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Operator's Signature

Yolanda Rickford

Date

10/2/03

2003 HOUSE JUDICIARY

HB 1110

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Operator's Signature

Valista Rickford

Date

10/2/03

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1110

House Judiciary Committee

☐ Conference Committee

Hearing Date 1-20-03

Tape Number	Side A	Side B	Meter #
1		xx	12-20
Committee Clerk Signature <i>M. Penrose</i>			

Minutes: 12 members present, 1 member absent (Rep. Bernstein)

Chairman DeKrey: We will open the hearing on HB 1110.

Jonathan Byers, Asst. Attorney General: (see attached testimony) Support.

Rep. Delmore: On the chart, it has offenders not registered at 155, what is the reason for that number to be so high, and the second thing is those with wrong addresses.

Mr. Byers: Of the 155, 146 are in jail and only 9 are not registered that are not incarcerated.

There are 23 registered offenders, that are delinquent. Most of those have an arrest warrant out for their arrest.

Rep. Delmore: What about the wrong address being given out.

Mr. Byers: In the case you are talking about, that the media didn't make very clear, was that the offender had moved to that address (and it was a relative of his), so it wasn't like it was some innocent, unconnected party. He had lived there and moved and did not notify law enforcement.

Chairman DeKrey: Thank you. Anyone else in support of HB 1110.

Page 2
House Judiciary Committee
Bill/Resolution Number HB 1110
Hearing Date 1-20-03

Jessica McSparron, Sexual Assault Program & Policy Coordinatory for ND Council on

Abused Women's Services/Coalition against Sexual Assault in ND: (see testimony) Support.

Rep. Delmore: Do you need Emergency status to start earlier.

Ms. McSparron: No, no real need for that status. The plan is already in place.

Chairman DeKrey: Thank you, anyone else in support? Anyone in opposition?

Rep. Delmore: I move a Do Pass for HB 1110.

Rep. Maragos: Seconded.

12 YES 0 NO 1 ABSENT DO PASS CARRIER: Rep. Kingsbury

Yolanda Rickford
Operator's Signature

10/2/03
Date

Date: 1/20/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1110

House Judiciary Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken Do Pass

Motion Made By Rep. Delmore Seconded By Rep. Maragos

Representatives	Yes	No	Representatives	Yes	No
Chairman DeKrey	✓		Rep. Delmore	✓	
Vice Chairman Maragos	✓		Rep. Eckre	✓	
Rep. Bernstein	AB		Rep. Onstad	✓	
Rep. Boehning	✓				
Rep. Galvin	✓				
Rep. Grande	✓				
Rep. Kingsbury	✓				
Rep. Klemin	✓				
Rep. Kretschmar	✓				
Rep. Wrangham	✓				

Total (Yes) 12 No 0

Absent 1

Floor Assignment Rep. Kingsbury

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

REPORT OF STANDING COMMITTEE (410)
January 20, 2003 4:06 p.m.

Module No: HR-10-0793
Carrier: Kingsbury
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1110: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS**
(12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1110 was placed on the
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-10-0793

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Yolanda Rickford

Date

10/2/03

2003 SENATE JUDICIARY

HB 1110

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Operator's Signature

10/2/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1110

Senate Judiciary Committee

☐ Conference Committee

Hearing Date 03/04/03

Tape Number	Side A	Side B	Meter #
2	X		44.2 - 50.5
Committee Clerk Signature <i>Maria L. Solberg</i>			

Minutes: Senator John T. Traynor, Chairman, called the meeting to order. Roll call was taken and not all committee members present. Sen. Traynor requested meeting starts with testimony on the bill:

Testimony Support of HB 1110

Jonathan Byers, Assistant Attorney Generals Office (meter 44.5) Read Testimony - Attachment #1

Jessica McSparron, Sexual Assault Program Coordinator for the ND Council of Abused Women (meter 50.5) Read Testimony - Attachment #2.

Testimony in opposition of HB 1110

None

Testimony Neutral to HB 1110

None

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Hal Costa Rickford
Operator's Signature

10/2/03
Date

Page 2

Senate Judiciary Committee

Bill/Resolution Number HB 1110

Hearing Date 03/04/03

Motion Made to DO PASS HB 1110 by Sen. Trenbeath and seconded by Senator Carolyn Nelson

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

Motion Passed

Floor Assignment: Senator Thomas L. Trenbeath

Senator John T. Traynor, Chairman closed the hearing

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Yalosta Rickford
Operator's Signature

10/2/03
Date

Date: March 4, 2003
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1110

Senate JUDICIARY Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By Sen. Trenbeath Seconded By Sen. Nelson

Senators	Yes	No	Senators	Yes	No
Sen. John T. Traynor - Chairman	X		Sen. Dennis Bercier	A	A
Sen. Stanley Lyson - Vice Chair	X		Sen. Carolyn Nelson	X	
Sen. Dick Dever	X				
Sen. Thomas L. Trenbeath	X				

Total (Yes) FIVE (5) No ZERO (0)

Absent ONE (1)

Floor Assignment Senator Thomas L. Trenbeath

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

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10/2/03
Date

REPORT OF STANDING COMMITTEE (410)
March 4, 2003 12:10 p.m.

