

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

JUDICIARY B COMMITTEE

Tuesday, January 22, 2002
Roughrider Room, State Capitol
Bismarck, North Dakota

Representative Lois Delmore, Chairman, called the meeting to order at 9:00 a.m.

Members present: Representatives Lois Delmore, David Drovdal, Lyle Hanson, Dennis E. Johnson, William E. Kretschmar, Jon O. Nelson, Todd Porter, Dorvan Solberg, Elwood Thorpe; Senators Thomas Fischer, Ben Tollefson, John T. Traynor, Tom Trenbeath

Members absent: Representatives Curtis E. Brekke, G. Jane Gunter; Senators Dennis Bercier, Michael A. Every

Others present: See attached appendix

It was moved by Senator Fischer, seconded by Representative Porter, and carried on a voice vote that the minutes of the previous meeting be approved as distributed.

TRUSTS FOR INDIVIDUALS ON GOVERNMENT ASSISTANCE

At the request of Chairman Delmore, committee counsel presented a bill draft allowing the formation of special and supplemental needs trusts. He said the bill draft is similar to 2001 Engrossed Senate Bill No. 2187 before it became the present study, except for two changes. He said the bill draft removes the contentious clause relating to court reformation of a trust if necessary to accomplish the purpose of a supplemental or special needs trust. In addition, he said, the placement of the bill draft's language in Title 59 is removed. He said special needs trusts are funded by the disabled person and supplemental needs trusts are funded by a third party. He said special needs trusts are governed by federal law.

Mr. Bill Guy, Gunhus Law Firm, Moorhead, Minnesota, presented written testimony in favor of the bill draft with certain amendments. Mr. Guy suggested an amendment to the definition of supplemental needs trust which includes that the trust "does not make an individual with a disability ineligible for medical assistance while maintaining assets in that trust." He suggested additional language that would have the bill draft apply to a supplemental needs trust regardless of when funded. He suggested additional language that states upon death of the beneficiary or termination of the trust, a contingent beneficiary does not disqualify a supplemental needs trust. He suggested additional language that states, upon the

death of the beneficiary and reimbursement of the Department of Human Services for medical assistance, a contingent beneficiary does not disqualify a special needs trust. He suggested additional language giving courts authority to reform a trust to accomplish the purpose of a supplemental or special needs trust. The reformation could be done upon the determination that the grantor had in good faith attempted to qualify the trust, the reformation is necessary to accomplish the purpose of a supplemental or special needs trust, and the reformation would be in accordance with the grantor's intent. A copy of his testimony and suggested amendments is on file in the Legislative Council office.

In response to a question from Representative Porter, Mr. Guy said money remaining in a special needs trust is required by federal law to cover the cost of benefits provided through medical assistance upon the death of the beneficiary.

In response to a question from Representative Porter, Mr. Guy said there would be very few reformations of trusts already in existence. He said the reformation language was primarily for trusts made in wills and trusts that are not funded until some future date. He said these trusts do not get attention until many years after the trust language is drafted.

In response to a question from Representative Porter, Mr. Guy said reformation is commonly done for charitable trusts and is allowed under the Internal Revenue Code. He said between the last meeting of the Judiciary B Committee and this meeting, the Department of Human Services decided there should not be a contingent beneficiary for special needs trusts. He said a person of limited means would be unduly burdened if that person had to have a lawyer review the trust document or go to court every time there was a policy change.

In response to a question from Senator Trenbeath, Mr. Guy said reformation is already available as an equitable remedy. However, he said, all legal remedies must be exhausted before a court allows an equitable remedy. He said the language in the bill draft would streamline the process. He said the bill draft does not create a new remedy but clarifies a remedy that already exists.

In response to a question from Senator Traynor, Mr. Guy said supplemental and special needs trusts

are created and funded without the involvement of the court.

In response to a question from Representative Kretschmar, Mr. Guy said the trustee of a trust for an individual with disabilities is usually the sibling with the closest relationship to the individual with a disability. He said this is usually the next youngest sibling. He said there usually is very little money involved with a supplemental or special needs trust and it usually is not cost-effective to have a corporate trustee.

