

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

1215

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Deanna Hall
Operator's Signature

10/2/03
Date

2003 HOUSE JUDICIARY

HB 1215

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Dorinda G. Hall
Operator's Signature

10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1215

House Judiciary Committee

Conference Committee

Hearing Date 2-3-03

| Tape Number | Side A | Side B | Meter # |
|-------------|--------|--------|---------|
| 1 | | x | 5-18 |
| | | | |
| | | | |

Committee Clerk Signature

D. Penrose

Minutes: 12 members present, 1 member absent (Rep. Bernstein)

Rep. Mark Dosch: Support (see attached testimony).

Rep. Grande: Isn't this already a law.

Rep. Dosch: No, no consequences exist.

Rep. Eckre: Used to have consequences in college dorms.

Rep. Dosch: We wanted a deterrent and couldn't find anything, and LC couldn't find anything either.

Rep. Klemin: Sec. 2, line 14, fire suppression equipment, does this include sprinklers. If you hold lighter up to sprinkler, will they all go off?

Rep. Dosch: That one sprinkler will go off. If just pull alarm, no law, and this is serious.

Rep. Galvin: Can the sprinkler be set off accidentally?

Rep. Dosch: Yes, even dust can accumulate and set one off. We spray them off every so often.

Rep. Wrangham: On line 15, or other place of abode, does this mean private residence.

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D. Penrose

Date

10/2/03

Page 2
House Judiciary Committee
Bill/Resolution Number HB 1215
Hearing Date 2-3-03

Rep. Dosch: LC came up with the language, so don't know.

Rep. Delmore: Maybe they mean the bed and breakfast, that would be included as a private residence?

Rep. Dosch: Could be.

Rep. Klemm: What's the rationale for the minimum fine.

Rep. Dosch: To act as a deterrent.

Rep. Boehning: When fire department responds to a call, is there a charge for that.

Rep. Dosch: If your business is directly connected to the fire department, there is a \$25 fine for coming out and it is a false alarm.

Chairman DeKrey: Children are different than in the past.

Rep. Dosch: Parent are different now than in the past.

Rep. Maragos: I agree with Rep. Dosch, \$500 fine is good.

Chairman DeKrey: If student a few years ago did something wrong, they knew when they did something wrong. Now, they don't know they did something wrong, and when explained to them they had, they couldn't understand why they had to be punished.

Rep. Wrangham: We've being asked more and more to send messages with legislation to improve behavior, to pass more stringent laws to send messages. Those laws are ignored, because they don't want to get the troublemaker in that much trouble, so they don't file charges. Education and sportsmanship are what kids need to learn in sports.

Chairman DeKrey: Thank you. Any further testimony in support? Any further testimony in opposition? We will close the hearing.

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Dorinda H. Ball
Operator's signature

10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1215

House Judiciary Committee

Conference Committee

Hearing Date 2-3-03

| Tape Number | Side A | Side B | Meter # |
|---------------------------------------------|--------|--------|---------|
| 2 | | x | 31.3-38 |
| | | | |
| | | | |
| Committee Clerk Signature <i>M. Penrose</i> | | | |

Minutes: 12 members present, 1 member absent (Rep. Bernstein)

Chairman DeKrey: What are the committee's wishes in regard to HB 1215.

Rep. Grande: I move to amend HB 1215 to add an emergency clause.

Rep. Boehning: Seconded.

Voice vote: Carries.

Rep. Kretschmar: I move to amend lines 17 & 18, delete with a minimum fine of five hundred dollars.

Rep. Klein: Seconded.

Voice vote: 11 yes, 1 no.

Rep. Maragos: I move a Do Pass as amended.

Rep. Delmore: Seconded.

12 YES 0 NO 1 ABSENT DO PASS AS AMENDED CARRIER: Rep. Galvin

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Deanna Galvin
Operator's Signature

10/2/03
Date

30277.0101
Title.0200

Adopted by the Judiciary Committee
February 3, 2003

VK
2/4/03

HOUSE AMENDMENTS TO HOUSE BILL NO. 1215 JUD 2-04-03

Page 1, line 3, remove "and" and after "penalty" insert "; and to declare an emergency"

Page 1, line 17, remove "with a minimum fine of five"

Page 1, line 18, remove "hundred dollars" and after the period insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

Page No. 1

30277.0101

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Danna Bell
Operator's Signature

10/2/03
Date

Date: 2/3/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1215

House Judiciary Committee

Check here for Conference Committee

Legislative Council Amendment Number 302 77.0101 . 0200

Action Taken Do Pass as Amended

Motion Made By Rep. Maragos Seconded By Rep. Delmore

| Representatives | Yes | No | Representatives | Yes | No |
|-----------------------|-----|----|-----------------|-----|----|
| Chairman DeKrey | ✓ | | Rep. Delmore | ✓ | |
| Vice Chairman Maragos | ✓ | | Rep. Eckre | ✓ | |
| Rep. Bernstein | AB | | Rep. Onstad | ✓ | |
| Rep. Boehning | ✓ | | | | |
| Rep. Galvin | ✓ | | | | |
| Rep. Grande | ✓ | | | | |
| Rep. Kingsbury | ✓ | | | | |
| Rep. Klemin | / | | | | |
| Rep. Kretschmar | / | | | | |
| Rep. Wrangham | / | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Total (Yes) 12 No 0

Absent 1

Floor Assignment Rep. Galvin

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

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Donna Holbrook 10/2/03
Operator's Signature Date

REPORT OF STANDING COMMITTEE (410)
February 4, 2003 5:13 p.m.