Module No: SR-38-3839
Carrier: Trenbeath
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1110: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS**
(5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1110 was placed on the
Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-38-3839

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10/2/03
Date

2003 TESTIMONY

HB 1110

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Operator's Signature

Valista Rickford

Date

10/2/03

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**HOUSE BILL 1110 TESTIMONY
HOUSE JUDICIARY COMMITTEE
JANUARY 20TH, 2003
PRAIRIE ROOM**

By Jonathan Byers, Assistant Attorney General

Chairman DeKrey, Members of the Committee:

My name is Jonathan Byers and I appear on behalf of the Attorney General. I wish to testify in favor of House Bill 1110.

The Campus Sex Crimes Prevention Act is the last in a series of amendments to the Jacob Wetterling Act. Each of the federal amendments (Megan's Law Amendment, Pam Lychner Act, CJSA Appropriations Act, and Campus Sex Crimes Prevention Act) placed additional requirements on state registration programs to enact specific provisions or face the loss of Edward Byrne Memorial Grant funding.

The Campus Sex Crimes Prevention Act requires us to maintain information about offenders enrolled or employed at institutions of higher education, and to share that information with campus police or local law enforcement agencies. We already require that information of non-residents. The amendments on page 2, lines 4-6, clarify that the requirements apply to all registered offenders and not just non-residents.

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Operator's Signature

10/2/03
Date

4

We are able to comply with the rest of the Campus Sex Crimes Prevention Act by amending the forms and procedures manual prepared by the Bureau of Criminal Investigation.

The amendment on page 1 of the bill draft deletes some language that was added in the 2001 Legislative Session. The reason cited for that language in 2001 was to avoid requiring registration for offenders convicted of indecent exposure in other states when that crime may not have been for sexual gratification. However, the inclusion of that language allows offenders to avoid registration for Wetterling-mandatory crimes as long as the sentencing judge either forgot to impose the requirement or intentionally omitted it in violation of Wetterling.

In order to satisfy the concern about whether the indecent exposure is an "equivalent offense" to North Dakota's, we simply obtain a copy of the police report from the other state and verify whether it was done with the intent to arouse, appeal to, or gratify that person's lust, passions, or sexual desires.

I would be happy to answer any questions.

REGISTERED OFFENDERS NOT INCARCERATED: 740

Offenders Against Children 60
Sexual Offenders 680

Male 700
Female 40

Lifetime 62
Juvenile 56

REGISTERED OFFENDERS INCARCERATED: 85

REGISTERED OFFENDERS DELINQUENT: 23

OFFENDERS NOT REGISTERED: 155

Not Incarcerated 9
Incarcerated 146

OUT OF STATE OFFENDERS: 333

TOTAL 1336

--- End of Report ---

BISMARCK
Abused Adult Resource Center
222-8370

BOTTINEAU
Family Crisis Center
228-2028

BURNS LAKE
Alternatives for
Abused Families
88-662-7378

VICKINSON
Domestic Violence and
Rape Crisis Center
225-4506

ELLENDALE
Kodish House
349-4729

FARGO
Rape and Abuse Crisis Center
800-344-7273

FORT BERTHOLD RESERVATION
Coalition Against
Domestic Violence
627-4171

FORT UNES
854-3861 Ext. 228

GRAFTON
Tri-County Crisis
Intervention Center
352-4242

GRAND FORKS
Community Violence
Intervention Center
744-0405

LAKE TOWNSHIP
Shelter
800-553-7233

LAN COUNTY
McLean Family
Resource Center
800-651-8643

MERCER COUNTY
Women's Action and
Resource Center
873-2274

MINOT
DV Center
852-2258

RAISON COUNTY
Abuse Resource Network
683-5061

FORT TOTTEN
Spirit Lake
766-4231

STANLEY
D/V Program, NW, ND
628-3233

VALLEY CITY
Abused Persons Outreach
Center
845-0078

WAMPETON
Therapeutic Crisis Center
612-0757

Testimony in Support of HB 1110
On January 20, 2003

Chairman DeKray
House Judiciary Committee Members

For the record I am Jessica McSparron, the Sexual Assault Program and Policy Coordinator for the North Dakota Council on Abused Women's Services/Coalition Against Sexual Assault in North Dakota. The North Dakota Council on Abused Women's Services/Coalition Against Sexual Assault in North Dakota support the passage of HB 1110, relating to sex offender registration. The proposed changes allow North Dakota's sex offender registration system to comply with the Federal Campus Sex Crimes Prevention Act (section 1601 of Public Law 106-386) that was enacted October 28, 2000.

