

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1063

2007 HOUSE TRANSPORTATION

HB 1063

# 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1063

House Transportation Committee

Check here for Conference Committee

Hearing Date: Jan. 11, 07

Recorder Job Number: 944

Committee Clerk Signature *Laurel A. Barant*

Minutes:

**Colonial Bryan Klipfel:** Superintendent of the ND Highway Patrol – This bill is to clarify jurisdiction of the Highway Patrol.

**See Printed Testimony**

**Chairman Weisz :** Have you actually had a case where that came into question on leased property?

**Co. Klipfel:** Mr. Chairman, no we haven't. It's just the idea that we just want to cover ourselves in case it happens in the future.

**Rep. Ruby:** Since you're adding the words and or lease, will this – Let's say if I see a vehicle from the state fleet was on a road that is out of your jurisdiction will this give you the ability to search it, or do you already have the abilities to search or do something with that vehicle?

**Co. Klipfel:** We currently have jurisdiction of any vehicle on any state roadway in the state of North Dakota.

**Chairman Weisz:** This is just leased property.

**Col. Klipfel:** Yes.

# 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1063

House Transportation Committee

Check here for Conference Committee

Hearing Date: Jan. 11, 07

Recorder Job Number: 945

Committee Clerk Signature *Samuel A. Bayantse*

Minutes:

**Chairman Weisz:** Any further discussion? If not, the clerk will call the roll for Do Pass on HB 1063.

**Chairman Weisz:** We have a 12 - 0 DO PASS, Rep. Myxter will carry the bill.

Date: Jan 11, 07  
 Roll Call Vote #: 1063

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. \_\_\_\_\_

House Transportation Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken DO Pass

Motion Made By Rep Kelsch Seconded By Rep Delmore

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz	✓		Rep. Delmore	✓	
Vice Chairman Ruby	✓		Rep. Gruchalla	✓	
Rep. Dosch	✓		Rep. Myxter	✓	
Rep. Kelsch	✓		Rep. Schmidt	✓	
Rep. Owens	✓		Rep. Thorpe	✓	
Rep. Price					
Rep. Sukut	✓				
Rep. Vigesaa	✓				

Total Yes 12 No 0

Absent Price 1

Floor Assignment Myxter

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

**REPORT OF STANDING COMMITTEE (410)**  
January 12, 2007 2:40 p.m.

**Module No: HR-08-0540**  
**Carrier: Myxter**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1063: Transportation Committee (Rep. Weisz, Chairman) recommends DO PASS**  
(12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1063 was placed on the  
Eleventh order on the calendar.

2007 SENATE JUDICIARY

HB 1063

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. **HB 1063**

### Senate Judiciary Committee

Check here for Conference Committee

Hearing Date: March 6, 2007

Recorder Job Number: 4432

Committee Clerk Signature *Maria L. Solberg*

**Minutes:** Relating to powers of the highway patrol on state owned or leased property.

**Senator David Nething**, Chairman called the Judiciary committee to order. All Senators were present. The hearing opened with the following hearing:

#### Testimony in Favor of the Bill:

**Bryan Klipfel**, Superintendent (meter 1:07) of the ND Highway Patrol Introduced the bill Att.

#1 The bill currently has not been a problem but I have brought it before you for clarity.

**Sen. Nelson** asked how many facilities are there out side of the capital and could this not be addressed in the written lease or contract. (meter 4:32) He spoke of current standards and they had discussion of locations and employee issues.

**Sen. Fiebiger** questioned it not being addressed in the lease. Bryan responded that we have assumed it would but the agreement does not bind the authority of the jurisdiction.

**Sen. Nething** stated if you have a problem you can go on the property but if you have an employee who is the issue then it becomes a different process.

#### Testimony Against the bill:

None

**Testimony Neutral to the bill:**

None

**Senator David Nething**, Chairman closed the hearing.

**Sen. Nelson** made the motion to Do Pass and **Sen. Lyson** seconded the motion. All members were in favor and the motion passes.

Carrier: **Sen. Lyson**

**Senator David Nething**, Chairman closed the hearing.



**REPORT OF STANDING COMMITTEE (410)**  
March 12, 2007 2:15 p.m.

**Module No: SR-46-5020**  
**Carrier: Lyson**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1063: Judiciary Committee (Sen. Nething, Chairman) recommends DO PASS**  
**(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1063 was placed on the**  
**Fourteenth order on the calendar.**

2007 TESTIMONY

HB 1063

House Bill 1063

Submitted by

Colonel Bryan Klipfel, Superintendent NDHP

January 11, 2007

Good morning, Mr. Chairman and members of the House Transportation Committee. My name is Bryan Klipfel and I am Superintendent of the North Dakota Highway Patrol.

House Bill 1063 would clarify jurisdictional issues that arise when the Highway Patrol is asked to conduct an investigation or provide security for state agencies. Due to the number of properties that are leased by the State, it becomes a jurisdictional issue for the Patrol when we are asked to provide a service at these leased locations.

Currently, section 39-03-09 NDCC provides the Patrol general police powers over all violations of law committed on state property. House Bill 1063 would provide that leased property be included.

In the past, the Patrol has provided assistance to other state agencies involving security and investigations. Most often these requests are due to an employee termination, an administrative hearing, or an internal investigation at another state agency location.

The Patrol has provided assistance at several leased locations, to include:

- Office of Administrative Hearings
- State Electrical Board
- Association of Counties building
- Northbrook Mall
- Workforce Safety and Insurance
- Game and Fish, leased location

Thank you, Mr. Chairman. I would be happy to answer any questions you have at this time.

AH # 1  
316/07

House Bill 1063

Submitted by

Colonel Bryan Klipfel, Superintendent NDHP

March 6, 2007

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