Mr. Blaine L. Nordwall, Director, Economic Assistance Policy, Department of Human Services, presented written testimony on the bill draft and amendments. Mr. Nordwall said the terms supplemental needs trust and special needs trust should be replaced with the terms third-party special needs trust and self-settled special needs trust. He said the bill draft should make specific references to the federal code. He said the bill draft should remove any reference to disability criteria purported to be created by the Department of Human Services because the term is defined by federal criteria. He said third-party special needs trusts are defined as to "qualify" under the bill draft and since the bill provides no method for "qualification," the language should be removed. He said the language in the bill draft should be clarified which states that the bill draft should do no harm against third-party special needs trusts. He said language in the bill draft should be removed which states the bill draft does not require submission of a trust to a state agency or court for interpretation or enforcement. He said this language may mislead individuals to believe that they do not need to submit certain trusts for review when they apply for medical assistance or other public benefits. He offered other minor changes to clarify language in the bill draft. A copy of his testimony and amendments is on file in the Legislative Council office.

In response to a question from Representative Delmore, Mr. Nordwall said the creation of trusts for individuals with disabilities is easier in Minnesota because of knowledgeable attorneys in that state.

In response to a question from Representative Kretschmar, Mr. Nordwall said in 2001 Engrossed Senate Bill No. 2187, there was an expansive definition of the right to reform. He said this raised concerns with overriding the settlor's intent, thereby shifting the burden of paying for medical expenses from a trust to taxpayers.

In response to a question from Representative Kretschmar, Mr. Nordwall said there is no concern with a contingent beneficiary for a third-party trust. He said the concern is with a self-settled special needs trust.

In response to a question from Senator Traynor, Mr. Nordwall said federal law does not use any of the terms discussed to label trusts for individuals with disabilities. He said the terms supplemental and

special needs trusts are used interchangeably by most attorneys.

Ms. Revel Sapa, Cavalier, presented written testimony on her experiences with a supplemental needs trust for her disabled daughter. Ms. Sapa spoke in favor of a bill draft to provide predictability in the drafting of supplemental needs trusts. A copy of her testimony is on file in the Legislative Council office.

In response to a question from Representative Solberg, Ms. Sapa said she was in favor of the bill draft and any changes offered by Mr. Guy.

In response to a question from Representative Delmore, Ms. Sapa said although some people recommended she not tell the state about the trust or she use a different mechanism to hide assets from the state, she did not take their advice.

The committee did not take any substantive action on the bill draft. Senator Trenbeath said the committee members should look closely at the amendments in considering this complex issue.

RESIDENT AND NONRESIDENT HUNTING ISSUES

Guides and Outfitters Memorandum

At the request of Chairman Delmore, committee counsel presented a memorandum entitled *Guides and Outfitters*. The memorandum contains information on the definitions, qualifications, and requirements of regular and certified guides and outfitters, reviews the Game and Fish Department director's rulemaking authority and rules promulgated by the director, reviews rules made in 1996 and voided by the Administrative Rules Committee, and reviews hunting on Army Corps of Engineers, Bureau of Land Management, Bureau of Reclamation, United States Fish and Wildlife Service, and Forest Service lands by guides and outfitters.

In response to a question from Representative Delmore, committee counsel said under the director's power to revoke or refuse to renew a license of a guide or outfitter that is convicted of any game or fish law, there have been licenses revoked and not renewed; however, some businesses remain in business even after guides that work for that business lose their licenses.

In response to a question from Senator Traynor, committee counsel said all guides and outfitters must be "regular" guides or outfitters. He said there are special requirements to be a certified guide in addition to those of being a regular guide.

Testing of Guides Bill Draft

At the request of Chairman Delmore, committee counsel presented a bill draft that requires the Game and Fish Department to create and administer a written examination to test the proficiency of hunting guides and outfitters in state and federal laws on the hunting of wild game.

Mr. Kyle Blanchfield, President, Guides and Outfitters Association, presented testimony in support of the bill draft. He said the Guides and Outfitters Association supports other additional requirements such as cardiopulmonary resuscitation, first aid, and liability insurance for all guides.

In response to a question from Representative Nelson, Mr. Blanchfield said the association wants to have a professionalized industry and to require knowledge of the basic laws governing the industry.

Mr. Roger Rostvet, Deputy Director, Game and Fish Department, presented testimony on the bill draft.

In response to a question from Representative Kretschmar, Mr. Rostvet said the administration of a test on game and fish laws could be done easily by the department. He said it would be more difficult if there were an educational component. He said the only difficult matter would be to develop rules for when individuals fail the test.