Under the Federal Campus Sex Crimes Prevention Act and with the passage of HB 1110, the tracking of convicted sex offenders enrolled at or employed by institutions of higher education can be accomplished. With this bill, along with a plan of notification established by the Bureau of Criminal Investigation, campus officials will be notified of any registered sex offender that is employed, carries on a vocation, or is a student at that institute of higher education. Also, the requirements of institutes of higher education to issue a statement of notification to campus communities will be enhanced by the collaborative efforts that HB 1110 allows. Finally under the Campus Sex Crimes Prevention Act, this disclosure of information of registered sex offenders at institutes of higher education will be a requirement as of October 1, 2003. With the passage of HB 1110, North Dakota steps towards the compliance process for this federal mandate.

As advocates for the sex offender registration system and public notification of sex offenders, along with supporting the Campus Sex Crimes Prevention Act, the North Dakota Council on Abused Women's Services/Coalition Against Sexual Assault in North Dakota supports a do pass on HB 1110.

Respectfully,

Jessica McSparron
Jessica McSparron, LSW

Sexual Assault Program and Policy Coordinator

North Dakota Council on Abused Women's Services • Coalition Against Sexual Assault in North Dakota
418 East Roeser #320 • Bismarck, ND 58501 • Phone: (701) 255-6240 • Toll Free 1-888-255-6240
Fax: (701) 255-1904 • Email: ndcawss@att.net
National DV Hotline 1-800-799-7233 • 800-787-3224 TTY



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10/2/03
Date

ATT #1

**HOUSE BILL 1110 TESTIMONY
SENATE JUDICIARY COMMITTEE
MARCH 4TH, 2003
FORT LINCOLN ROOM**

By Jonathan Byers, Assistant Attorney General

Mr. Chairman, Members of the Committee:

My name is Jonathan Byers and I appear on behalf of the Attorney General. I wish to testify in favor of House Bill 1110.

The Campus Sex Crimes Prevention Act is the last in a series of amendments to the Jacob Wetterling Act. Each of the federal amendments (Megan's Law Amendment, Pam Lychner Act, CJSA Appropriations Act, and Campus Sex Crimes Prevention Act) placed additional requirements on state registration programs to enact specific provisions or face the loss of Edward Byrne Memorial Grant funding.

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4P

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In order to satisfy the concern about whether the indecent exposure is an "equivalent offense" to North Dakota's, we simply obtain a copy of the police report from the other state and verify whether it was done with the intent to arouse, appeal to, or gratify that person's lust, passions, or sexual desires.

The Attorney General asks for a do pass. I would be happy to answer any questions.

Yalosta Rickford
Operator's Signature

10/2/03
Date

AM #2

BISMARCK
Abused Adult Resource Center
222-8370
BOTTINEAU
Family Crisis Center
2028
LS LAKE
Safe Alternatives for
Abused Families
1-888-662-7378
DICKINSON
Domestic Violence and
Rape Crisis Center
225-4506
ELLENDALE
Kodish House
349-4729
FARGO
Rape and Abuse Crisis Center
800-344-7273
FORT BERTHOLD RESERVATION
Coalition Against
Domestic Violence
627-4171
FORT YATES
854-3861 Ext. 228
GRAFTON
Tri-County Crisis
Intervention Center
352-4242
GRAND FORKS
Community Violence
Intervention Center
70405
HESTOWN
S.A.F.E. Shelter
888-353-7233
MCLEAN COUNTY
McLean Family
Resource Center
800-651-8643
MERGER COUNTY
Women's Action and
Resource Center
873-2274
MINOT
DV Center
852-2258
RANSOM COUNTY
Abuse Resource Network
683-5061
FORT TOTTEN
Spirit Lake
766-4231
STANLEY
DV Program, NW, ND
628-3233
VALLEY CITY
Abused Persons Outreach
Center
845-0078
PETON
Rivers Crisis Center
642-2115
WILLISTON
Family Crisis Shelter
572-0757


Testimony in Support of HB 1110
On March 4, 2003
Chairperson Traynor
Senate Judiciary Committee Members

For the record I am Jessica McSparron, the Sexual Assault Program and Policy Coordinator for the North Dakota Council on Abused Women's Services/Coalition Against Sexual Assault in North Dakota. The North Dakota Council on Abused Women's Services/Coalition Against Sexual Assault in North Dakota support the passage of HB 1110, relating to sex offender registration. The proposed changes allow North Dakota's sex offender registration system to comply with the Federal Campus Sex Crimes Prevention Act (section 1601 of Public Law 106-386) that was enacted October 28, 2000.

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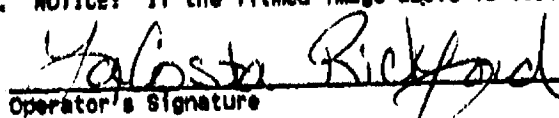
Respectfully,


Jessica McSparron, LSW
Sexual Assault Program and Policy Coordinator

North Dakota Council on Abused Women's Services • Coalition Against Sexual Assault in North Dakota
418 East Rosser #320 • Bismarck, ND 58501 • Phone: (701) 255-6240 • Toll Free 1-888-255-6240
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