

2019 HOUSE JUDICIARY COMMITTEE

HB 1266

2019 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee Prairie Room, State Capitol

HB 1266
1/16/2019
30896

- ☐ Subcommittee
☐ Conference Committee

Committee Clerk: DeLores D. Shimek

Explanation or reason for introduction of bill/resolution:

Relating to providing envelopes for traffic and parking violations on state charitable or penal institution property or state capitol grounds.

Minutes:

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Vice Chairman Karls: Opened the hearing on HB 1266.

Rep. K. Koppelman: Introduced the bill. This idea came from a public employee. She had calculated the cost in Cass County and what this amounted to and most people go on line and pay this bill. Our law now requires they include an envelope for a citation. This lady had calculated the cost for this and most people go on line or stop by the courthouse to pay these fines. This bill removes the requirement for an envelope be provided. The officer must include an explanation on how the fine can be paid. This is a simple government efficiency bill.

Rep. McWilliams: Do we know how many people actually use the system now?

Rep. K. Koppelman: I am not sure.

Rep. McWilliams: Do we have any numbers at all?

Rep. Koppelman: She has all of that.

Rep. Hanson: 37.6% are paid on line per year as of 2017. We would gain time and some efficiency. It might be wash because of the envelope size. Savings is unknown.

Representative Jones: Was there any discussion with this lady that maybe would get a percentage of that?

Rep. Koppelman: No but it was refreshing to see a person come forward to try and save us time and money.

Neutral:

Major Aaron Hummel: Chief of Staff ND Highway Patrol: (Attachment #1) (8:50-13:30)

Rep. Roers Jones: Can you give an estimate on the envelopes and volume do you have on hand that could be wasted?

Major Aaron Hummel: The printing costs were \$9700/biannual. I don't think our costs would go up much. We would probably want to keep the envelope for the time being.

Rep. Hanson: The hearing request would be the problem? The only way to request a hearing on the on line process is to send a hard copy of the citation along with the fee.

Major Aaron Hummel: The courts are very supportive going to online payments.

Rep. Jones: Is there much savings?

Major Aaron Hummel: We have gone down that path before because we have had to provide that sheet it wasn't the most popular way. We were stuffing envelopes and troopers are very seasoned on what they do. They prefer the envelope.

Rep. McWilliams: Does the envelope offer protection for the citation?

Major Aaron Hummel: Yes this situation is thermal paper is heat sensitive so over time it will disappear.

Rep. Magrum: The cost is the price of a printing machine. We have every cruiser with a printer in it.

Major Aaron Hummel: Yes every vehicle has a printer in it. Smaller print is harder to read especially on thermal paper.

Rep. Magrum: Could you just do a whole new piece of paper?

Major Aaron Hummel: Thermal paper is \$8,000, so we would have an additional cost on top of that.

Chairman K. Koppelman: Would the envelope have to have the same information on the heat sensitive paper? Why not just have cards printed up instead of an envelope. Why not just have cards printed up with the required information that the bill calls for.

Major Aaron Hummel: It is the additional century code that requires this form be printed on the envelope.

Opposition: None

Hearing closed.

2019 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Prairie Room, State Capitol

HB 1266
2/11/2019
32521

☐ Subcommittee
☐ Conference Committee

Committee Clerk: DeLores D. Shimek

Explanation or reason for introduction of bill/resolution:

Relating to providing envelopes for traffic and parking violations on state charitable or penal institution property or state capitol grounds.

Minutes:

Chairman K. Koppelman: Opened the meeting on HB 1266. This is the one that was requested by many legislatures by someone and I did introduce the bill with some co-sponsors. There was no negative testimony but there was neutral testimony from highway patrol and revolved around this thermal paper they use. I like the idea of a citizen that works for the state trying to save money.

Rep. Roers Jones: I like the idea of the citizen trying to save money. It doesn't appear that it will accomplish that goal. If they just had to put the website on the citation that would have been alright, but there was so much information on that envelope that I would move a do not pass.

Do Not Pass Motion Made by Rep. Roers Jones; Seconded by Rep. McWilliams

Discussion:

Chairman K. Koppelman: Sometimes government does not work that way to solve a problem but that does not seem to work.

Roll Call Vote: 11 Yes 3 No 0 Absent Carrier: Rep. Roers Jones

Closed.

