

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

1088

2005 HOUSE JUDICIARY

HB 1088

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1088

House Judiciary Committee

Conference Committee

Hearing Date 1/10/05

Tape Number	Side A	Side B	Meter #
1	xx		46.1-48

Committee Clerk Signature



Minutes: 14 members present.

Chairman DeKrey: We will open the hearing on HB 1088.

Hope Olson, Director of the Crime Lab Division, Office of AG: (see written testimony).

Chairman DeKrey: Any further testimony in support of HB 1088, testimony in opposition to HB 1088. We will close the hearing.

(Reopened in the same session on side B).

Chairman DeKrey: I will entertain a motion on HB 1088.

Representative Galvin: I move a Do Pass.

Representative Delmore: Seconded.

Chairman DeKrey: Any discussion. The clerk will take a roll call vote on a Do Pass motion.

14 yes 0 no 0 absent

DO PASS

Carrier: Rep. Zaiser

FISCAL NOTE
 Requested by Legislative Council
 12/22/2004

Bill/Resolution No.: HB 1088

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill changes statutory references from the State Toxicologist to the Director of the Crime Lab. There is no fiscal impact anticipated in enacting this legislation.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

N/A

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

N/A

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

N/A

Name: Kathy Roll
 Phone Number: 328-3622

Agency: Office of Attorney General
 Date Prepared: 01/07/2005

Date: 1/10
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1088

HOUSE JUDICIARY COMMITTEE

Check here for Conference Committee

Legislative Council Amendment Number

Action Taken *Do Pass*

Motion Made By *Rep. Galvin* Seconded By *Rep. Delmore*

Representatives	Yes	No	Representatives	Yes	No
Chairman DeKrey	/		Representative Delmore	/	
Representative Maragos	/		Representative Meyer	/	
Representative Bernstein	/		Representative Onstad	/	
Representative Boehning	/		Representative Zaiser	/	
Representative Charging	/				
Representative Galvin	/				
Representative Kingsbury	/				
Representative Klemm	/				
Representative Koppelman	/				
Representative Kretschmar	/				

Total (Yes) *14* No *0*

Absent *0*

Floor Assignment *Rep. Zaiser*

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

REPORT OF STANDING COMMITTEE (410)
January 10, 2005 11:22 a.m.

Module No: HR-05-0209
Carrier: Zaiser
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1088: Judiciary Committee (Rep. DeKrey, Chairman) recommends DO PASS
(14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1088 was placed on the
Eleventh order on the calendar.

2005 SENATE JUDICIARY

HB 1088

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1088

Senate Judiciary Committee

Conference Committee

Hearing Date February 16, 2005

Tape Number	Side A	Side B	Meter #
1		X	190 - 1280

Committee Clerk Signature *Maire L Solberg*

Minutes: Relating to state toxicologist and the state crime laboratory.

Senator John (Jack) T. Traynor, Chairman called the Judiciary committee to order. All

Senators were present. The hearing opened with the following testimony:

Testimony In Support of the Bill:

Hope Olson - Director ND Crime Lab, Attorney Generals office. (meter 196) Introduced the bill as a "house keeping" bill do to the location change of the facility the need to transfer the authority to the director of the crime lab. This is a title change and makes for a more efficient process. Currently we have a Director and a State Toxocolgist.

Sen. Nelson asked for an overview of the office and its personnel (meter 414) **Sen. Trenbeath** asked what the qualification of the Director and the designees were? Discussion of the responsibility of some of the employees and what a "deputy's" qualification is. While this does not directly reflect the bill it was informative to the committee.

Testimony in Opposition of the Bill:

Page 2

Senate Judiciary Committee

Bill/Resolution Number HB ~~1087~~ 1088

Hearing Date February 16, 2005

none

Senator John (Jack) T. Traynor, Chairman closed the Hearing

Senator Triplett made the motion to do pass and **Sen. Nelson** seconded the motion. All members were in favor and motion passes.

Carrier: **Sen. Nelson**

Senator John (Jack) T. Traynor, Chairman closed the Hearing

Date: *2/16/05*
Roll Call Vote #: *1*

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB *1088*

Senate **Judiciary**

Committee

Check here for Conference Committee

Legislative Council Amendment Number

Action Taken *Do Pass*

Motion Made By Senator *Triplet* Seconded By Senator *Nelson*

Senators	Yes	No	Senators	Yes	No
Sen. Traynor	<i>A</i>		Sen. Nelson	<i>✓</i>	
Senator Syverson	<i>✓</i>		Senator Triplet	<i>✓</i>	
Senator Hacker	<i>✓</i>				
Sen. Trenbeath	<i>✓</i>				

Total (Yes) *5* No *0*

Absent *1*

Floor Assignment *Sen. Nelson*

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

REPORT OF STANDING COMMITTEE (410)
February 16, 2005 2:38 p.m.

Module No: SR-31-3174
Carrier: Nelson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1088: Judiciary Committee (Sen. Traynor, Chairman) recommends DO PASS
(5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1088 was placed on the
Fourteenth order on the calendar.

2005 TESTIMONY

HB 1088

Testimony on HB1088
Presented by: Hope Olson
Office of Attorney General
January 10, 2005

HB 1088 is a housekeeping bill which replaces the State Toxicologist's title with the Director of the Crime Laboratory. The title change in HB 1088 transfers authority from the State Toxicologist to the Director of the Crime Laboratory. The sections changed in the Century Code pertain to where the State Toxicologist's title is specifically listed. The bill will enable the crime laboratory to operate more efficiently by allowing the Director of the Crime Laboratory to delegate the State Toxicologist's responsibilities to the crime laboratory personnel if she is absent from work.