

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

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Date

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2003 HOUSE JUDICIARY

HB 1252

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1252

House Judiciary Committee

Conference Committee

Hearing Date 1-29-03

Tape Number	Side A	Side B	Meter #
2	x		30-47
Committee Clerk Signature <i>Al Penrose</i>			

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

Chairman DeKrey: We will open the hearing on HB 1252.

Rep. Delmore: Introduced HB 1252.

Rep. Klein: "Unescorted physical access"; you mean if they have a security guard with them that they wouldn't need to have these background checks.

Rep. Delmore: I think by "unescorted physical access" they mean they have access to secured areas without supervision or surveillance cameras, etc.

Chairman DeKrey: Thank you. Any further testimony in support.

Curt Wolfe, CIO, State of ND: Support. We do have a couple of suggested amendments or changes in language. Specifically on line 9 reference to individuals, we would like to see that changed to employees or contractors. On line 12, identify should be identity. (Addressed the fiscal note).

Chairman DeKrey: Thank you.

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House Judiciary Committee
Bill/Resolution Number HB 1252
Hearing Date 1-29-03

Rep. Klemm: Not all employees are subject to background checks? Are you doing this to have discretion as to who does or doesn't need a background check.

Mr. Wolfe: On line 2, certain employees of ITD, then you are referencing line 8 as a condition of employment with the department. We want the employees to know that at the time of offer they are subject to a background check. We do that today. They know by signing the application, we will, at our discretion, do a background check.

Rep. Klemm: What employees would you have that would have access to the "facilities of the department".

Mr. Wolfe: For example where our computer room is, it has a keypad and you have to have a card to get access to that facility. