

2017 HOUSE AGRICULTURE

HB 1291

2017 HOUSE STANDING COMMITTEE MINUTES

Agriculture Committee
Peace Garden Room, State Capitol

HB 1291
1/26/2017
Job # 27449

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to authority to use a uniform summons and complaint by brand inspectors who are licensed peace officers; and to provide a penalty

Minutes:

Attachment #1a & b

Chairman Dennis Johnson, Sponsor: Introduced the bill for the Stockmen's Association. This is dealing with the brand inspectors. There were questions on authority. We are further defining what they are able to do. We have an amendment to address concerns on page 2, lines 1 & 2.

Julie Ellingson, North Dakota Stockmen's Association: (Attachment #1a)
The amendment makes it uniform. (Attachment #1b)

(5:35)

Representative Satrom: What have you been doing up to this point?

Julie Ellingson: The three licensed peace officers are already afforded full police powers. Because it wasn't included in the brand inspection chapters, it was ambiguous.

Vice Chair Trottier: Did the brand inspectors get called into cases in Morton County?

Julie Ellingson: Yes. They did respond to several cases. They train alongside the highway patrol, game wardens and attend the law enforcement academy. This gives them unique responsibilities and authority. It is just the three licensed not all brand inspectors.

We have brand inspectors located at all the auction markets and scales across the state. We also contract with local producers to act as inspectors.

Kathleen Murray, States Attorney: I support the amendment.

The defendant is given prompt notice of charges. They are not required to go to jail and post cash bail. Using the form helps to get that prompt information out. There already is a charge in place. They are given the court date and time. It also gives better evidence to show that

the field inspector provided the defendant with the specific criminal statute that was violated. There are less delays in resolving the allegations to help victims.

There was question to Julie about how often and what was the process. The process I followed is that the field inspectors go out and investigate and do reports. Since there are very few they have to deal with multiple prosecutors across the state and make appointments. This would be how the highway patrol and sheriff handle it. It protects the defendants as well as the victims.

If we don't have the specific duties in law, some courts will interpret it as very limited. The three licensed brand inspectors are relied on to help law enforcement out in the rural communities. We want them to have more knowledge. This is a way for them to deal with the matter at the scene.

Chairman Dennis Johnson: What is the chain of command?

Julie Ellingson: We have the Chief Brand Inspector along with the other two field inspectors who are the licensed peace officers. The Chief Brand Inspector oversees the brand inspection program. We also have fulltime inspectors that are stationed at the market and service the livestock scales. It is only the three that this law would apply to.

We have 20 brand inspectors stationed at the auction markets. There are also local brand inspectors from 150 to 180 of them. Most of those are livestock producers that are trained and can inspect for neighbors but not family members. They are not on the Stockmen's Association payroll but receive a portion of the inspection fee along with mileage.

Chairman Dennis Johnson: If one of the farmer-type inspectors has a problem, they go to one of the inspectors that is overseeing that region?

Julie Ellingson: Yes. Part of the responsibilities of the field men is to provide service and support to the local inspectors as well as the auction market inspectors.

Opposition: None

Neutral:

Fred Frederikson, East River Field Man: What would help us is where we get called with cattle running at large. I get the statements and pictures. I have to find a day where the States Attorney's schedule meets with my schedule. The States Attorney makes a long-form complaint. I have to go in front of a judge and sign it and then the Sheriff's department has to serve the violator. If I could sign a citation that day, often times the problem is taken care of. We don't always want to go into court. We want to protect the producers.

Representative Skroch: Moved the amendment 17.0732.01001

Representative Satrom: Seconded the motion.

A Roll Call vote was taken: Yes 14, No 0, Absent 0.

Motion to amend carries.

Representative Skroch: Moved Do Pass as amended.

Representative Satrom: Seconded the motion.

A Roll Call vote was taken: Yes 14, No 0, Absent 0.

Do Pass as amended carries.

Representative Satrom will carry the bill.

17.0732.01001
Title.02000

1/26/17 DJ
Prepared by the Legislative Council staff for
Representative D. Johnson
January 25, 2017

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1291

Page 2, line 1, remove "be of a form prescribed by the"

Page 2, line 2, replace "commissioner and approved by the attorney general" with "comply with the North Dakota Rules of Criminal Procedure"

Renumber accordingly

Date: 1/26/2017

Roll Call Vote #: 1

**2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB1291**

House **Agriculture** Committee

☐ Subcommittee

Amendment LC# or Description: 17.0732.01001

Recommendation

☒ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar
Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Skroch Seconded By Rep. Satrom

Representatives	Yes	No	Representatives	Yes	No
Chairman Dennis Johnson	X		Rep. Joshua Boschée	X	
Vice Chairman Wayne Trottier	X		Rep. Kathy Hogan	X	
Rep. Jake Blum	X				
Rep. Craig Headland	X				
Rep. Michael Howe	X				
Rep. Dwight Kiefert	X				
Rep. Jeffery Magrum	X				
Rep. Aaron McWilliams	X				
Rep. Bill Oliver	X				
Rep. Bernie Satrom	X				
Rep. Cynthia Schreiber Beck	X				
Rep. Kathy Skroch	X				

Total **Yes** 14 **No** 0

Absent 0

Floor Assignment _____

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

Change to Rules of Criminal Procedure

Date: 1/26/2017

Roll Call Vote #: 2

**2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1291**

House **Agriculture** Committee

☐ Subcommittee

Amendment LC# or Description: 17.0732.01001

Recommendation

☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☒ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Skroch Seconded By Rep. Satrom

Representatives	Yes	No	Representatives	Yes	No
Chairman Dennis Johnson	X		Rep. Joshua Boschec	X	
Vice Chairman Wayne Trottier	X		Rep. Kathy Hogan	X	
Rep. Jake Blum	X				
Rep. Craig Headland	X				
Rep. Michael Howe	X				
Rep. Dwight Kiefert	X				
Rep. Jeffery Magrum	X				
Rep. Aaron McWilliams	X				
Rep. Bill Oliver	X				
Rep. Bernie Satrom	X				
Rep. Cynthia Schreiber Beck	X				
Rep. Kathy Skroch	X				

Total Yes 14 No 0

Absent 0

Floor Assignment Rep. Satrom

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

REPORT OF STANDING COMMITTEE

HB 1291: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1291 was placed on the Sixth order on the calendar.

Page 2, line 1, remove "be of a form prescribed by the"

Page 2, line 2, replace "commissioner and approved by the attorney general" with "comply with the North Dakota Rules of Criminal Procedure"

Renumber accordingly

2017 SENATE AGRICULTURE

HB 1291

2017 SENATE STANDING COMMITTEE MINUTES

Agriculture Committee
Roosevelt Park Room, State Capitol

HB 1291
3/2/2017
Job # 28607

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

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Explanation or reason for introduction of bill/resolution:

Relating to authority to use a uniform summons and complaint by brand inspectors who are licensed peace officers; and to provide a penalty

Minutes:

Attachments: #1 - 2

Chairman Luick: Opened the hearing on HB 1291.

(0:30 – 4:10) **Julie Ellingson, ND Stockmen's Association:** Testified in Support of HB 1291 (See Attachment #1).

Chairman Luick: How much authority do the peace officers have if it goes to a higher violation than a misdemeanor? Are they capable of handling any type of situation like that?

Julie Ellingson: They are already afforded full police powers and that is applicable to misdemeanor offenses and there is a different process for felonies. There was always a gray area whether or not this authority was already applied. Some state's attorneys thought we already had that authority because we have the full police powers in other parts of century code, others recommended we should have that clarity specifically in the brand inspection chapter. When we gathered the information for this bill and found a prime sponsor, legislative council said they weren't sure we needed this bill because you already have fully police powers. Again, the intent of this bill is to make it clear that that component of the authority is included in the chapter where all the other details related to the licensed peace officers are. We don't think this changes anything other than providing that clarity moving forward.

(6:15 – 12:14) **Kathleen Murray, former President, NDSAA:** Testified in Support of HB 1291 (See Attachment #2).

Senator Piepkorn: What would be an occasion where your officers would need to take some action? What are some of the other circumstances?

Kathleen Murray: Thefts, bill of sale issues, frauding secured creditor, etc. Things that could be misdemeanors or felonies, depending on the situation. I would say this is beneficial

primarily with the livestock running at large but also we can assist if we have concerns that the person is being cruel to livestock and they can treat them because they are at the scene and they can help and assist if a veterinarian comes out.

Senator Klein: Do we need an emergency clause on this bill?

Kathleen Murray: I would not object to an emergency clause.

(15:00 – 17:40) **Steve Bay, West River Fieldman, Stockman's Association:** Testified in Support of HB 1291. Mr. Bay said that the bill would help; especially as animals go out to pasture in the spring. Mr. Bay said that if the peace keepers have the ability to write the citations at the location, the process would be expedited.

(17:50 - 22:00) **Committee Discussion:** Senator Myrdal and Senator Klein asked Mr. Bay specific questions about specific circumstances related to livestock. Senator Larsen asked about situations involving exotic animals.

Julie Ellingson: I do not have that answer but I do know that the board of animal health licenses nontraditional livestock.

Senator Piepkorn: Who pays your fieldman's salaries and expenses?

Julie Ellingson: The stockman's association is their employer. We have a unique structure where we have a private side and that division is dues based and we also have statutory responsibilities. The fees collected on brand inspections are deposited with the state treasurer's office on a monthly basis and are remitted to the Stockman's association to run those programs. The largest expense our program has is in personnel.

Senator Piepkorn: Most of the language in the bill talks about branding and branding inspections. How much of your actual work is related to branding?

Julie Ellingson: The brand inspection chapter relates to the authority of our association to be administer of this programs as well as to the specific responsibilities spelled for our three licensed police officers. Their job is to enforce the livestock related laws, many of which have to do with brands. The uniform summons and citation piece we are talking about in this bill would be applicable over their whole authority, so all things related to enforcing the livestock laws.

Senator Klein: Do they go to the livestock yards on sale day?

Julie Ellingson: ND state law requires inspections to be conducted on cattle horses and mules any time they move through a marketing channel. So the auction markets and scales as well as before they move across the state line so those are the two instances. The inspectors stationed at the livestock market would have stockman's association employees who are brand inspectors. We also have a team of local inspectors who are in the field who are trained and able to provide those inspections privately and provide the ownership papers necessary to move across state lines and document ownership changes within the state. The other component of our team are the licensed peace officers. The supervisor is over the

whole program and can also do the law enforcement components of the job and supervise the West and East River peace officers.

Senator Larsen: Has this bill been amended in the house?

Julie Ellingson: There was one uncontested amendment added that corrected a mistake and the bill passed the House with only two dissenting votes.

Senator Klein: Is an emergency clause necessary?

Julie Ellingson: We absolutely think this bill is an important tool. It didn't have an emergency clause when it passed the other side but it is a tool we hope not to utilize often but an important one to bring forth justice.

Senator Klein: Moved to amend the bill to add an emergency clause.

Senator Larsen: Seconded the motion

Committee Discussion: The committee discussed how an emergency clause would affect the timetable of the bill.

A Roll Call Vote Was Taken: 5 yeas, 0 nays, 1 absent.

Motion carried.

Senator Myrdal: Moved Do Pass As Amendment.

Senator Piepkorn: Seconded the motion.

A Roll Call Vote Was Taken: 5 yeas, 0 nays, 1 absent.

Senator Myrdal will carry the bill.

March 2, 2017

C7
3-2-17
p. 1 of 1

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1291

Page 1, line 4, remove "and"

Page 1, line 5, after "penalty" insert "; and to declare an emergency"

Page 2, after line 13, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency
measure."

Renumber accordingly

Date: 3/2
Roll Call Vote #: 1

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1291

Senate Agriculture Committee

☐ Subcommittee

Amendment LC# or Description: 17.0732.02001

Recommendation: ☒ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar
Other Actions: ☐ Reconsider ☐ _____

Motion Made By Sen. Klein Seconded By Sen. Larsen

Senators	Yes	No	Senators	Yes	No
Senator Luick	✓		Senator Piepkorn	✓	
Senator Myrdal	✓				
Senator Klein	✓				
Senator Larsen	✓				
Senator Osland					

Total Yes 5 No 0

Absent 1

Floor Assignment _____

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

Date: 3/2
Roll Call Vote #: 2

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1291

Senate Agriculture Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☒ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar
Other Actions: ☐ Reconsider ☐ _____

Motion Made By Sen. Myrdal Seconded By Sen. Piepkorn

Senators	Yes	No	Senators	Yes	No
Senator Luick	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Senator Piepkorn	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Senator Myrdal	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Senator Klein	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Senator Larsen	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Senator Osland					

Total Yes 5 No 0

Absent 1

Floor Assignment Sen. Myrdal

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

REPORT OF STANDING COMMITTEE

HB 1291, as engrossed: Agriculture Committee (Sen. Luick, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1291 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "and"

Page 1, line 5, after "penalty" insert "; and to declare an emergency"

Page 2, after line 13, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

2017 TESTIMONY

HB 1291

1a
Julie Ellingson

Testimony on HB 1291
Jan. 26, 2017

Good morning, Chairman Johnson and House Agriculture Committee members. For the record, my name is Julie Ellingson and I represent the North Dakota Stockmen's Association. The NDSA is an 87-year-old beef industry trade organization representing more than 3,000 cattle-ranching members. Additionally, the organization has statutory responsibilities as the administrator of the state's brand inspection and brand recording programs.

HB 1291 aims to clarify the North Dakota Stockmen's Association's licensed peace officers' authority in issuing a uniform complaint and summons to enforce the livestock laws of the state.

North Dakota Century Code 4.1-72-04 grants the NDSA's licensed peace officers "full authority of their license to enforce the brand laws and any other state laws pertaining to livestock." In 2009, the North Dakota Legislature expanded the uniform complaint's application beyond traffic violations, despite the limited language included in the name of the statute. The uniform complaint and summons allows licensed peace officers to make their own complaints against offenders in cases involving misdemeanor offenses instead of having to gather the information about the violation, submit the information to a state's attorney and then ask a state's attorney to file a complaint.

The uniform complaint and summons allows peace officers to immediately deal with matters at the scene of the investigation, instead of having to wait to make an appointment with the appropriate county state's attorney. The pertinent information about the situation is documented on the uniform complaint and summons and helps expedite the resolution process. Defendants are given prompt notice of the alleged charges and the date and time of their hearing, whereas victims benefit from having the charges brought to the court more promptly.

This bill aims to clarify the NDSA's authority in using the uniform complaint and summons by inserting the language directly into the chapter addressing brand inspection responsibilities. This was a suggestion to us by state's attorneys across North Dakota who see this as a way to shorten the timeframe in getting these cases to the top of the pile and resolved more quickly.

What does a uniform complaint and summons look like? If you have gotten a speeding ticket before, you know. It is a simple form that spells out the violation that is being cited. A blank copy is attached to my testimony, for your information.

As was indicated, there is one amendment we suggest to the bill on Page 2, Lines 1 and 2. Those lines should be revised to read, "The uniform complaint and summons must comply with the North Dakota Rules of Criminal Procedure," which is consistent with the statutory language regarding the uniform traffic citation.

This bill will help bring forth justice for livestock industry folks more quickly, and we urge your do-pass recommendation on it.

/

State of North Dakota

County of _____) SS In _____ Court,

City of _____) Before Honorable _____

County No.
City No.

