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2003 HOUSE JUDICIARY

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HB 1371

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1371

House Judiciary Committee

Conference Committee

Hearing Date 2-12-03

Tape Number	Side A	Side B	Meter #	
1		XX	16.4-24	
2		XX	31.6-36	
Committee Clerk Signatur	re APPIMIO	se		

Minutes: 13 members present.

Chairman DeKrey: We will open the hearing on HB 1371.

<u>Rep. Dan Ruby:</u> Introduced the bill, support.

<u>Chairman DeKrey:</u> Thank you. Testimony in support of HB 1371.

<u>Reed Soderstrom, attorney and bail bondsman:</u> Support. Explained that several costs that are not currently being reimbursed, and would like them to be.

Chairman DeKrey: If the percent remained at 10%, but bump up the fee to \$75, would this help.

Mr. Soderstrom: That would be okay.

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Chairman DeKrey: You would need to let the defendant know upfront what the additional costs might be.

Mr. Soderstrom: I wouldn't have a problem with that. We issue receipts now to defendants

listing out the costs. ' ni tin 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. bllight 3 <u>24 m</u> Date Operator's Signature ٠ . . . ÷

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Page 2 House Judiciary Committee Bill/Resolution Number HB 1371 Hearing Date 2-12-03

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Rep. Eckre: Do you bill for advice, or when someone calls you on the phone, such as attorneys do.

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Mr. Soderstrom: I don't charge for telephone calls, unless they are long distance. Sometimes calls have to be made to check out collateral, etc.

<u>Rep. Wrangham:</u> You're talking about these charges you make now, why do we need this new language if you are already making those charges.

Mr. Soderstrom: It is not clarified, it is possibly a violation of the law, the fact that we are charging administrative fees, because the law specifically says 10% or \$50 whichever is greater.

This will clarify what most bail bondsmen are already doing.

Rep. Klemin: If it was made clear in here that the premium, commission or fee related to bond itself, maybe then we wouldn't need any language about this expense thing. If we added fee for a bond, would that make it more clear that what we're really talking about is the limitation on the fee for the bond itself.

Mr. Soderstrom: That would help clarify, I agree.

<u>Rep. Klemin:</u> Maybe we wouldn't need that other language that just relates to expenses, which I think is probably just a matter of contract between you and whoever you are bonding.

Mr. Soderstrom: Yes.

<u>Chairman DeKrey:</u> Thank you. Any further testimony in support? Opposition? We will close the hearing.

(Reopened later in the afternoon session)

Chairman DeKrey: What are the committee's wishes in regard to 1371.

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Rep. Maragos: I move the amendment to add the words "for a bond" after the word fee in line

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7, to leave in 10%, \$75, and delete the last sentence.

Rep. Delmore: Seconded.

Voice vote: Carried.

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Rep. Delmore: I move a Do Pass as amended.

Rep. Maragos: Seconded.

11 YES 0 NO 2 ABSENT DO PASS AS AMENDED CARRIER: Rep. Onstad

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Adopted by the Judiciary Committee February 12, 2003

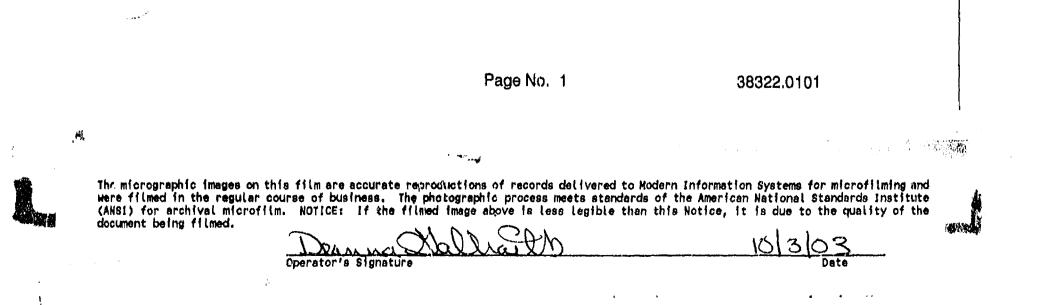
AMENDMENTS TO HOUSE BILL NO. 1371 JUD 2-13-03 . HOUSE

Page 1, line 7, after "fee" insert "for a bond", remove the overstrike over "ten", and remove "twelve"

Page 1, line 8, remove "A"

