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10/16/03
Date

2003 HOUSE JUDICIARY

HCR 3034

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3034

House Judiciary Committee

☐ Conference Committee

Hearing Date 2-17-03

Tape Number	Side A	Side B	Meter #
1	xx		3.8-8.9
Committee Clerk Signature <i>M. Penrose</i>			

Minutes: 13 members present.

Chairman DeKrey: We will open the hearing on HCR 3034.

Karen Romig Larson, Department of Human Services: Support (see attached testimony).

Chairman DeKrey: Thank you. Further testimony in support.

Sandi Tabor, Deputy A.G.: Support. The ND Drug and Alcohol Commission held several meetings across the state this past summer, and one of the things that we heard fairly consistently that it was time to look at this issue.

Chairman DeKrey: Thank you. Further testimony in support.

Sheree Spear: Support (see attached testimony). I have been dealing with these issues for over 35 years. I've watched people suffer unbearable inner torment. This issue needs to be looked at.

Chairman DeKrey: Thank you. Any further testimony in support? Opposition? We will close the hearing. What are the committee's wishes in regard to HCR 3034.

Rep. Grande: I move a Do Pass.

Page 2
House Judiciary Committee
Bill/Resolution Number HCR 3034
Hearing Date 2-17-03

Rep. Maragos: Seconded.

13 YES 0 NO 0 ABSENT DO PASS - CONSENT CARRIER: Rep. DeKrey

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Date: 2/17/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 3034

House Judiciary Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken

Do Pass

Motion Made By

Rep. Grande

Seconded By

Rep. Maragos

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

Total (Yes)

13

No

0

Absent

0

Floor Assignment

Consent Calendar - Rep. DeKrey

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

REPORT OF STANDING COMMITTEE (410)
February 17, 2003 11:38 a.m.

Module No: HR-30-2898
Carrier: DeKrey
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HCR 3034: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3034 was placed on the Tenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-30-2898

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10/16/03
Date

2003 SENATE JUDICIARY

HCR 3034

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Ja Costa Rickford
Operator's Signature

10/16/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3034

Senate Judiciary Committee

☐ Conference Committee

Hearing Date 03/26/03

Tape Number	Side A	Side B	Meter #
1	X		8.6 - 16
Committee Clerk Signature <i>Marina Salberg</i>			

Minutes: Senator John T. Traynor, Chairman, called the meeting to order. Roll call was taken and all committee members present. Sen. Traynor requested meeting starts with testimony on the bill:

Testimony in Support of HCR 3034

Karen Romig Larson - Department of Human Services (meter 8.5) Read Testimony - Attachment #1

Sen. Nelson discussed if this bill was a continuation of last years study and SB 2296 combined. Last session we looked at the preliminary hearing time frame, this session SB 2296 focused on components of the law. Commissioning of a stakeholders group to come forward, with which we have done before, to gather together as a concession and develop the changes. What happens is groups have a lack of understanding or the sense of the intended and unintended consequences with the number of bills that have come through" with the help of an interim committee they can come together looking through these more clearly, thoroughly and be in agreement.

Page 2

Senate Judiciary Committee

Bill/Resolution Number HCR 3034

Hearing Date 03/26/03

Sen. Nelson discussed the 30 pages of amendments last session-discussion about organization.

Ms. Larson stated, I have worked with the Attorney General and Sandy Tabor with this legislation we are and will be very organized.

Testimony in Opposition of HCR 3034

None

Motion Made to DO PASS HCR 3034 by Sen. Lyson and seconded by Sen. Trenbeath

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

Motion Passed

Floor Assignment: Sen. Lyson

Senator John T. Traynor, Chairman closed the hearing.

Date: March 26, 2003

Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HCR 3034

Senate JUDICIARY Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By Senator Stanley Lyson Seconded By Senator Thomas Trenbeath

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 Stanley W. Lyson, Vice Chairman

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

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La Costa Richard
Operator's Signature

10/16/03
Date

REPORT OF STANDING COMMITTEE (410)
March 26, 2003 1:38 p.m.

