

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2112

2005 SENATE TRANSPORTATION

SB 2112

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2112

Senate Transportation Committee

☐ Conference Committee

Hearing Date 1-06-05

Tape Number	Side A	Side B	Meter #
1		x	290-1280
Committee Clerk Signature <i>Mary K Monson</i>			

Minutes:

Chairman Trenbeath opened the hearing on SB 2112 relating to identification as an organ donor on non driver photo identification cards.

All members were present

Senator Brown said the purpose of this legislation is to allow the ND DOT drivers license division to put a donor designation on a ND issued photo ID card. He is submitting this at the request of a constituent (Scott Allen) who does not have a drivers license but does have a state photo ID card. When Scott Allen attempted to have a donor designation put on his ID he was told that it could not be done without changing the law.

Scott Allen appeared in favor of SB 2112 along with his parents **Esther Allen** and **Clyde Allen**.

David Sprynczynatyk (Director, ND DOT) appeared in favor of SB 2112.

There was no testimony in opposition to SB 2112.

Senator Nething motioned a **Do Pass**. Seconded by **Senator Espegard**.

Senator Warner asked about the legal implications in the medical community.

Dave Peske (ND Medical Association) said that the receiving facility has the protocol set up, and upon receiving the identification takes the steps to do the harvesting of the organs.

Senator Warner asked if this is subject to objection from family members, if it is subject to challenge.

Chip Thomas, (ND Healthcare Association) In favor of SB 2112. This is a gray area in great debate right now in the legal field. Law articles circulating in ND would suggest that if an institution operated on good faith based on a specific drivers license donor designation, and on that solely, they would be operating within the parameters of the statutes that are currently in place. However, because there is a human element in this, if the institution would also ask an attending responsible adult or guardian what their thoughts were about the persons intent, the query supersedes the designation on the card. Right now, there is great discussion and debate with respect to what an institution does with respect to fulfilling the intent.

Janelle Johnson (Medcenter One Health) This identifies the wishes of the individual and allows the emergency room personnel time to maintain life sustaining measures until family members can be contacted and the issues can be worked through.

Roll call vote 6-0-0. **Passed.** Floor carrier is **Senator Espegard.**

The hearing of SB 2112 was closed.

Date: 1-6-05
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO SB 2112

Senate TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Sen. Nething Seconded By Sen. Espegard

Senators	Yes	No	Senators	Yes	No
Senator Espegard	✓		Senator Bercier	✓	
Senator Mutch	✓		Senator Warner	✓	
Senator Nething	✓				
Senator Trenbeath, Chairman	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen. Espegard

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

REPORT OF STANDING COMMITTEE (410)
January 6, 2005 11:34 a.m.

Module No: SR-03-0130
Carrier: Espegard
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2112: Transportation Committee (Sen. Trenbeath, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2112 was placed on the
Eleventh order on the calendar.

2005 HOUSE TRANSPORTATION

SB 2112

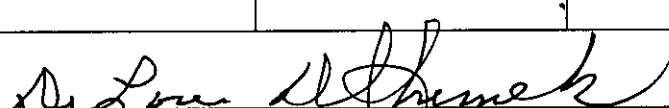
2005 HOUSE STANDING COMMITTEE MINUTES

BILL NO. SB 2112

House Transportation Committee

☐ Conference Committee

Hearing Date February 24, 2005

Tape Number	Side A	Side B	Meter #
1	X		25.2-27.0
Committee Clerk Signature 			

Minutes:

Chairman Weisz opened the hearing on SB 2112 A Bill for an Act to amend and reenact sections 23-06.2-01, 23-06.2-02, and 39-06-03.1 of North Dakota Century Code, relating to identification as an organ donor on non driver photo identification cards.

Both the bill sponsors and a person really wanting the bill are not able to be here. We will take testimony from anyone in support or opposition, but will hold the hearing open until Senator Brown and his constituent can be here to testify. There was a medical situation that came up.

Chairman Weisz Anyone in support of SB 2112 that could not do it at another time?

Anyone here in opposition of SB 2112. None

Hearing held open (27.0)

2005 HOUSE STANDING COMMITTEE MINUTES

BILL NO. SB 2112

House Transportation Committee

☐ Conference Committee

Hearing Date March 10, 2005

Tape Number	Side A	Side B	Meter #
1	X		0-8.9
Committee Clerk Signature <i>De Lou Albright</i>			

Minutes:

Chairman Weisz reopened the hearing on SB 2112.

