

FISCAL NOTE
Requested by Legislative Council
01/13/2015

Bill/Resolution No.: SB 2200

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2013-2015 Biennium		2015-2017 Biennium		2017-2019 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2013-2015 Biennium	2015-2017 Biennium	2017-2019 Biennium
Counties	\$0	\$0	\$0
Cities	\$0	\$0	\$0
School Districts	\$0	\$0	\$0
Townships	\$0	\$0	\$0

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill allows the Crime Laboratory to electronically post certified copies of lab reports for other analyses of substances related to foods, drugs, oils and compounds.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

There is no significant fiscal impact anticipated for this bill.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

N/A

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

N/A

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

N/A

Name: Kathy Roll

Agency: Office of Attorney General

Telephone: 701-328-3622

Date Prepared: 01/14/2015

2015 SENATE JUDICIARY

SB 2200

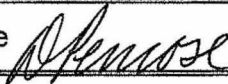
2015 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Fort Lincoln Room, State Capitol

SB 2200
1/26/2015
22488

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature



Minutes:

Ch. Hogue: We will open the hearing on SB 2200.

Sen. Ralph Kilzer: Sponsor, support. This bill was put in at the request of the Crime Lab, which is under the auspices of the Attorney General. It is a housekeeping bill, updating the digital system, or modernization, of the crime lab. Last session, a number of toxicology statutes were modified to allow the crime lab to electronically posting certified copies of toxicology related laboratory reports to a secure website. The laboratory has been successfully, electronically posting certified copies of the toxicology lab reports since January 1, 2015, without issues. The Crime Lab would like to amend the NDCC sections 19-01-10 and 19-03.1-37 in order to allow the laboratory to electronically post certified copies of lab reports for the other analysis and substances relating to foods, drugs, oils and compounds. The director of the Crime Lab, Hope Olson, will present the details.

Ch. Hogue: Thank you. Further testimony in support.

Hope Olson, Director of ND Crime Laboratory: Support of this housekeeping bill. Last session we covered the toxicology related reports so they could be posted electronically to a secure website, and we would like to follow through with the other analysis at the lab; which would include arson, DNA, firearms, latent prints and drug chemistry.

Ch. Hogue: Would this be a site that the defense attorney for a criminal defendant would have access to, to look at those results.

Hope Olson: The electronic posting works when the laboratory report is published. It's published to CJIS, which only law enforcement officers or other

individuals who pass a background check and get accepted by CJIS, have access too. The law enforcement officer receives an email that it's ready to be downloaded.

Ch. Hogue: The law enforcement officer can generate a paper copy at his/her computer.

Hope Olson: That's correct. They have 60 days after it's been published to download the report. Then they have to certify it for the court.

Ch. Hogue: What about the prosecutors, can they access this or is this just for law enforcement.

Hope Olson: If the submitting agency has given permission for the prosecuting attorney to receive a report, they too, will receive a notification and then they can download it. They currently download our discovery that way as well.

Ch. Hogue: Thank you. Further testimony in support. Testimony in opposition. Neutral testimony. We will close the hearing.

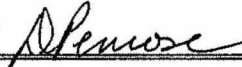
2015 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Fort Lincoln Room, State Capitol

SB 2200
1/27/2015
22577

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature



Minutes:

Ch. Hogue: We will take a look at SB 2200, what are the committee's wishes.

Sen. C. Nelson: I move a Do Pass.

Sen. Luick: Second the motion.

6 YES 0 NO 0 ABSENT

DO PASS

CARRIER: Sen. Casper

Date: 1/27/2015

Roll Call Vote #: 1

2015 SENATE STANDING COMMITTEE
ROLL CALL VOTE

BILL/RESOLUTION NO. SB 2200

Senate

JUDICIARY

Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment

☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation

☐ As Amended ☐ Rerefer to Appropriations

☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Sen. Nelson Seconded By Sen. Luick

Senators	Yes	No	Senators	Yes	No
Chairman Hogue	✓		Sen. Grabinger	✓	
Sen. Armstrong	✓		Sen. C. Nelson	✓	
Sen. Casper	✓				
Sen. Luick	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen. Casper

REPORT OF STANDING COMMITTEE

SB 2200: Judiciary Committee (Sen. Hogue, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2200 was placed on the
Eleventh order on the calendar.