Mr. Rostvet said a person could have an outfitting business and have employee guides violate game and fish laws and still stay in business in this state. In other states, outfitters are like a liquor store and guides are like employees. He said in the same way as the liquor store is punished for certain violations done by employees, outfitters could be punished for violations by guides.

In response to a question from Representative Hanson, Mr. Rostvet said there have been a fair number of guides convicted of game and fish violations that have had their licenses suspended.

In response to a question from Representative Drovdal, Mr. Rostvet said the Game and Fish Department does nothing to check the familiarity of guides with the law. He said the duty is on the guide.

In response to a question from Representative Nelson, Mr. Rostvet said the director has rulemaking authority to require testing. However, he said, because previous rules have been voided because it was stated they are an area for legislative action, the Game and Fish Department wants legislative direction before adopting rules.

Testimony on the Definitions of Guides and Outfitters

In response to a question from Senator Tollefson, committee counsel said the terms guide and outfitter have the same legal definition in this state. He said other states treat an outfitter as a business and a guide as an individual who works for that business.

In response to a question from Representative Nelson, Mr. Rostvet said during the 2001 legislative session the sales tax bill for guides at one time took the form of separating guides and outfitters. He said the bill placed the business responsibility on the outfitter.

Mr. Dean C. Hildebrand, Director, Game and Fish Department, presented testimony on guides and

outfitters. He said the Game and Fish Department has introduced a few bills each legislative session to keep the issue of regulation of guides in front of the Legislative Assembly. He said some guides are a big business and have a lot invested in business. He said some guides make a few extra dollars with little investment. He said the goal is to find an acceptable balance of registration for both groups.

In response to a question from Senator Tollefson, Mr. Blanchfield said the dichotomy between guides and outfitters began in mountain states. He said outfitters in some states purchase a zone in which they have exclusive outfitting rights. He said the outfitter owns the lodge, the land, and the equipment. He said when hunting big game in mountain country, there is much more danger to clients than when hunting in North Dakota.

In response to a question from Senator Tollefson, Mr. Blanchfield said the vast majority of guides and outfitters in this state are one- or two-man operations. He said large operations and small operations are regulated the same.

Senator Tollefson said a true outfitter should be treated as a business.

Mr. Pat Candrian, Cannonball Company, presented testimony. He said he is an outfitter. He said he hires 13 guides to do the fieldwork. He said there is a large difference between an outfitter and a guide.

Other Issues and Information Relating to Guides and Outfitters

In response to a question from Representative Kretschmar, Mr. Blanchfield said the Guides and Outfitters Association has 117 members of an approximate total of 368 licensed guides and outfitters.

In response to a question from Senator Traynor, Mr. Blanchfield said a large portion of the guiding business is fishing.

In response to a question from Representative Porter, Mr. Rostvet said the guides are not required to report game violations.

In response to a question from Representative Nelson, Mr. Rostvet said there is anecdotal evidence that South Dakota has problems with not licensing guides and outfitters. He said based on anecdotal evidence, North Dakota does not have as much land leased for hunting purposes as South Dakota.

In response to a question from Representative Nelson, Mr. Hildebrand said it is difficult to make rules with no clear policy from legislators. He said the Game and Fish Department prefers a clear policy directive to adopt rules.

Senator Trenbeath said he is against more government involvement in business. He said there are unhappy customers in every kind of service industry. He said the law does not require liability

insurance for other businesses and he does not advocate requiring liability insurance for guides.

In response to a question from Senator Traynor, Mr. Blanchfield said although guides could self-regulate like other professional associations, self-regulation would be a contentious issue.

In response to a question from Senator Traynor, Mr. Blanchfield said guiding is not a taxable service under North Dakota law. He said guides pay income tax.

Mr. Mike Donahue, United States Wildlife Federation, Inc., and United Sportsmen, presented testimony. He said he is in favor of a distinction between guides and outfitters. He said he is for all guides to have the qualifications of a certified guide. He said out-of-state groups lease land and hire local guides. He said these out-of-state groups need to be under state regulation. He said the regulation of outfitters could be similar to tobacco sales regulation--if there is an offense the clerk is punished, if there is a second offense the store is punished.

Records of Guides and Outfitters Bill Draft

At the request of Chairman Delmore, committee counsel presented a bill draft that requires guides and outfitters to provide an annual report of the names and addresses of that guide's or outfitter's clients for the preceding year to the Game and Fish Department.

