O'Connell, V. Thompson, and D. Bercier.

Senator Bob Stenehjem was absent.

SENATOR COOK testified in support of SB 2233. There is an increase of tobacco use among our youth. This bill reflects an idea to help retailers deter tobacco use among our youth.

RON NESS, ND RETAILERS ASSOCIATION testified in support of SB 2233 (see testimony).

SB 2125 on the Senate floor is a companion piece to this bill.

SENATOR SCHOBINGER Is part of the problem that the clerks aren't looking at the date of birth on the driver's license?

RON NESS The clerks are required to card every minor under the age of 27 and sometimes they make mistakes in calculating the age of the person. This way they will know immediately.

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Senate Transportation Committee

Bill/Resolution Number Sb 2233

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SENATOR O'CONNELL How would you handle the licensing between four years?

RON NESS The clerks are required to card everyone under the age of 27. They will still have to card those who turn 19.

SENATOR COOK If you reach 19 and want to change the background before your expiration date is up you can pay a \$3.00 fee to get it changed.

SENATOR BERCIER There is no fiscal note. Will there be a cost?

RON NESS The cost will be \$11,000 for the Department of Transportation for the programming change.

SENATOR THOMPSON This would be a different color for those under the age of 21.

BONNIE LARSON STAIGER, TOBACCO FREE NORTH DAKOTA We support SB 2233.

SENATOR SCHOBINGER Any further testimony? We will close the hearing on SB 2233.

February 4, 1999-Committee Discussion-Tape #2-Did not record.

Senator Cook motioned for a Do Pass on SB 2233.

Senator Schobinger seconded that motion.

A roll call vote was taken (6 Yeas, 0 Nays and 1 Absent and Not Voting).

Senator Cook will carry SB 2233.

Date: February 4, 1999

Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2233

Senate Transportation Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken No Pass

Motion Made By Sen. Cook Seconded By Sen. Schobinger

Senators	Yes	No	Senators	Yes	No
Sen. B. Stenhjem-Chairman	✓				
Sen. R. Schobinger-V. Chair	✓				
Sen. Duane Mutch	✓				
Sen. Dwight Cook	✓				
Sen. David O'Connell					
Sen. Vern Thompson	✓				
Sen. Dennis Bercier	✓				

Total (Yes) 6 No 0

Absent 1

Floor Assignment Senator Cook

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

REPORT OF STANDING COMMITTEE (410)
February 5, 1999 11:39 a.m.

Module No: SR-24-2047
Carrier: Cook
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2233: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2233 was placed on the Eleventh order on the calendar.

1999 HOUSE TRANSPORTATION

SB 2233

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2233

House Transportation Committee

Conference Committee

Hearing Date March 4, 1999

Tape Number	Side A	Side B	Meter #
1	x		41.0-57.0
Committee Clerk Signature <i>Jurathen</i>			

Minutes:

CHAIRMAN KEISER OPENED THE HEARING ON SB 2233; A BILL RELATING TO THE PHOTOGRAPH BACKGROUND FOR OPERATOR'S LICENSES AND IDENTIFICATION CARDS.

REPRESENTATIVE RAE ANN KELSCH, District 34 introduced SB 2233. She noted three main points that the bill deals with; it provides a simple tool for the enforcement of existing laws, it aids clerks in identifying minors attempting to purchase products, and we hope it will be a deterrent for minors attempting to purchase tobacco products. She noted it is best to take the bull by the horns and crack down in the stores.

REP. MEYER asked why someone can't have a photo identification card as a non driver.

REP. KELSCH said that you can purchase one.

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House Transportation Committee

Bill/Resolution Number sb 2233

Hearing Date March 4, 1999

MARSHA LEMBKE, Drivers Licensing Department, testified to answer questions. She said that most people have Class D drivers licenses. The other endorsements come into play with Class A, B, and C licenses. The photo identification card is also available to anyone.

REP. MEYER asked why they might have been denied.

LEMBKE said that a court ordered document is still required.

CHAIRMAN KEISER noted being in favor of a bill like this years ago when the DOT opposed it.

LYNN HEINERT, DOT, pointed out clarification that at the time this bill was last introduced, the system was not in place of electronic back dropping and the fiscal note was more. One backdrop is now available and the color is added.

RON NESS, North Dakota Petroleum Marketers Association, testified in support of SB 2233.

(See written testimony).

CHAIRMAN KEISER CLOSED THE HEARING ON SB 2233.

COMMITTEE ACTION

REP. LEMIEUX moved a DO PASS on SB 2233. REP. PRICE seconded the motion. The motion carried.

ROLL CALL - 10 YEA, 1 NAE, 0 ABSENT AND NOT VOTING.

FLOOR ASSIGNMENT - REP. JENSEN

Date: 3/4
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2233

House Transportation Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By Rep Lemieux Seconded By Rep Price

Representatives	Yes	No	Representatives	Yes	No
Representative Keiser, Chair	✓		Representative Thorpe		✓
Representative Mickelson, V. Ch.	✓				
Representative Belter					
Representative Jensen	✓				
Representative Kelsch	✓				
Representative Kempenich	✓				
Representative Price	✓				
Representative Sveen	✓				
Representative Weisz	✓				
Representative Grumbo	✓				
Representative Lemieux	✓				
Representative Mahoney					
Representative Meyer					
Representative Schmidt					

Total (Yes) 10 No 1

Absent 4

Floor Assignment Rep Jensen

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

REPORT OF STANDING COMMITTEE (410)
March 4, 1999 11:13 a.m.

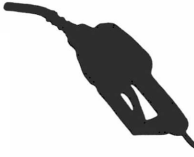
Module No: HR-39-4012
Carrier: Jensen
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2233: Transportation Committee (Rep. Keiser, Chairman) recommends DO PASS
(10 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING). SB 2233 was placed on the
Fourteenth order on the calendar.

1999 TESTIMONY

SB 2233



NORTH DAKOTA PETROLEUM MARKETERS ASSOCIATION

1025 N. 3rd St. • P.O. Box 1956 • Bismarck, ND 58502
Telephone 701-223-3370 • WATS 1-800-472-0512 • FAX 701-223-5004

REPRESENTING:

**Bulk Oil Jobbers
Convenience Stores
Service Stations
Truck Stops**

SB2233

SENATE FINANCE AND TAXATION

Mr. Chairman and members of the committee my name is Ron Ness, I am the President of the North Dakota Petroleum Marketers Association and the North Dakota Retail Association. I appear before you today in support of SB2233.

SB2233 will require the color of a minor's drivers license to be a different color in order to discourage minors from attempting to purchase tobacco products and it will provide sales clerks one more tool for the identification of minors.

The association in the past year has taken an aggressive role in working toward preventing access of tobacco products to minors. We have participated in a task force to address teen smoking and teen access. The association is working on creating our own training programs and a system of compliance checks against our members.

Retailers are not interested in selling tobacco to minors. The small profit made on a pack of cigarettes does not warrant the penalties and problems of violating the law. Owners and operators of retail locations require extensive training of all their clerks to eliminate sales to minors. They have also purchased different types of software to aid employees in the identification process. Clerks who sell to minors are disciplined or fired, those whom refuse sales are rewarded. We want to continue to improve our efforts in this area.

This bill is another effort on behalf of retailers to prevent access to tobacco by minors. If passed we believe this bill will:

- **Act as a deterrent to minors attempting to purchase tobacco products.**
- **Provide one more tool for clerks to identify minors attempting to purchase products.**
- **Provide a simple and low cost tool to assist in enforcement of existing laws.**

I urge a do-pass recommendation on SB2233. I would be happy to answer any questions.