No 5581554

The undersigned, sworn, and says:

Date of Violation / /	Time (24 Hr.)	Day of Wk.	Issuance Date / /	Time (24 Hr.)	1.	2.	3.						
State	Class	OLN, if none, SSN		DOB (M/D/Y) / /	Age	Race	Sex	HL	WT	Hair	Eyes	Build	Other / /
Last Name				First Name		Middle		<input type="checkbox"/> Operator <input type="checkbox"/> Pedestrian		<input type="checkbox"/> Passenger <input type="checkbox"/> Other			
Street Address				City		State		Zip		Phone		<input type="checkbox"/> B <input type="checkbox"/> H	
Veh. <input type="checkbox"/>	N/A	Lic. Plate No.	St.	Yr. Reg.	Color(s) Veh.	Yr.	Make	Model	ICC / PSC / DOT No.	CMV Bus <input type="checkbox"/> Y <input type="checkbox"/> N	CMV <input type="checkbox"/> Y <input type="checkbox"/> N	Hazmat <input type="checkbox"/> Y <input type="checkbox"/> N	

Did unlawfully operate a motor vehicle upon a public highway and did then and there commit the following offense:				BOND/ STATUTORY FEE				US Funds Only					
Charge / Offense / NDCC				Speed		Zone		Dir of Travel <input type="checkbox"/> N <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> W				Car/AC/Radar/Laser <input type="checkbox"/> Sta. <input type="checkbox"/> Mov.	
Hwy./Street				Description of Area				Alcohol / Drug Test				<input type="checkbox"/> Refuse <input type="checkbox"/> Blood <input type="checkbox"/> Breath	
								Result %					

All in violation of ND Century Code and against the peace and dignity of the state of North Dakota						NDCC / Ord.		CFR Code(s)	
<input type="checkbox"/> Highway Type <input type="checkbox"/> Area		<input type="checkbox"/> Slippery Surface <input type="checkbox"/> Visibility		<input type="checkbox"/> Other Traffic <input type="checkbox"/> Type Crash		Ck. If yes <input type="checkbox"/> D.U.I. <input type="checkbox"/> Counsel Waived <input type="checkbox"/> Rep. by Counsel		Sentence Guilty of <input type="checkbox"/> DDC BAC:	
Offense contributed materially to crash? <input type="checkbox"/> Yes <input type="checkbox"/> No				Crash No.		NDCC / Ord.		Conviction Date	
Issuing Officer(s)				Officer(s) No(s)		Judge Signature		<input type="checkbox"/> See Rev.	

The state of North Dakota to the above named defendant:						I consent and promise to appear at the time and place specified in the above summons. The receipt of a copy of which is acknowledged, and I expressly waive earlier hearing.			
Court Date:		You are summoned to appear at the time and place designated below to answer to the charge made against you. If you fail to appear or post bond, a warrant will be issued for your arrest.				PROMISE TO APPEAR		X	
Day of Week		Date (M/D/Y)		Time		Address		City	
LET A WARRANT ISSUE HEREIN		Sworn to and subscribed before me:		Date Issued		Complainant / Officer		Prosecutor	
				Judge		Served by		Date	

SFN 5775 (Rev. 05-2009) This form replaces previous form dated 06-2005

COURT COPY

2

Plea Date / /	<input type="checkbox"/> GUILTY <input type="checkbox"/> NOT GUILTY		Trial Date / /	FOUND <input type="checkbox"/> GUILTY <input type="checkbox"/> NOT GUILTY	
Fined \$	Bond Forfeit \$	Jail Days	Continued To / / / / / / / / / /		
			Fined \$	Bond Forfeit \$	Jail Days

[illegible]

As provided by law, I hereby certify that the information on this summons is a true abstract of the record of this court in this case

(Signature of Judge)

17.0732.01001
Title.

Prepared by the Legislative Council staff for
Representative D. Johnson
January 25, 2017

16
January 26,
2017

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1291

Page 2, line 1, remove "be of a form prescribed by the"

Page 2, line 2, replace "commissioner and approved by the attorney general" with "comply with the North Dakota Rules of Criminal Procedure"

Renumber accordingly

North Dakota Stockmen's Association Testimony on HB 1291

March 2, 2017

Good morning, Chairman Luick and Senate Agriculture Committee members. For the record, my name is Julie Ellingson and I represent the North Dakota Stockmen's Association. The NDSA is an 87-year-old beef industry trade organization representing more than 3,000 cattle-ranching members. Additionally, the organization has statutory responsibilities as the administrator of the state's brand inspection and brand recording programs.