Mr. Candrian said the bill draft would require him to turn over private information unless the records were held confidential and not open to the public records law.

Mr. Blanchfield said his client list is a valuable part of his business. He said records are kept and inspected by game wardens. He said the reason for the list is for enforcement and sending the list to the Game and Fish Department does not aid in enforcement over providing records for inspection at his place of business.

In response to a question from Representative Porter, committee counsel said the bill draft could be revised to keep the records private.

In response to a question from Representative Porter, Mr. Rostvet said guides are subject to limited requirements relating to the keeping of business records. He said at one time rules required that the records be submitted to the Game and Fish Department; however, this requirement was removed because of concerns that private information was being released as public record.

Property Owned by Nonresidents for Hunting Purposes

At the request of Chairman Delmore, committee counsel presented a memorandum entitled *Property Owned by Nonresidents for Hunting Purposes - Results of Survey of County Recorders*. He said the survey of certain county recorders did not provide significant or enough information to make any

generalizations. He said two of the eight county recorders surveyed provided information, three said the information provided would not be useful or would require a tremendous amount of work, and three had not responded as of the date of the meeting.

Senator Trenbeath said even if the information that was requested was collected, it would not provide significantly useful information.

Taxation of Property Used for Hunting Purposes

At the request of Chairman Delmore, committee counsel provided information on the Taxation Committee study of the taxation of guides and outfitters. He said there is no provision for a dual assessment on a parcel of land. He provided information that had been provided to the Taxation Committee by Ms. Marcy Dickerson, Tax Department, which said:

If the use of agricultural property changes so that its primary use is for hunting or some other nonfarming activity, it should be reclassified for assessment purposes. If the property is still used primarily for farming and the hunting or other activity is incidental, it does not lose its status as agricultural property. . . . Therefore, based on state-wide statistics, if an agricultural property were reclassified as commercial property and assessed according to its market value instead of its productive capability, its taxable value would probably increase about 41 percent.

A copy of the information provided to the committee is on file in the Legislative Council office.

Land Controlled by Guides

At the request of Chairman Delmore, committee counsel presented a memorandum entitled *Survey of Guides and Outfitters on Property Controlled for Hunting Purposes - Results*. He said the survey was sent with an enclosed, self-addressed, stamped envelope to 340 addresses of individuals who are licensed guides and outfitters. He said the survey asked for the name of the business, the acres controlled for hunting, and comments. He said 101 responses were returned to the Legislative Council office. He said the No. 1 comment was that nonresident hunters are good for economic development and tourism. A copy of each survey response is on file in the Legislative Council office.

Surveys by Game and Fish Department

Mr. Rostvet provided testimony on the future survey of North Dakota's landowners, resident hunters, and nonresident hunters. He said the survey to be completed this year is similar to a previous survey done in 1996. He said the 1996 survey was done by an independent body and the information in the survey correlated well among the groups in the

survey. He said the 1996 survey will provide a good baseline for interpreting the results of the new survey.

In response to a question from Representative Porter, Mr. Rostvet said the survey will be a direct telephone survey.

In response to a question from Representative Porter, Mr. Rostvet said the hunting and fishing expenditure survey to be completed by North Dakota State University should have all the information collected by June. He said the final work product should be done by late summer. He said there are no preliminary numbers.

In response to a question from Representative Delmore, Mr. Rostvet said the hunting and fishing expenditure study measures business activity.

Mr. Rostvet said the Game and Fish Department will be gaining information on the attitudes on wildlife of the general public in this state through a different survey. He said some of the questions will be on the economics and commercialization of hunting in this state.

Other Testimony

Mr. James Brower and Mr. Jesse Kalberer provided written testimony to the committee. A copy of their testimony is on file in the Legislative Council office.

In response to a question from Senator Traynor, Mr. Rostvet said the fee for hunting waterfowl and upland game has not been increased since 1996.

In response to a question from Representative Porter, Mr. Rostvet said it is too early to tell what the budget will be in the next biennium for access programs. He said in the last biennium there was an increase of 12.6 percent for private land access. He said there is a strong desire by hunters for more access.

In response to a question from Representative Nelson, Mr. Rostvet said the current budget for this biennium for direct access programs is \$1.5 million and the budget for the coverlocks program is \$1.2 million.

