

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

4017

2001 SENATE JUDICIARY

SCR 4017

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4017

Senate Judiciary Committee

Conference Committee

Hearing Date February 6th, 2001

Tape Number	Side A	Side B	Meter #
1	x		26.2-38
Committee Clerk Signature			

Minutes: **Senator Traynor**, opened the hearing on on SCR 4017: A CONCURRENT RESOLUTION DIRECTING THE LEGISLATIVE COUNCIL TO STUDY THE FEASIBILITY AND DESIRABILITY OF IMPLEMENTING A RETIREMENT PROGRAM FOR ALL LAW ENFORCEMENT OFFICERS WITHIN THE STATE OF NORTH DAKOTA WHICH PROVIDES RETIREMENT BENEFITS SIMILIAR TO THOSE PROVIDED TO THE MEMBERS OF THE HIGHWAY PATROLMEN'S SYSTEM PURSUANT TO NORTH DAKOTA CENTURY CODE CHAPTER 39-03-01.

**Wayne Stenchjem**, Attorney General of North Dakota, testifies in support of SCR 4017.

Development of a state wide drug offense. Talked to an officer about lack of funds earlier in the day. This officer was interested in seeing this bil passed. Could the state of ND do something for law officers? Law officers have a different job than do most others in ND. Under the rules of the legislation, we cannot permit a change untilll it goes through an interim committee.

**Senator Traynor**, How do you envision this thing?

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Senate Judiciary Committee

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**Wayne Stenejem**, they don't have an enhanced system for retirement.

**Senator Dever**, highway patrolmen don't contribute to Social Security.

**Scott Busching**, Sheriff of Williams County, testifies in favor of SCR 4017. Would like to give something to retirees of law enforcement.

**Senator Nelson**, law enforcement is not covered by Social Security mandatory retirement?

**Scott Busching**, yes.

**Bob Norton**, Sheriff of Hettinger County, testifies in support of SCR 4017. For three years he fought with workmans comp. and Blue Cross Blue Shield while working. One of the few states who's law officers work until retirement age. Something must be done to help law officers.

**John Olson**, representing peace officers went on the record in support of the resolution.

**Senator Traynor**, closed the hearing on SCR 4017.

**SENATOR NELSON MOTIONED TO DO PASS, SECONDED BY SENATOR WATNE.**

**VOTE INDICATED 6 YEAS, 0 NAYS AND 1 ABSENT AND NOT VOTING. SENATOR**

**LYSON VOLUNTEERED TO CARRY THE BILL.**

**Q**

**O**

**N**

**H**

**NEXT FIGURE**



**REPORT OF STANDING COMMITTEE (410)**  
February 8, 2001 1:22 p.m.

Module No: SR-23-2735  
Carrier: Lyson  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**SCR 4017: Judiciary Committee (Sen. Traynor, Chairman) recommends DO PASS**  
(6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4017 was placed on the  
Eleventh order on the calendar.

2001 HOUSE JUDICIARY

SCR 4017

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4017

House Judiciary Committee

Conference Committee

Hearing Date 03-05-01

Tape Number	Side A	Side B	Meter #
TAPE I	X		4744 to 5289
TAPE I		X	01 to 1282
Committee Clerk Signature <i>Joan Davis</i>			

Minutes: Chairman DeKrey opened the hearing on SCR 4017. A concurrent resolution directing the Legislative Council to study the feasibility and desirability of implementing a retirement program for all law enforcement officers within the state of North Dakota which provides retirement benefits similar to those provided to the members of the Highway Patrolmen's retirement system pursuant to North Dakota Century Code Chapter 39-03.1.

Wayne Stenehjem: This is a resolution for an Interim study for retirement benefits for law enforcement officials in the state of North Dakota. We have officer that have an excellent reputation in the community, out of state police agencies offer them benefit packages in order to lure them out of the state. Costing North Dakota tax payers thousands of dollars a year in retraining costs and hampers our drug control efforts. We have a benefit package for the Highway Patrol, we would like to work with local law enforcement to have the same kind of package.

Vice Chr Kretschmar: Are there still programs where you can get grants for hiring law enforcement officers?

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House Judiciary Committee

Bill/Resolution Number SCR 4017

Hearing Date 03-05-01

Wayne Stenejem: Yes, but they have a limited life span and that is not the kind of long term plan I want to work with.

Chairman DeKrey: If there are no further questions, thank you for appearing.

Tim Schuetzle: Prisons Division Director (see attached testimony) also see the amendments attached to the testimony.

Chairman DeKrey: Any questions, thank you for appearing before the committee.

Deb Ness: Bismarck Police Department, Chief Administrator spoke in support of SCR 4017.

Vice Chr Kretschmar: Do you have any objections to Tim Schuetzle's amendments?

Deb Ness: I think they are ok.

Bob Norden: Sheriff of Hettinger County, explains his views with an example of an office from the town of New England. Spoke in support of SCR 4017.

Vice Chr Kretschmar: What is the size of your staff.

Bob Norden: I am what they term a working sheriff with a staff of four.

Vice Chr Kretschmar: Do you work in smaller cities?

Bob Norden: Yes.

Ken Skuza: a game warden and member of the North Dakota Peace Officers Association. Spoke in support of SCR 4017.

Chairman DeKrey: Are there any questions, seeing none thank you for appearing.

Rep Grande: I have questions for Sparb Collins

Sparb Collins: Director of PERS ( public employees retirement program).

Rep Grande: Do you have the numbers of the people that we are dealing with?

