

2023 HOUSE ENERGY AND NATURAL RESOURCES

HB 1203

2023 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Coteau AB Room, State Capitol

HB 1203
1/27/2023

Relating to powers of the peace officer standards and training board; and to reserve peace officer licenses

9:00 AM

Chairman Porter opened the hearing. Members present: Chairman Porter, Vice Chairman D. Anderson, Representatives Bosch, Conmy, Dockter, Hagert, Heinert, Ista, Kasper, Marschall, Novak, Olson, Roers Jones, and Ruby.

Discussion Topics:

- Licensing fees
- Proposed amendment
- Reserve peace officer

Lieutenant Daniel Haugen, Chairman, Peace Officers Standards and Training Board,
Testimony 14829

9:08 Chairman Porter closed the hearing.

Rep Dockter moved a Do Pass on HB 1203, seconded by Rep Roers Jones.

Representatives	Vote
Representative Todd Porter	Y
Representative Dick Anderson	Y
Representative Glenn Bosch	Y
Representative Liz Conmy	AB
Representative Jason Dockter	Y
Representative Jared Hagert	Y
Representative Pat D. Heinert	Y
Representative Zachary Ista	Y
Representative Jim Kasper	AB
Representative Andrew Marschall	Y
Representative Anna S. Novak	Y
Representative Jeremy Olson	Y
Representative Shannon Roers Jones	Y
Representative Matthew Ruby	Y

Yes 12 No 0 Absent 2 Motion carried. Rep Marschall will carry the bill.

9:09 AM Chairman Porter closed the meeting.

Kathleen Davis, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1203: Energy and Natural Resources Committee (Rep. Porter, Chairman)
recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB
1203 was placed on the Eleventh order on the calendar.

2023 SENATE WORKFORCE DEVELOPMENT

HB 1203

2023 SENATE STANDING COMMITTEE MINUTES

Workforce Development Committee Fort Lincoln Room, State Capitol

HB 1203
3/9/2023

Relating to powers of the peace officer standards and training board; and relating to reserve peace officer licenses.

9:00 AM **Chairman Wobbema** called the hearing to order. **Senators Wobbema, Axtman, Elkin, Larson, Piepkorn** are present. **Senator Sickler** was absent.

Discussion Topic:

- Licensing board and fees
- Continuing education
- Grant process

9:00 AM **Representative Todd Porter**, introduced HB 1203 and testified in favor verbally.

9:05 AM **Lieutenant Daniel Haugen, Chairman, Peace Officer Standards and Training Board**, testified in favor #23313

Senator Wobbema calls for discussion.

Senator D. Larson moved **DO PASS**.

Senator Axtman seconded the motion.

Roll call vote.

Senators	Vote
Senator Michael A. Wobbema	Y
Senator Michelle Axtman	Y
Senator Jay Elkin	Y
Senator Diane Larson	Y
Senator Merrill Piepkorn	Y
Senator Jonathan Sickler	AB

Motion passed 5-0-1.

Senator D. Larson will carry HB 1203

9:15 AM Chairman **Wobbema** closed the hearing.

Patricia Lahr, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1203: Workforce Development Committee (Sen. Wobbema, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1203 was placed on the Fourteenth order on the calendar. This bill affects workforce development.

TESTIMONY

HB 1203

ENERGY & NATURAL RESOURCES COMMITTEE

January 27, 2023

Written testimony of the North Dakota Peace Officer Standards and
Training Board

Lieutenant Daniel Haugen, Chairman

To: Chairman Porter and members of the Energy & Natural Resources
Committee.

My name is Lieutenant Daniel Haugen, I am the chairman of the Peace Officer Standards and Training Board. I am also the director of the North Dakota Law Enforcement Training Center and a lieutenant in the North Dakota Highway Patrol. I am here testifying in my capacity as the POST Board Chairman on House Bill 1203.

The North Dakota Peace Officer Standards and Training Board will be referred to as the POST board in my testimony. The board consist of 9 members, 8 of whom, are appointed by the attorney general. As the director of the North Dakota Law Enforcement Training Center, I am statutorily on the board which has two staff members employed by the attorney general's Bureau of Criminal Investigation.