In response to a question from Representative Nelson, Mr. Rostvet said the Montana block management program is funded from nonresident license sales, the same as South Dakota with access programs.

In response to a question from Representative Nelson, Mr. Rostvet said there are difficulties with diverting hunting moneys for general purposes under federal law. He said these moneys could not be used for road repair.

Representative Porter presented a bill draft to the committee that would require general liability insurance, cardiopulmonary resuscitation, and standard first aid for all guides.

RETENTION OF ELK

Mr. Noel R. Poe, Superintendent, Theodore Roosevelt National Park, presented written testimony on elk management in the Theodore Roosevelt National Park. Mr. Poe provided supporting documentation for his testimony. He said excess elk in the park is a serious issue. He said he likes Utah's incentive plan but does not know if it can be adapted to this state. He said if this state adopted Montana's block grant program, which pays landowners based on hunter days, the program should apply to all species. He said if Congress provided for hunting in the park, there would be hunting in the park. Presently, he said, the purpose of the park does not allow hunting. He said the purpose of the park is for the protection of wildlife species. Copies of his testimony and supporting documentation are on file in the Legislative Council office.

In response to a question from Representative Hanson, Mr. Poe said there is hunting in only one national park--Grand Teton. He said other National Park Service land has hunting.

In response to a question from Representative Nelson, Mr. Poe said when elk were brought to the park, it was recognized that they would escape even though it would be attempted to fence them in the park. He said he has seen an elk jump a 10-foot fence from standing still and a 14-foot fence with a run at the fence. He said there is a problem with the fences at the park. He said the fence-building crew is focusing on the north unit and keeping bison in the park. He said the south unit maintenance log showed 238 hours for fence repair last year. He said the main problem is with washouts. He said elk can get under a fence with a very small crawl space. In addition, he said, hunters have cut fences and lifted fences so the elk can get out of the park.

In response to a question from Representative Nelson, Mr. Poe said there are three people hired for the fence crew. He said other staff work on fences as situations arise.

In response to a question from Representative Nelson, Mr. Poe said he could sign up ranchers as volunteers and allow them to fix the fence if it was the desire of the rancher.

In response to a question from Senator Traynor, Mr. Poe said in the first elk roundup, 46 elk died or had to be killed. He said 24 of these elk were killed as a result of the capturing process and 22 tested positive for disease.

In response to a question from Senator Traynor, Mr. Poe said once the elk are shipped to their new owners, the new owner can do what they want with the elk.

In response to a question from Representative Porter, Mr. Poe said he is concerned with chronic wasting disease. He said the elk in and around the park are not confined enough for chronic wasting disease to be a major problem. He said the main

concern is if these elk should come in contact with confined elk.

In response to a question from Representative Hanson, Mr. Poe said he did not know what the park would do with excess elk if no one would take the elk.

Mr. Ike Hecker, Medora Grazing Association, presented testimony to the committee. He said there is not a problem between ranchers and hunters but between the depredation caused by elk and ranchers. He said hunting in the park would cause the elk to scare and scatter, thereby exacerbating the problem.

In response to a question from Representative Porter, Mr. Hecker said a resolution to allow bowhunting of cow elk may be a workable solution.

Mr. Russ Johnson, Alliance to Management Elk in North Dakota, presented written testimony to the committee on chronic wasting disease and elk and incentive programs. He said chronic wasting disease is not a major issue and supported an incentive fund to compensate for depredation and habitat enhancements. He provided 1,324 additional petition signatures against the periodic exporting of elk from the state of North Dakota. A copy of his testimony and the petition signatures is on file in the Legislative Council office.

In response to a question from Senator Traynor, Mr. Johnson said an incentive program would be mutually beneficial to landowners, hunters, and the Game and Fish Department.

FEES AND POINT DEMERITS FOR TRAFFIC OFFENSES

At the request of Chairman Delmore, committee counsel presented a bill draft on increasing the speed limit. He said the bill draft would provide for a speed limit of 55 miles an hour on gravel roads; 65 miles an hour on paved two-lane highways and on paved and divided multilane highways; and 75 miles an hour on the interstate highways.

Chairman Delmore said the committee was given a study that resulted from the speed limit bill last legislative session. She said the reason for the study is because some legislators wanted more input.

