

1999 HOUSE JUDICIARY

HB 1234

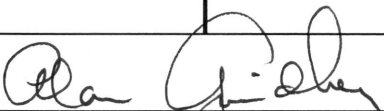
1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1234

House Judiciary Committee

Conference Committee

Hearing Date January 20, 1999

Tape Number	Side A	Side B	Meter #
1		X	46.5
Committee Clerk Signature 			

Minutes:

REP. KLEMIN: Explained that this bill is requested by the judicial conference. This law will clarify that a party may petition the court to select jurors for their trial from throughout the district and not just in the county where the trial is being held.

JAMES GANJE: Presented written testimony, a copy of which is attached.

COMMITTEE ACTION: January 20, 1999

REP. MARAGOS moved that the committee recommend that the bill DO PASS. Rep. Delmore seconded and the motion passed on a roll call vote of 11 ayes, 0 nays and 4 absent. Rep.

Delmore was assigned to carry the bill on the floor.

Date: 1/20
 Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1234

House JUDICIARY Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Muragos Seconded By Delmore

Representatives	Yes	No	Representatives	Yes	No
REP. DEKREY	✓		REP. SVEEN	✓	
REP. CLEARY	✓				
REP. DELMORE	✓				
REP. DISRUD	✓				
REP. FAIRFIELD	.				
REP. GORDER					
REP. GUNTER					
REP. HAWKEN	✓				
REP. KELSH					
REP. KLEMIN	✓				
REP. KOPPELMAN	✓				
REP. MAHONEY	✓				
REP. MARAGOS	✓				
REP. MEYER	✓				

Total (Yes) ~~12~~ 11 No 0

Absent 8 4

Floor Assignment Delmore

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

REPORT OF STANDING COMMITTEE (410)
January 21, 1999 8:40 a.m.

Module No: HR-13-0929
Carrier: Delmore
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1234: Judiciary Committee (Rep. DeKrey, Chairman) recommends DO PASS
(11 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1234 was placed on the
Eleventh order on the calendar.

1999 SENATE JUDICIARY

HB 1234

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1234

Senate Judiciary Committee

Conference Committee

Hearing Date March 3, 1999

Tape Number	Side A	Side B	Meter #
1		x	3280 - 3650
Committee Clerk Signature <i>Jackie Follmer</i>			

Minutes:

HB1234 relates to selection of jurors from a judicial district.

SENATOR STENEHJEM opened the hearing on HB1234 at 10:50 A.M.

All were present except Senator C. Nelson.

REPRESENTATIVE KLEMIN, District 47, testified in support of HB1234. I am here on behalf of the Judicial Conference.

JIM GANJE, Supreme Court, testified in support of HB1234. Testimony attached.

SENATOR STENEHJEM CLOSED the hearing on HB1234.

SENATOR WATNE made a motion for DO PASS, SENATOR LYSON seconded. Motion carried. 5 - 0 - 1

SENATOR STENEHJEM asked if this could be put on the Consent Calendar. No objection.

SENATOR LYSON will carry the bill.

Date: 3-3-99
Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 234

Senate Judiciary Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass on Consent Calendar

Motion Made By Senator Watne Seconded By Senator Lyson

Senators	Yes	No	Senators	Yes	No
Senator Wayne Stenehjem	X				
Senator Darlene Watne	X				
Senator Stanley Lyson	X				
Senator John Traynor	X				
Senator Dennis Bercier	X				
Senator Caroloyne Nelson					

Total (Yes) 5 No 0

Absent 1

Floor Assignment Senator Lyson

REPORT OF STANDING COMMITTEE (410)
March 3, 1999 12:58 p.m.

Module No: SR-38-3921
Carrier: Lyson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1234: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1234 was placed on the Tenth order on the calendar.

1999 TESTIMONY

HB 1234

SUMMARY - HOUSE BILL NO. 1234

House Bill No. 1234 resulted from a legislative proposal submitted to the North Dakota Judicial Conference by the Conference's Jury Standards Committee. The Jury Standards Committee is chaired by District Judge Robert Holte of Stanley and consists of judges, clerks of court, and trial lawyers. The Committee studies and oversees the operation of North Dakota's jury system. The Judicial Conference is comprised of all judges in the state, the attorney general, the clerk of the supreme court, and representatives of the state bar association and municipal judges' association. The Conference voted unanimously to support the legislative proposal that has been introduced as House Bill No. 1234.

The bill amends NDCC Section 27-09.1-05.1, which currently provides authority for a court, on its own motion, to direct selection of additional jurors from other counties in a judicial district if the county of venue has a population of 10,000 or less and if there are insufficient jurors in the county to ensure a fair and impartial jury. The bill's very short amendment would allow the selection of additional jurors to be made not only by the court on its own motion, but also in response to a motion by one of the parties. The amendment is intended to clarify the operation of the statute and to make explicit the ability of a party to request that additional, prospective jurors be selected.