

**1999 SENATE JUDICIARY**

**SB 2086**

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2086

Senate Judiciary Committee

Conference Committee

Hearing Date January 6, 1999

Tape Number	Side A	Side B	Meter #
1	x		3914 - 5820
Committee Clerk Signature <i>Jackie Hollman</i>			

Minutes:

SB2086 relates to membership of the child sexual abuse investigation team.

SENATOR STENEHJEM opened the hearing on SB2086 at 10:15 A.M.

All were present.

JONATHAN BYERS, Office of Attorney General, testified in favor of SB2086. Testimony attached.

SENATOR STENEHJEM asked why not amend the bill to say the team includes a licensed social worker. I understand you do not have a licensed social worker working for the Attorney General's Office, but then you could assign a social worker from area local counties.

JONATHAN BYERS stated that the current bill describing the team includes a social worker and is employed by the Attorney General's office.

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Senate Judiciary Committee

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SENATOR LYSON asked if a social worker from the county where the abuse took place was assigned.

JONATHAN BYERS stated that this was correct.

SENATOR BERCIER asked who placed the requirement for the social worker to be assigned.

JONATHAN BYERS stated that the Child Abuse and Neglect Law requires this.

SENATOR STENEHJEM asked what the Child Sexual Abuse Investigation Team do.

JONATHAN BYERS stated that the team assists states attorneys when they request help with investigation and prosecution.

SENATOR LYSON asked if local law enforcement call this team's office to request help on how to handle the investigation on sexual assault.

JONATHAN BYERS stated this was true.

SENATOR STENEHJEM CLOSED the hearing on SB2086.

SENATOR LYSON made a motion for DO PASS, seconded by SENATOR BERCIER.

6-0-0 - SENATOR WATNE will carry the bill.

Date: 1-6-99  
Roll Call Vote #: \_\_\_\_\_

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2086

Senate Judiciary \_\_\_\_\_ Committee

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

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

Action Taken Do Pass

Motion Made By Senator Lyson Seconded By Senator Bercier

Senators	Yes	No	Senators	Yes	No
Senator Wayne Stenehjem	X				
Senator Darlene Watne	X				
Senator Stanley Lyson	X				
Senator John Traynor	X				
Senator Dennis Bercier	X				
SenatorCarolyn Nelson	X				

Total (Yes) 6 No \_\_\_\_\_

Absent \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Floor Assignment Senator Watne.

REPORT OF STANDING COMMITTEE (410)  
January 6, 1999 12:51 p.m.

Module No: SR-02-0336  
Carrier: Watne  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**SB 2086: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends DO PASS**  
(6 YEAS, 0 NAYS, ABSENT AND NOT VOTING). SB 2086 was placed on the  
Eleventh order on the calendar.

1999 HOUSE JUDICIARY

SB 2086

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. :2086

House Judiciary Committee

Conference Committee

Hearing Date February 24, 1999

Tape Number	Side A	Side B	Meter #
2	X		6.4
Committee Clerk Signature <i>Alan Goldberg</i>			

Minutes:

JONATHON BYERS (Asst AG) Presented written testimony, a copy of which is attached.

COMMITTEE ACTION

REP. DELMORE moved that the bill be amended to add the emergency clause. Rep. Maragos seconded and the motion passed on a unanimous voice vote.

REP. CLEARY moved that the committee recommend that the bill DO PASS AS AMENDED.

Rep. Mahoney seconded and the motion passed on a roll call vote with 11 ayes, 0 nays and 4 absent. Rep. Cleary was assigned to carry the bill on the floor.

Date: 2/24  
 Roll Call Vote #: 1

**1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 2086**

House JUDICIARY Committee

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

Legislative Council Amendment Number Do pass

Action Taken \_\_\_\_\_

Motion Made By Cleary Seconded By Mahoney

Representatives	Yes	No	Representatives	Yes	No
REP. DEKREY			REP. KELSH	✓	<del>✓</del>
REP. CLEARY	✓		REP. KLEMIN	✓	
REP. DELMORE	✓		REP. KOPPELMAN	✓	
REP. DISRUD			REP. MAHONEY	✓	
REP. FAIRFIELD	✓		REP. MARAGOS		
REP. GORDER	✓		REP. MEYER	✓	
REP. GUNTER	✓		REP. SVEEN	✓	
REP. HAWKEN					

Total Yes ~~10~~ 11 No 0

Absent 4

Floor Assignment Cleary

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



**REPORT OF STANDING COMMITTEE (410)**  
February 24, 1999 1:29 p.m.

**Module No: HR-33-3451**  
**Carrier: Cleary**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SB 2086: Judiciary Committee (Rep. DeKrey, Chairman) recommends DO PASS**  
(11 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SB 2086 was placed on the  
Fourteenth order on the calendar.

1999 TESTIMONY

SB 2086

SENATE BILL 2086 TESTIMONY  
SENATE JUDICIARY COMMITTEE  
JANUARY 6TH, 1999  
FORT LINCOLN ROOM

By Jonathan Byers, Assistant Attorney General

Chairman Stenehjem, Members of the Committee:

My name is Jonathan Byers and I appear on behalf of the Attorney General. I wish to speak in favor of Senate Bill 2086.

The 1991 North Dakota State Legislature created a child sexual abuse team, which was primarily funded by federal dollars. As an Edward Byrne Memorial program, the project's federal funding was limited to four years.

The 1995 State Legislature agreed to continue the prosecutor position by funding it with State dollars. The Bureau of Criminal Investigation continues to assist local law enforcement agencies with sexual abuse investigations. However, the social worker position was never funded by state dollars.

Child protection social workers now have the responsibility to determine whether services are required to protect an abused or neglected child. The professionals in the best position to make such assessments are the social workers from the local area, who may know a great deal about the family's dynamics and the services that are actually available to them.

The funding for a social worker staffed with the Office of Attorney General is no longer available; the need is being filled in other ways. This bill is a housekeeping measure to make the statute conform to prior legislative action.

I would be happy to answer any questions.