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North Dakota Century Code 4.1-72-04 grants the NDSA's licensed peace officers "full authority of their license to enforce the brand laws and any other state laws pertaining to livestock." In 2009, the North Dakota Legislature expanded the uniform complaint's application beyond traffic violations, despite the limited language included in the name of the statute. The uniform complaint and summons allows licensed peace officers to make their own complaints against offenders in cases involving misdemeanor offenses instead of having to gather the information about the violation, submit the information to a state's attorney and then ask him or her to file a complaint.

The uniform complaint and summons allows peace officers to immediately deal with matters at the scene of the investigation, instead of having to wait to make an appointment with the appropriate county state's attorney. The pertinent information about the situation is documented on the uniform complaint and summons and helps expedite the resolution process. Defendants are given prompt notice of the alleged charges and the date and time of their hearing, whereas victims benefit from having the charges brought to the court more promptly.

This bill aims to clarify the NDSA's authority in using the uniform complaint and summons by inserting the language directly into the chapter addressing brand inspection responsibilities. This was a suggestion to us by state's attorneys across North Dakota who see this as a way to shorten the timeframe in getting these cases to the top of the pile and resolved more quickly.

What does a uniform complaint and summons look like? If you have gotten a speeding ticket before, you know. It is a simple form that spells out the violation that is being cited.

This bill will help bring forth justice for livestock industry folks more quickly, and we urge your do-pass recommendation on it.

HB 1291 – Uniform Complaint and Summons

Mr. Chairman and members of committee: I am Kathleen K. Murray, and I am here in my personal capacity. I am currently the Wells County State's Attorney, and a former President of the North Dakota State's Attorney's Association (NDSAA), and I am currently on the NDSAA Legislative Committee. I am here in my individual capacity to give a prosecutor's perspective of this bill, and to support the North Dakota Stockmen's Association.

1. Field Inspectors are licensed peace officers and sheriff's departments, and state's attorneys often rely upon their expertise.
2. The Defendant is given prompt Notice of the alleged charges.
3. The Defendant is not required to go to jail and post cash bail, but has date and time of hearing.
4. The State has better evidence as it is quickly shown that the Field Inspector believed in the probable cause and provided the Defendant with the specific criminal statute that was being violated.
5. There is less delays in resolving the allegations and thus, help victims in bringing their charges to court promptly, and often witnesses provide additional information immediately at the scene.
6. Prosecutors have the knowledge that the Field Inspector believed that criminal charges are warranted, and that this is not just an investigation that is more of a civil case, and contains the specific name and address of a suspect, as well as, the criminal statute being charged.
7. Uniform Complaints often result in quicker resolution of cases – for example the Game and Fish Uniform Complaint and Summons Forms, and the use of the Uniform Traffic Complaint forms by other licensed peace officers.
8. The Field Inspector has the ability to immediately deal with the matter at the scene of the investigation and does not have to wait to make an appointment with the appropriate County State's Attorney – similar to other uniform forms.
9. This bill is like asking for a search warrant – we want to make sure that this is in the statute so that there is no question regarding the field inspector's authority.
10. This bill is similar to the bill in 2009 that was supported by NDSAA and prosecutors to allow licensed peace officers to use the Uniform Summons and Complaint, and the NDSAA Legislative committee did not object to this bill and were generally in support of the bill.
11. A specific example would be Livestock Running At Large – A Field Inspector would have the opportunity to immediately issue the citation to a suspect.

I recommend a "DO PASS" and support of HB 1291 as amended and as passed by the House.

Thank you.

Kathleen K. Murray