

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

3036

2001 HOUSE JUDICIARY

HCR 3036

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3036

House Judiciary Committee

Conference Committee

Hearing Date 02-12-01

Tape Number	Side A	Side B	Meter #
TAPE 1	X		01 to 301
Committee Clerk Signature <i>John DeKrey</i>			

Minutes: Chairman DeKrey opened the hearing on HCR 3036. A resolution designating the state crime laboratory building as the "Aaron Rush Crime Lab."

Rep Blair Thoreson: District 44, Fargo, (see attached testimony). Also attached testimony of Bret Mayo.

Chairman DeKrey: Are there any questions for Rep Thoreson? Any further testimony either for or against? Seeing none we will close the hearing on :HCR 3036.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3036a

House Judiciary Committee

Conference Committee

Hearing Date 02-12-01

Tape Number	Side A	Side B	Meter #
TAPE 1		x	5211 to 5650
Committee Clerk Signature <i>John Deery</i>			

Minutes: Chairman DeKrey called the committee to order on HCR 3036. What are the wishes of the committee.

COMMITTEE ACTION

Rep Mahoney moved a DO PASS on HCR 3036, seconded by Rep Eekre.

DISCUSSION

The clerk will call the roll on HCR 3036 on a DO PASS motion. The motion passes by 13 YES, 0 NO 2 ABSENT vote. This will be placed on the consent calendar. Carrier Pre Eekre.

Date: 02-12-01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HCR 3036

House JUDICIARY Committee

Subcommittee on \_\_\_\_\_

or

Conference Committee

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

Action Taken Do Pass

Motion Made By Rep Mahoney Seconded By Rep Eckre

Representatives	Yes	No	Representatives	Yes	No
CHR - Duane DeKrey	✓				
VICE CHR -- Wm E Kretschmar	✓				
Rep Curtis E Brekke	✓				
Rep Lois Delmore	✓				
Rep Rachael Disrud					
Rep Bruce Eckre	✓				
Rep April Fairfield	✓				
Rep Bette Grande	✓				
Rep G. Jane Gunter	✓				
Rep Joyce Kingsbury	✓				
Rep Lawrence R. Klemin	✓				
Rep John Mahoney	✓				
Rep Andrew G Maragos					
Rep Kenton Onstad	✓				
Rep Dwight Wrangham	✓				

Total (Yes) 13 No 0

Absent 2

Floor Assignment Rep Eckre

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

**REPORT OF STANDING COMMITTEE (410)**  
February 12, 2001 12:02 p.m.

**Module No: HR-25-3035**  
**Carrier: Eckre**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HCR 3036: Judiciary Committee (Rep. DeKrey, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3036 was placed on the Eleventh order on the calendar.**

2001 SENATE JUDICIARY

HCR 3036

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 3036

Senate Judiciary Committee

Conference Committee

Hearing Date March 20th, 2001

Tape Number	Side A	Side B	Meter #
1	x		0-7,8
Committee Clerk Signature			

Minutes: **Senator Traynor**, opened the hearing on HCR 3036.

**Rep. Blair Thoreson**, district 44, (testimony attached).

**Senator Traynor**, is the building owned by the state?

**Senator Watne**, I believe it is.

**Senator Traynor**, closed the hearing on HCR 3036.

**SENATOR NELSON MOTIONED TO DO PASS, SECONDED BY SENATOR TRENBEATH. VOTE INDICATED 6 YEAS, 0 NAYS AND 0 ABSENT AND NOT VOTING. SENATOR TRENBEATH VOLUNTEERED TO CARRY THE BILL.**



Date: 3/20/01  
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 3036

Senate Judiciary Committee

Subcommittee on \_\_\_\_\_

or

Conference Committee

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

Action Taken Do Pass

Motion Made By Nelson Seconded By Trenbeath

Senators	Yes	No	Senators	Yes	No
Traynor, J. Chairman	X		Bercier, D.		
Watne, D. Vice Chairman	X		Nelson, C.	X	
Dever, D.	X				
Lyson, S.	X				
Trenbeath, T.	X				

Total (Yes) 6 No 0

Absent 1

Floor Assignment Trenbeath

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

**REPORT OF STANDING COMMITTEE (410)**  
March 22, 2001 9:02 a.m.

**Module No: SR-50-6359**  
**Carrier: Trenbeath**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HCR 3036: Judiciary Committee (Sen. Traynor, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3036 was placed on the Tenth order on the calendar.**

2001 TESTIMONY

HCR 3036

**Testimony on HCR 3036**  
House Judiciary Committee  
Rep. Duane DeKrey, Chairman  
Monday, February 12, 2001

Mr. Chairman and members of the Judiciary Committee:

I am Rep. Blair Thoreson, from District 44 in Fargo. I appear before you this morning to lend my support to House Concurrent Resolution 3036. This resolution asks the state of North Dakota to honor a man who faithfully served the people of the state for almost 40 years. That man is Aaron Rash.