**2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
HB 1266**

House Judiciary 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 Rep. Roers Jones Seconded By Rep. McWilliams

Representatives	Yes	No	Representatives	Yes	No
Chairman Koppelman		X	Rep. Buffalo	X	
Vice Chairman Karls	X		Rep. Karla Rose Hanson	X	
Rep. Becker	X				
Rep. Terry Jones	X				
Rep. Magrum		X			
Rep. McWilliams	X				
Rep. B. Paulson	X				
Rep. Paur	X				
Rep. Roers Jones	X				
Rep. Satrom		X			
Rep. Simons	X				
Rep. Vetter	X				

Total (Yes) 11 No 3

Absent 0

Floor Assignment Rep. Roers Jones

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

REPORT OF STANDING COMMITTEE

HB 1266: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1266 was placed on the Eleventh order on the calendar.

2019 TESTIMONY

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House Bill 1266
House Judiciary Committee
Representative Kim Koppelman, Chairman
January 16, 2019

Mr. chairman and members of the committee, my name is Major Aaron Hummel, chief of staff for the North Dakota Highway Patrol. I am here to provide neutral testimony on House Bill 1266.

The removal of language in subsection 2 and the addition of subsection 3 of NDCC 39-07-07 eliminates the requirement for law enforcement to provide an envelope for use in mailing bond and subsequently requires a complaint and summons to include accepted payment options for posting bond or fees. I believe these changes are meant to provide a more convenient avenue for law enforcement, but I am here to share some additional information which may need to be considered.

I believe the idea was originally brought to you through suggestions made by one of our administrative assistants, Tania Molden. I have provided a summary of her suggestions, with her blessing, as part of this printed testimony.

Currently, the Highway Patrol provides the public with an envelope when they are issued a citation. The bond envelopes are pre-printed to include information on how to pay the fines online through the ND Courts system. On the back side, they are also pre-printed with the notification form which is a requirement under NDCC 39-06.1-07 requiring an individual to be notified of a violation they have been charged with as well as the procedures available for handling the citation. The language provided by the director of the department of transportation must be approved by the attorney general. In addition to the pre-printed information, our administrative assistants also print the addresses for individual counties on the envelopes.

This bill does remove the requirement of providing the envelope to the individual being cited, but in the case of Highway Patrol, we would then end

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up printing the notification form either as an extension of the citation or as an additional sheet provided to the person. Currently, nearly 100% of the citations issued by the patrol are printed on rolled thermal paper. We have experimented in the past with printing the notification form on the thermal paper, but due to the small text printed on a limited space, it was not legible, leading us to adding it to the bond envelope.

We did a cost analysis last summer comparing the current cost of envelopes for the agency vs the cost of additional thermal paper. We currently spend approximately \$9700/biennium for pre-printed bond envelopes. We currently pay approximately \$8000/biennium for thermal paper rolls. Most of our thermal printing is used for citations, so the additional printing would likely be between \$4000 and \$8000 in additional costs so we would see limited savings. There would also be some additional programming costs to provide the additional language in addition to the citation.

In addition to the envelope and printing costs, time also needs to be considered. Although there would be a time savings from an administrative assistant point of view, our troopers would still need to provide an additional sheet of paper with the notification form with or be tasked with the additional time needed to print the notification form. I have provided a written summary provided by Tania Molden with this testimony. I'd be happy to answer any questions you may have.

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Tania Molden:

"I originally presented the idea of eliminating bond envelopes to the Employee Suggestion Incentive Committee for the potential cost savings in 2016. As we move deeper into a culture of electronic advances, it seems a natural step to move in the same direction with the state's bond payments. Taking this step to promote a more modern payment method has the potential to possibly eliminate, or at least greatly reduce, the amount of unnecessary paper waste. In addition to the potential cost saving opportunity, this would also create procedural efficiency, reducing the amount of time spent on a task that distracts from more pressing, higher priority work. Because our office is quite busy, with officers generating a substantial amount of work to get filtered through a single office staff, eliminating or reducing the amount of time spent going back and forth between regular office tasks and the copy machine (to print each Clerk of Court's information for each county on the envelopes), would create a much smoother work flow with less work stoppages, thus more efficacy.

This explains the process I use in the SE Region to print bond envelopes, if the work flow/stoppage needs to be explained further.

On the days the bond envelopes are printed, a box of 500 is printed. Printing this many at a time gives me more time between needing to print them, in an attempt to be more efficient with my time. They need to be fed through the manual side tray, which holds about 30-35 envelopes, which means there are quite a few trips between regular office tasks to change out the envelopes and put blank ones in the printer. For our larger counties, Stutsman, Cass, in the SE Region, a box gets printed about every three weeks."