Page 1, remove lines 9 through 11

Renumber accordingly



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House Judiciary				Comm	nit
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Legislative Coulon Amendment		$\overline{)}$	<u> </u>		
Action Taken	120	Fass	as amended		
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Legislative Council Amendment	emore	Se	conded By <u>/lep.</u>	larag	1
Representatives	Yes	No	Representatives	Yes	ľ
Chairman DeKrey			Rep. Delmore		-
Vice Chairman Maragos			Rep. Eckre	AB	
Rep. Bernstein			Rep. Onstad		_
Rep. Boehning					
Rep. Galvin		<u> </u>			
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If the vote is on an amendment, briefly indicate intent:

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REPORT OF STANDING COMMITTEE (410) February 13, 2003 11:06 a.m.

Module No: HR-28-2562 Carrier: Onstad Insert LC: 38322.0101 Title: .0200 No.

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REPORT OF STANDING COMMITTEE

HB 1371: Judiclary Committee (Rep. DeKrey, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1371 was placed on the Sixth order on the calendar.

Page 1, line 7, after "fee" insert "for a bond", remove the overstrike over "ten", and remove "tweive"

Page 1, line 8, remove "A"

Page 1, remove lines 9 through 11

Renumber accordingly

Page No. 1 (2) DESK, (3) COMM HR-28-2562 12 ĩ 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. 10 3 Σh Operator's Signatur

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2003 SENATE JUDICIARY

HB 1371

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2003 SENATE STANDING COMMITTEE MINUTES

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BILL/RESOLUTION NO. HB 1371

Senate Judiciary Committee

Conference Committee

Hearing Date 03/25/03

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Minutes: Senator John T. Traynor, Chairman, called the meeting to order. Roll call was taken and all committee members present. Sen. Traynor requested meeting starts with testimony on the bill:

Testimony in Support of HB 1371

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Rep. Dan Ruby - Dist #38 Introduced Bill (meter 26.5)

<u>Sen. Dever</u> questioned how this was amended. The other fees were changed and the bill was shortened.

Mr. Reed Soderstrom - Attorney, running the Bail Bond Agency and only Bail Bond Instructor in

ND The language of "administrative fees" was changed. We already having the freedom to

charge these as long as we can itemize and document these fees, the ND Insurance

Commissioners Office said we are in compliance. This is in fact a separate contract. I do not

have a problem with these changes. Discussed what different locations in ND charge.

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Page 2 Senate Judiciary Committee Bill/Resolution Number HB 1371 Hearing Date 03/25/03

Sen. Dever discussed how the process works different fees are charged in different

locations-sometimes this is do to competition in the area-a flat out \$25 administrative fee or each

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process is charged. Discussion of example; on a \$20,000 bail bond- we are paid 10%. We get

\$2, 000-the underwriter will get 25% of this leaving us with 75% of the 10%.

Testimony in Opposition of HB 1371

None

Motion Made to DO PASS HB 1371 by Senator Thomas L. Trenbeath and seconded by

Sen. Dever

Roll Call Vote: 5 Yes. 0 No. 1 Absent

Motion Passed

Roll Call Vote: 5 Yes. 0 No. 1 Absent

Motion Passed

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Floor Assignment: Sen. Dever

Senator John T. Traynor, Chairman closed the hearing.

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Date:	3/25

Committee

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Roll Call Vote #:

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. <u>77</u>

Senate	JUDICIAL
Che	eck here for Conference Committee

Legislative Council Amendment Number

Action Taken

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Motion Made By

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Pass Engrossed Seconded By

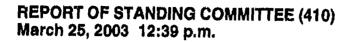
Senators	Yes	No	Senators	Yes	No	
Sen. John T. Traynor - Chairman			Sen. Dennis Bercier	A	A	
Sen. Stanley. Lyson - Vice Chair	V		Sen. Carolyn Nelson			
Sen. Dick Dever (2)		-				
Sen. Thomas L. Trenbeath	V					
	<u>میں بینے میں پر اس</u>					
Fotal (Yes)		No)			
Absent						
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If the vote is on an amendment, briefly indicate intent:

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Module No: SR-53-5671 **Carrier: Dever** Insert LC: . Title: .

REPORT OF STANDING COMMITTEE HB 1371, as engrossed: Judiciary Committee (Sen. Traynor, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1371 was placed on the Fourteenth order on the calendar.

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SR-53-5671

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