Sparb Collins: NO, I do not. That will be determined in the study process.

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House Judiciary Committee

Bill/Resolution Number SCR 4017

Hearing Date 03-05-01

Rep Grande: Will this also include a disability plan?

Sparb Collins: Disability retirement generally is part of a plan.

Rep Grande: The number of people involved, do we need to check on that to see how we would merge all the current programs or would we look at starting from scratch?

Sparb Collins: I am not sure how the committee would structure that. And how would Social Security be effected.

Rep Grande: Are we aware of who does not have social security? How would this effect the plan?

Sparb Collins: That would affect the plan.

Rep Grande: Would this be merged with the Highway Patrol retirement?

Sparb Collins: It can be examined, but it would be very difficult to merge with the Highway Patrol, because the Patrol does not have social security.

Rep Grande: Would an amendment to include the correctional officers be easy to include?

Sparb Collins: Yes.

Chairman DeKrey: If there are no questions, thank you for appearing before the committee. If there is no further testimony, we will close the hearing on SCR 4017.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4017b

House Judiciary Committee

Conference Committee

Hearing Date 03-07-01

Tape Number	Side A	Side B	Meter #
TAPE II		x	227 to 497
Committee Clerk Signature	<i>Gyan Davis</i>		

Minutes: Vice Chr Kretschmar called the committee to order on SCR 4017. What are the wishes of the committee. Rep Maragos moved a DO PASS on SCR 4017, Rep Delmore seconded the motion.

DISCUSSION

Rep Klemin: I believe there are amendments to this resolution.

Rep Maragos: I will withdraw my motion.

Rep Delmore: I will withdraw my second.

Rep Maragos moved a DO PASS as amended, seconded by Rep Klemin. A voice vote was taken. the motion carries.

DISCUSSION

Vice Chr Kretschmar: the clerk will call the roll on a DO PASS as amend motion on SCR 4017.

The motion passes with a vote of 12 YES, 0 NO and 3 ABSENT. The carrier is Rep Maragos and the resolution will be placed on the CONSENT CALENDAR.

VK-  
3/7/01

**HOUSE AMENDMENTS TO SENATE CONCURRENT RESOLUTION 4017 House Judiciary 03-08-01**  
Page 1, line 2, after "enforcement" insert "and correctional"

Page 1, line 6, after "enforcement" insert "and correctional"

Page 1, line 9, after "enforcement" insert "and correctional"

Page 1, line 11, after "enforcement" insert "and correctional"

Page 1, line 14, after "enforcement" insert "and correctional"

Page 1, line 16, after "enforcement" insert "and correctional"

Page 1, line 20, after "enforcement" insert "and correctional"

Renumber accordingly

Date: 03-07-01  
Roll Call Vote #: /

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SC R-4017

House JUDICIARY Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number 18341.0101 , 0.200

Action Taken Do Pass amend

Motion Made By Rep Maragos Seconded By Rep Delmore

Representatives	Yes	No	Representatives	Yes	No
CHR - Duane DeKrey					
VICE CHR -- Wm E Kretschmar	✓				
Rep Curtis E Brekke	✓				
Rep Lois Delmore	✓				
Rep Rachael Disrud	✓				
Rep Bruce Eckre	✓				
Rep April Fairfield					
Rep Bette Grande	✓				
Rep G. Jane Gunter	✓				
Rep Joyce Kingsbury	✓				
Rep Lawrence R. Klemin	✓				
Rep John Mahoney					
Rep Andrew G Maragos	✓				
Rep Kenton Onstad	✓				
Rep Dwight Wrangham	✓				

Total (Yes) 12 No 0

Absent 3

Floor Assignment Rep Maragos

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

**REPORT OF STANDING COMMITTEE**

**SCR 4017: Judiciary Committee (Rep. DeKrey, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SCR 4017 was placed on the Sixth order on the calendar.**

Page 1, line 2, after "enforcement" insert "and correctional"

Page 1, line 6, after "enforcement" insert "and correctional"

Page 1, line 9, after "enforcement" insert "and correctional"

Page 1, line 11, after "enforcement" insert "and correctional"

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Page 1, line 20, after "enforcement" insert "and correctional"

Renumber accordingly

2001 TESTIMONY

SCR 4017

**SCR4017****Testimony before the House Judiciary Committee****March 5, 8:30 am**

Tim Schuetzle, Prisons Division Director

Senate Concurrent Resolution 4017 requests that there be a study of the feasibility of creating a retirement system for the state's law enforcement officers similar to the plan currently in place for the Highway Patrol. I am requesting that this resolution be amended so that the legislative council includes the state and county correctional officers as part of this study. The amendments have the support of the North Dakota Peace Officers Association.

Correctional Officers face similar personal risks to their safety as law enforcement officers, and these risks increase as they become older and less able physically to perform the essential elements of their job. Presently, these officers must continue to work in this dangerous environment into their 60's in order to reach their retirement age. In the past two years, there has been 9 correctional officers retire from the Department of Corrections, with the average age at retirement 62 years. A retirement plan similar to the one held by the Highway Patrol would permit these public servants to retire at an age where they could still enjoy their health, and would provide a safer environment in the prisons and jails. Correctional agencies are experiencing difficulty finding people willing to enter this profession, and the possible inclusion in this type of retirement plan would aid in recruiting new staff.

The more than 400 state and county correctional officers in North Dakota have earned the right to be part of this study, and I request that this committee adopts these amendments, and recommends passage of this resolution.