The following proposed amendments are clarified as below:

12-63-01.4

"Reserve peace officer license" means a license issued to an individual authorized by law or appointed by a criminal justice agency of this state on a salaried or nonsalaried basis to enforce the law and to conduct or engage in investigations of violations of the law within the scope of the reserve peace officer's training.

This amendment's purpose is to clarify the authority of a reserve peace officer to ensure they are acting only within the scope of their training.

12-63-02.3-1

Except as otherwise provided in this section, all provisions of this chapter apply to licensed reserve peace officers ~~and a licensed reserve peace officer has the same authority as a licensed peace officer.~~

This amendment's purpose is to clarify the authority of a reserve peace officer as they shall only act within the scope of their training and not of a licensed peace officer.

12-63-04.2

Expend funds to sponsor training for instruction of licensees, including up to fifty thousand dollars annually from fees collected by the board.

This amendment's purpose is to grant spending authority to fund training.

The legislators have historically funded money for the purpose of peace officer training, which has been appropriated through the highway patrol budget. This would give formal authority for the POST board to disseminate the funds through their grant process, which they've done for many years.

The POST board operates by receiving funds through licensing fees. These fees are used for meeting expenses, licensing cards, and administrative hearings. Because we can't predict how many administrative hearings we will need to pay for, we keep a reserve of fees in savings. The POST board seeks spending authority to use some of those excess licensing fees to also sponsor peace officer training (up to \$50,000 annually). This would supplement the funds appropriated through the highway patrol, as that appropriation has been reduced over the past legislative sessions and the expense of training has increased.

I stand before you to answer any questions that you may have.

Lieutenant Daniel J. Haugen

Chairman

North Dakota Peace Officer Standards and Training Board

SENATE WORKFORCE DEVELOPMENT COMMITTEE

March 9, 2023

Written testimony of the North Dakota Peace Officer Standards and Training Board

Lieutenant Daniel Haugen, Chairman

To: Chairman Wobbema and members of the Senate Workforce Development Committee.

My name is Lieutenant Daniel Haugen, I am the chairman of the Peace Officer Standards and Training Board. I am also the director of the North Dakota Law Enforcement Training Center and a lieutenant in the North Dakota Highway Patrol. I am here testifying in my capacity as the POST Board Chairman on House Bill 1203.

The North Dakota Peace Officer Standards and Training Board will be referred to as the POST board in my testimony. The board consist of 9 members, 8 of whom, are appointed by the attorney general. As the director of the North Dakota Law Enforcement Training Center, I am statutorily on the board which has two staff members employed by the attorney general's Bureau of Criminal Investigation.

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This amendment's purpose is to clarify the authority of a reserve peace officer to ensure they are acting only within the scope of their training.

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Except as otherwise provided in this section, all provisions of this chapter apply to licensed reserve peace officers and ~~a licensed reserve peace officer has the same authority as a licensed peace officer.~~

This amendment's purpose is to clarify the authority of a reserve peace officer as they shall only act within the scope of their training and not of a fully trained licensed peace officer.

12-63-04.2

Expend funds to sponsor training for instruction of licensees, including up to fifty thousand dollars annually from fees collected by the board.

This amendment's purpose is to grant spending authority to fund training.

The legislators have historically funded money for the purpose of peace officer training, which has been appropriated through the highway patrol budget. This would give formal authority for the POST board to disseminate the funds through their grant process, which they've done for many years.

Secondly, the POST board operates by receiving funds through licensing fees. These fees are used for meeting expenses, licensing cards, and administrative hearings. Because we can't predict how many administrative hearings we will need to pay for, we keep a reserve of fees in savings. The POST board seeks spending authority to use some of those excess licensing fees to also sponsor peace officer training (up to \$50,000 annually). This would supplement the funds appropriated through the highway patrol, as that appropriation has been reduced over the past legislative sessions and the expense of training has increased.

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Lieutenant Daniel J. Haugen

Chairman

North Dakota Peace Officer Standards and Training Board