Mr. Rash began his service in 1961, when he started his work as chief chemist at the state crime laboratory. He remained in that position for an incredible 37 years, overseeing the lab through a plethora of changes. In 1998, he took on a new role...that of state toxicologist. Again, Mr. Rash gave his all to helping law enforcement in its efforts to protect the citizens of our state. He retired in August 2000 (although he continues to assist at the lab in a voluntary role today.)

Mr. Chairman and members of the committee, I introduced this resolution at the request of a constituent who now lives in Fargo, but who worked with Mr. Rash for several years at the lab. This person's description of his hard work convinced me that naming the lab in Aaron Rash's honor would be a worthwhile effort.

While I have never had the honor of meeting Mr. Rash in person, I have heard of his remarkable career from many people, not just the constituent who I previously mentioned. In fact, I had the opportunity to visit the crime lab just last week. In visiting with the employees there, I heard over and over how much Aaron Rash meant to them, and how they felt the resolution before you would be a fitting honor to this public servant.

I urge you to support HCR 3036, to honor a true innovator in the area of law enforcement here in are great state. I would be happy to answer any questions at this time.

Thank you.

TO: Rep. Blair Thoreson  
FROM: Bret Mayo  
1214 3<sup>rd</sup> Street North  
Fargo, ND 58102  
701-232-2286

Ref: HCR 3036

Mr. Aaron Rash is one of the quietest, most unassuming men you may ever meet. Yet beneath that quiet exterior lies an encyclopedic and exeruciatingly detailed memory of nearly every major crime to be committed in this state for the last forty (yes that's 40!) years.

Aaron was also one of the most dedicated and capable state employees you may ever meet. While much of this dedication has gone unnoticed, this state as well as surrounding states have benefited immeasurably.

How can these claims be made? Anyone who knows Aaron would consider these claims to be understatements. I knew Aaron for only a few short years and heard story after story of his exploits from those with whom he worked. These included sheriffs, patrolmen, state troopers, BIA agents, attorneys, judges, doctors, nurses, college professors, high school science teachers, game wardens, and all manner of other people. I will do my best to relate some of the stories in the following paragraphs.

Aaron began working in the State Chemistry Lab in about 1960. He rapidly gained a reputation for being very capable and clever and at some point, someone in law enforcement brought a sample of something to him to see what he could do with it. I don't know the details of that first sample, but one sample led to another and another. From this humble beginning and from Aaron's tireless efforts, the North Dakota State Crime Laboratory grew.

Over the years, Aaron has been involved in a lot of different activities. He would qualify as an expert in almost any aspect of forensic investigation. If you were to contact forensic scientists at any lab anywhere in the world and ask them to send someone who was an expert in drug analysis, firearms, serial number restoration, tool mark analysis, hair and fiber analysis, fingerprinting, crime scene investigation, blood spatter analysis, foot and tire print analysis, photographic techniques, and fracture analysis (to name only a few) you would get a busload of people. If you sent that busload back and asked for only one person, you would probably hear little more than stunned silence. You would be told that this mix of expertise does not exist in individuals, only in teams of experts. But Aaron Rash is an expert in all of these fields and regularly proved it.

Aaron made an impact that does not stop at the state's borders. He has done investigative work for all of the states that surround North Dakota and has played crucial roles in investigations as far away as Pennsylvania. Aaron was one of the first investigators in the United States to use cyanoacrylate (Super Glue) vapor to develop fingerprints. When he developed a technique for finding a shoeprint on a hard, flat surface, the FBI contacted him because they couldn't figure out how he did it.