Mr. Tom Freier, Deputy Director, Department of Transportation, answered questions for the committee. In response to a question from Senator Traynor, Mr. Freier said it would cost \$2 million to \$2.5 million to increase the speed limit to 75 miles an hour on interstate highways. He said the cost would come from the change in signage and longer guardrails and other improvements. He said these improvements would be done as changes were being made otherwise to a particular section of the interstate highways.

Colonel James M. Hughes, Superintendent, Highway Patrol, presented testimony to the committee. Colonel Hughes' testimony was based on a graph of fees and points for different speed zones, statistics on North Dakota traffic fatalities, and

information on one-vehicle rollovers. He said the penalties for speeding are not consistent and this inconsistency hinders citizens in determining what is against the law. He said the fees and points should be simpler and consistent and this would provide a better deterrent. He said if the speed limit is increased, other safety factors should be adopted to maintain the same level of safety. He suggested the consideration of primary seatbelt enforcement and .08 per se alcohol level. He said the penalties for speeding would have to be strict enough to make people obey the speed limit if increased. A copy of each handout is on file in the Legislative Council office.

In response to a question from Senator Trenbeath, Colonel Hughes said speed is a factor in 47 percent of crashes. He said this includes driving too fast for the conditions and exceeding the speed limit.

In response to a question from Representative Thorpe, Colonel Hughes said the interstate speed limit in South Dakota and Montana is 75 miles an hour and is 70 miles an hour in Minnesota.

In response to a question from Representative Thorpe, Colonel Hughes said there is a level of tolerance in the enforcement of speeding because of speedometer error and to be reasonable. He said it would be an endless task to give a citation for speeding 71 miles an hour in a 70-mile-an-hour zone. He said if the speed limit is raised to 75 miles an hour, this tolerance would be lessened.

In response to a question from Representative Kretschmar, Colonel Hughes said there are speed monitoring sites in this state. He said there is more speeding on Friday afternoons, Sunday evenings, and Monday mornings than at other times. He said fatal crashes appear to be random as to the time of day.

In response to a question from Representative Johnson, Colonel Hughes said there are roads in this state where it would be appropriate to have a 65-mile-an-hour day and night speed limit; however, some roads need to be 55 miles an hour at night.

In response to a question from Senator Fischer, Colonel Hughes said he has to refer to reference material to tell somebody what the penalty is for speeding on a certain road at a certain speed. He said speed limit penalties should be for five mile an hour increments and not for each mile an hour. He said the penalty should be consistent for the amount over the speed limit for each limit.

Senator Fischer said some states inform drivers at the border of the speed limit penalties on signage.

CENTRALIZED PROCESS FOR TRAFFIC VIOLATION ADMINISTRATION

Ms. Lynn Heinert, Driver Improvement Services Manager, Drivers License and Traffic Safety Division, Department of Transportation, presented testimony on the fiscal effect of a centralized administration of traffic offenses. Ms. Heinert said a one-time cost

estimate is \$162,500 and an ongoing annual cost estimate is \$129,600. Her testimony was based on a handout. In addition, she provided a handout on driving without a license. A copy of each handout is on file in the Legislative Council office.

In response to a question from Representative Porter, Ms. Heinert said the penalty for driving under suspension is a Class B misdemeanor. She said a Class B misdemeanor is punishable by a maximum penalty of 30 days' imprisonment, a fine of \$1,000, or both. She said if the underlying offense is alcohol-related, four days' imprisonment is mandatory.

In response to a question from Representative Porter, Ms. Heinert said the period of suspension is up to a like amount of time as the original offense. She said if the original offense was alcohol-related, the suspension is for six months, unless it is the third time, then the suspension is for one year.

NO-PAY/NO-PLAY

Ms. Heinert provided testimony on the effectiveness of exempting a secure person from noneconomic loss by certain injured persons operating a

motor vehicle as required by Chapter 273, Section 2, of the 1999 Session Laws. She said a review of last year's statistics showed that there were 66 accidents involving uninsured drivers for which the uninsured driver was at fault by her determination. She said the law could have affected four of these uninsured drivers. She said the number of uninsured drivers has been decreasing since 1999; however, the cause is unknown. She said it could be caused by changes in the law or the economy. She said the worse the times are economically, the more people drive without insurance. Her testimony was based on a handout that is on file in the Legislative Council office.

No further business appearing, Chairman Delmore adjourned the meeting at 3:15 p.m.

Timothy J. Dawson
Committee Counsel

ATTACH:1