Module No: HR-21-1662
Carrier: Galvin
Insert LC: 30277.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1215: Judiciary Committee (Rep. DeKrey, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1215 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "and" and after "penalty" insert "; and to declare an emergency"

Page 1, line 17, remove "with a minimum fine of five"

Page 1, line 18, remove "hundred dollars" and after the period insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

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Deanna G. Ballantyne
Operator's Signature

10/2/03
Date

2003 SENATE JUDICIARY

HB 1215

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Dennis G. Holcomb
Operator's Signature

10/2/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1215

Senate Judiciary Committee

Conference Committee

Hearing Date 03/17/03

| Tape Number | Side A | Side B | Meter # |
|--------------------------------------------------|--------|--------|----------|
| 1 | X | | 26.9 -39 |
| | | | |
| | | | |
| Committee Clerk Signature <i>Maria L Solberg</i> | | | |

Minutes: Senator John T. Traynor, Chairman, called the meeting to order. Roll call was taken and all committee members present. Sen. Traynor requested meeting starts with testimony on the bill:

Testimony in Support of HB 1215

Rep. Mark Dosch - Dist. 32 - Introduced Bill (meter 27) Read Testimony - Attachment #1. Sited example of a hotel prank by High School kids in taking off the emergency drain valve on hotel sprinkler. This flooded the parking lot. Not only was there the expense of the fire department and repair but the liability of a flooded, ice filled parking, lot in the 10 degree weather with all the guests having to exit the building.

Sen. Trenbeath discussed do to age of the kids this bill will only leave to a juvenile referral, if anything. They can not be convicted to a crime.

Rep Dosch stated that sometimes some of the kids are above 18 years of age.

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Deanna Solberg
Operator's signature

10/2/03
Date

Page 2
Senate Judiciary Committee
Bill/Resolution Number HB 1215
Hearing Date 03/17/03

Sen. Nelson questioned if other places would include dorm rooms. Yes, this is standard language.

Discussed the "emergency clause". In the original bill it was a \$500 fine, House took it off keeping it a class B misdemeanor, leaving the penalty discretionary to the judge.

Discussed dangerous pranks some had witnessed by mid-adolescence's.

Testimony in Opposition of HB 1215

None

Testimony Neutral to HB 1215

None

Motion Made to DO PASS HB 1215 Sen. Dever and seconded by Sen. Nelson

Roll Call Vote: 5 Yes. 0 No. 1 Absent

Motion Passed

Floor Assignment: Sen. Dever

Senator John T. Traynor, Chairman closed the hearing

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Dorinda Holbrook
Operator's signature

10/2/03
Date

REPORT OF STANDING COMMITTEE (410)
March 17, 2003 12:39 p.m.

Module No: SR-47-4910
Carrier: Dever
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1215, as engrossed: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1215 was placed on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-47-4910

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Doreen Ballin
Operator's Signature

10/2/03
Date

2003 TESTIMONY

HB 1215

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Dorena G. Ballantyne
Operator's Signature

10/2/03
Date

HOUSE BILL 1215

February 3, 2003

Chairman Duane DeKrey, distinguished member of the Judiciary committee, My name is Mark Dosch, Representative from District 32 south Bismarck.

This bill deals with those people who falsely set off fire alarms or fire suppression equipment as a joke. A dangerous joke that could some day cost a life.

With the school sports season now in full swing, the hotel industry braces for an onset of kids. And with that the pranksters who think it is funny to set off fire alarms. Being in the hotel business, I am amazed at the lack of attention given when a fire alarm is sounded. Another false alarm is readily assumed. We have all heard of the story of the boy who called wolf. In the hotel business, the same scenario can be made with false fire alarms. Valuable minutes can be lost, when immediate action is not taken.

This is why, it is so very important that the consequences of falsely setting off fire alarms, or in essence "crying wolf" must be put in place. This bill would also allow owners to post the consequences of a false alarm, and thus hopefully act as a deterrent.

I come before you today to ask your support of HB 1215. Your support of this bill, I believe will someday save a life, a life that might even be yours.

Thank you. This concludes my testimony. I would be happy to answer any questions you may have.

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Operator's signature

10/2/03
Date

AH #1

TESTIMONY
HOUSE BILL 1215

March 17, 2003

Chairman Traynor, distinguished member of the Judiciary committee, for the record my name is Mark Dosch, Representative from District 32 south Bismarck.

This bill deals with those people who falsely set off fire alarms or fire suppression equipment as a joke. A dangerous joke that could some day cost a life.

With the school sports season now in full swing, the hotel industry braces for an onset of kids. And with that the pranksters who think it is funny to set off fire alarms. Being in the hotel business, I am amazed at the lack of attention given when a fire alarm is sounded. Another false alarm is readily assumed. We have all heard of the story of the boy who called wolf. In the hotel business, the same scenario can be made with false fire alarms. Valuable minutes can be lost, when immediate action is not taken. In addition, the resources of the fire department are wasted on false calls, when a real call response may be delayed.

This is why, it is so very important that the consequences of falsely setting off fire alarms, or in essence "crying wolf" must be put in place. This bill would also allow owners to post the consequences of a false alarm, and thus hopeful act as a deterrent.

I come before you today to ask your support of HB 1215. Your support of this bill, I believe will someday save a life, a life that might even be yours.

Thank you. This concludes my testimony. I would be happy to answer any questions you may have.

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Demetrius Ballbrink
Operator's Signature

10/2/03
Date