2015 HOUSE JUDICIARY

SB 2200

2015 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Prairie Room, State Capitol

SB 2200
3/11/2015
24664

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to reports issued by the state crime laboratory.

Minutes:

Testimony #1

Chairman K. Koppelman: Opened the hearing on SB 2200.

Hope Olson, Director ND Crime Lab: (See Testimony #1) (:28-1:47)

Rep. Mary Johnson: Does a secure website exist already?

Hope Olson: Yes it does. We utilize SEGUS with access to that.

Rep. Mary Johnson: You are confident in the security of that website.

Hope Olson: Yes I am.

Chairman K. Koppelman: Would you explain SEGUS is. (Criminal Justice Information Sharing)

Hope Olson: SEGUS encompasses all the information from criminal records and law enforcement uses this when they stop someone on the road. They can get information on active warrants and we are just using a portion of that and they have to have access from our laboratory to use it.

Chairman K. Koppelman: The main objective is just a speedier excess?

Hope Olson: Currently we release all our laboratory reports electronically through this system right now. We have established certified copies last session for the toxicology reports and we wanted to see how well that was working before we did it for the entire crime lab.

Chairman K. Koppelman: Is the electronic files accepted in courts or do you have to wait and get a certified copy later?

Hope Olson: Currently we have been releasing certified copies electronically for blood alcohol reports and other toxicology reports and we haven't seen any issues.

Opposition: None

Neutral: None

Hearing closed.

Do Pass Motion Made by Rep. K. Hawken: Seconded by Rep. Lois Delmore:

Discussion: None

Roll Call Vote: 12 Yes 0 No 1 Absent Carrier: Rep. Lois Delmore:

Date: 3-11-15
Roll Call Vote #: 1

2015 HOUSE STANDING COMMITTEE

ROLL CALL VOTES
BILL/RESOLUTION NO. SB2280

House JUDICIARY Committee

☐ Subcommittee ☐ Conference Committee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. K. Hawken Seconded By Rep. Delmore

Representative	Yes	No	Representative	Yes	No
Chairman K. Koppelman	✓		Rep. Pamela Anderson	✓	
Vice Chairman Karls	✓		Rep. Delmore	✓	
Rep. Brabandt	✓		Rep. K. Wallman	✓	
Rep. Hawken	✓				
Rep. Mary Johnson	✓				
Rep. Klemin	✓				
Rep. Kretschmar	✓				
Rep. D. Larson	✓				
Rep. Maragos	✓				
Rep. Paur	✓				

Total (Yes) 12 No 0

Absent 1

Floor Assignment Rep. Delmore

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

REPORT OF STANDING COMMITTEE

SB 2200: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2200 was placed on the Fourteenth order on the calendar.

2015 TESTIMONY

SB 2200

#1

JB2200

3-11-15

Senate Bill 2200

Judiciary Committee

March 11, 2015

Hope Olson, Director ND Crime Laboratory

Last session a number of toxicology statutes were modified to allow the crime lab to electronically post certified copies of toxicology related laboratory reports to a secure website. The laboratory has been successfully electronically posting certified copies toxicology laboratory reports since January 1, 2015 without issues.

The crime lab would like to amend NDCC sections 19-01-10 and 19-03.1-37 in order to allow the laboratory to electronically post certified copies of lab reports for the other analyses of substances related to foods, drugs, oils and compounds (which encompasses the disciplines of Fire Debris, DNA, Drug Chemistry, Firearms, and Latents). This legislation will allow law enforcement officers and other approved individuals the ability to download electronically posted certified lab reports from a secure website.

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