Senator Brown: I would like to introduce you to SB2112. Last year Scott Allan approached me about a problem he had. He wanted to be identified as an organ donor. He does not have a drivers license, but he does have a ND ID card issued by the ND DOT. He went to the Fargo DOT office and tried to have organ donor added to his ID card and was told this could not be done. To be able to do it the law will need to be changed. Scott called me and asked for help. I am here to propose we change the law and add organ donor designation to be added to a ND issued ID card. The point is to encourage more people to be organ donors.

Scott Allen: (1.7) I want to thank you for letting me come and testify on bill SB2112. I do not drive a car so I don't have a drivers license. That is why I got an identification ID card at the ND DOT. I told them I wanted to be an organ donor, but they said they could not put it on an ID card. I talked to Senator Brown to see what could be done. He said that a new law would have

to be passed so he sponsored the bill before you. If you would pass this bill I would like to be the first person to get this ID card with the organ donor on it. I thank you very much for this opportunity to talk to you.

Senator Brown: Urged a do pass on this bill.

Rep. Delmore I think it is very important that we pass this and I hope you will be the first to have the ID card.

Rep. Weiler We want to make for sure he is the first one to get the ID card if we do pass this bill.

Arnold Thomas: President of ND Health care Assoc. We are pleased to support this measure. Wondered why we hadn't thought of this measure and am pleased to support it and hope it does pass.

Dave Sprynczynatyk: (4.0) We are in support of this bill and make it clear we always follow legislative intent.

Rep. Ruby This is probably the only way to identify a donor. Is there separate donor cards that some people get? Is there any other way information can be shared or provided to the health care facility or anything.

Dave Sprynczynatyk:(5.4) There are other ways to do ID cards.

Lynn Heinert: There are donor cards that are offered through the Lyons Clubs, I Bank, one with the hospital. The hospital, I believe, have an electronic data base that shows all the registered donors.

Acting Chairman Hawken: Anyone else in support of SB2112. Any opposition to SB2112.

Closed (6.2)

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House Transportation Committee
Bill Number SB2112
Hearing Date March 10, 2005

Motion Made By Rep. Owens Seconded By Rep. Weiler

DO PASS 10 Yes 0 No 5 Absent Carrier: Rep. Delmore

Ester Allan: Mother of Scott Allan. I just want to thank you for your interest and to those who have testified in behalf of the bill. It was Scott's idea. We are kinda a political family so we talked about how hog house laws get passed etc. so Scott has been a part of that since he has been born. He thought of it himself and wanted to call a Senator himself. We are so appreciative of Senator Browns help in all this. We want to remember the important thing it not that Scott get's credit, but there are going to be people we feel that will receive organs now that perhaps not have otherwise. Thank you again.(8.9)

Date: 3-10-05
Roll Call Vote #:

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2112

House Transportation Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Rep. Owens Seconded By Rep. Weiler

Representatives	Yes	No	Representatives	Yes	No
Rep. Weisz - Chairman	<u>abs</u>		Rep. Delmore	<u>✓</u>	
Rep. Hawken - Vice Chair.	<u>✓</u>		Rep. Meyer	<u>✓</u>	
Rep. Bernstein	<u>✓</u>		Rep. Schmidt	<u>✓</u>	
Rep. Dosch	<u>✓</u>		Rep. Thorpe	<u>abs</u>	
Rep. Iverson	<u>abs</u>				
Rep. Kelsch	<u>abs</u>				
Rep. Owens	<u>✓</u>				
Rep. Price	<u>abs</u>				
Rep. Ruby	<u>✓</u>				
Rep. Vigasaa	<u>✓</u>				
Rep. Weiler	<u>✓</u>				

Total (Yes) 10 No 0

Absent 5

Floor Assignment Rep. Delmore

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

REPORT OF STANDING COMMITTEE (410)
March 10, 2005 11:25 a.m.

Module No: HR-44-4618
Carrier: Delmore
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2112: Transportation Committee (Rep. Welsz, Chairman) recommends DO PASS
(10 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING). SB 2112 was placed on the
Fourteenth order on the calendar.