Module No: SR-54-5821
Carrier: Lyson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HCR 3034: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS**
(5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3034 was placed on the
Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-54-5821

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Salvatore Riccardi
Operator's Signature

10/16/03
Date

2003 TESTIMONY

HCR 3034

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Richard Costa
Operator's Signature

10/10/03
Date

TESTIMONY
HCR 3034
HOUSE JUDICIARY COMMITTEE
REPRESENTATIVE DUANE DEKREY, CHAIRMAN
FEBRUARY 17, 2003

Chairman DeKrey and members of the House Judiciary Committee, I am Karen Romig Larson of the Department of Human Services. I appear before you today to support HCR 3034.

The North Dakota Mental Health Commitment Law is a very good one. It has evolved over time to reflect changes in care and service delivery for persons with mental illness or substance abuse. Close attention has been given to maintaining the balance between the rights of the person to be committed and the safety of that person and the community.

Once again, with changes in service delivery, the increase in community based services, and increased knowledge of these illnesses and disorders, it would seem time to thoroughly study and recommend necessary changes to the law.

There is need for many stakeholders to be part of such a study: the judiciary, providers, law enforcement, states and defense attorneys, advocacy groups, family members and consumers have need to be a part of the review, analysis, and recommended changes to the current law. By providing an inclusive approach, we can assure that those with the most interest and use for the law will have a voice in any changes to be made.

Thank you for the opportunity to appear before you today. I will be pleased to respond to any questions you may have.

*Done
Testimony turned
in
3-26-03*

Colista Rickford
Operator's Signature

10/16/03
Date

House Judiciary Committee Testimony
Sheree Spear
HCR 3034
February 17, 2003

Chairman DeKrey and Members of the House Judiciary Committee,

My name is Sheree Spear. I'm speaking in support of HCR 3034 as a family member.

I've dealt closely with loved ones with severe mental illness for over 35 years. I've watched 3 generations of people suffer unbearable inner torment and pain. I'm extremely protective of those people and of the Commitment Law that so profoundly impacts their lives. And the lives of those of us who struggle to help them.

I've also watched not only the shift in society from institutionalization to community based care, and have seen how that has often failed those with chronic mental illness. Simultaneously, we've all watched as enormous medical advances, primarily in the past 10 years, have brought us medicines which enable sufferers to experience lives that they could once only dream of.

But what is most glaring today was probably best summed up by President Bush last April when he introduced his new President's New Freedom Commission on Mental Health. He said, "Remarkable treatments exist, and that's good. Yet many people - too many people remain untreated. Some end up addicted to drugs or alcohol. Some end up on the streets, homeless. Others end up in our jails, our prisons, our juvenile detention facilities."

He would have been accurate if he had added that many also end up dead. He is asking that states find ways to close that gap.

SB2296, of which I'm a proponent, needs to be passed yesterday as an emergency measure to close a gap that has resulted in numerous deaths and preventable tragedies in this State. But many changes that need to be made could be done through better procedures and an educational campaign throughout the entire treatment system.

If the proposed study in HCR 3034 is headed by Karen Larson, Dir. Of Mental Health and Substance Abuse, I have every confidence she will successfully sift through these issues and deliver to this body recommendations next session that will ensure our loved ones the highest quality lives possible. And that should be the #1 goal.

I was scheduled to fly to D.C. February 5th to present public comment to the President's new commission. I had to reschedule because I needed to be here to testify at a hearing. But in April when I do present to them, I'd like to say that North Dakota has heard the President's message. And, by passing both HCR 3034 and Senate Bill 2296, has demonstrated its willingness to join other states in the nation in moving toward closing the gap between great medicines and services and those who need them most.

Please vote DO PASS on HCR 3034. Thank you.