Aaron is an excellent instructor. Although his depth and breadth of knowledge is astonishing, he is able to effortlessly explain complicated scientific principles. Over the years he trained

numerous scientists in the Crime Lab and many went on to be very successful at positions in other states. He also trained hundreds of law enforcement officers. Some of this training was done at the North Dakota Law Enforcement Academy where he was an instructor. Still more training was done informally at the Crime Lab or at crime scene investigations. He also helped to train many attorneys in some of the finer points of case preparation and presentation.

Aaron was more dedicated than anyone I have ever met. He worked hours that would kill a lesser mortal. His routine was to arrive at the normal starting time in the morning, take a short lunch hour (although he frequently worked through lunch), leave at about 6:00 PM for an hour or two, and return to work until anywhere from 10:00 PM to 2:00 AM. He worked almost every weekend and almost every holiday. He never took vacation time and donated literally hundreds of hours to state employees who needed extra vacation time for illnesses or other emergencies. His position on the matter was that he HAD to donate it because he was always at the maximum allowable vacation balance. I observed this in the last few years before his retirement, after he had "slowed down." I heard stories of earlier times when he literally didn't leave the lab for days if important work was not finished. I heard another story about a drug purchase that had been set up by undercover agents. They didn't have "buy money" to consummate the deal, so Aaron cashed the paycheck he had just received and handed it over.

Aaron has had a profound effect on many of the state's criminal laws, and not just through his testimony in court cases. More than a few savvy legislators turned to Aaron to review proposed legislation.

Aaron worked as tirelessly outside the lab as inside, although I don't know how he found the energy. He worked to secure donations to fund the purchase of wheelchairs for low-income disabled children. He worked with science teachers all over the state to create interesting and informative laboratory projects. I was present several times when he provided tours for groups of young people after working hours in an attempt to educate them on the damage that can be done by drugs. He was constantly being contacted by citizens who had something unusual and turned to him for answers; everything from suspected meteorites to strange-looking insects were presented to him for explanation.

I am certain that if you contact anyone in the state with more than a few years experience in criminal law or law enforcement, you will find a friend of Aaron's and more than a few stories of how Aaron has helped them at some time or other. Speaking personally, I feel fortunate and truly blessed to be able to call Aaron my friend. The state of North Dakota has been likewise blessed by his unfaltering dedication and devotion.

Respectfully Yours,

*Bret Mayo*

**Testimony on HCR 3036**  
Senate Judiciary Committee  
Fort Lincoln Room  
Sen. Jack Traynor, Chairman  
Tuesday, March 20, 2001

Mr. Chairman and members of the Senate Judiciary Committee:

I am Rep. Blair Thoreson, from District 44 in Fargo. I appear before you this morning to lend my support to House Concurrent Resolution 3036. This resolution asks the state of North Dakota to honor a man who faithfully served the people of our state for almost 40 years. That man is Aaron Rash.

Mr. Rash began his service in 1961, when he started his work as chief chemist at the state crime laboratory. He remained in that position for 37 years, overseeing the lab through an astonishing era of change. Then, in 1998 he took on a new role...that of state toxicologist. Once again, Mr. Rash gave his all to helping law enforcement in its efforts to protect the citizens of our state. He officially retired in August 2000. However, he continues to assist at the lab in a voluntary role today.

Mr. Chairman and members of the committee, this resolution was introduced at the request of a constituent who now lives in my district in Fargo, but who worked with Mr. Rash for several years at the lab here in Bismarck. My constituent's description of the hard work Aaron Rash did for our state convinced me that naming the lab in his honor would be a worthwhile effort. I have distributed to each of you a letter from my constituent, which highlights additional details about Mr. Rash's accomplishments.

While I have not had the honor of meeting Mr. Rash in person, I have discussed his remarkable career with several people, not just the constituent who I previously mentioned. In fact, I had the opportunity to tour the crime lab recently. While visiting with the employees there, I heard over and over how much Aaron Rash meant to them, and how they felt that the resolution before you would be a fitting honor to this fine public servant.

I urge you to support HCR 3036, to honor a true innovator in the area of law enforcement here in our great state.

Thank you for the opportunity to testify on behalf of HCR 3036 this morning. I would be happy to answer any questions the committee may have at this time.

To: Senate Judiciary Committee  
Sen. Jack Traynor, Chairman

From: Bret Mayo  
1214 3<sup>rd</sup> Street North  
Fargo, ND 58102  
(701) 232-2286

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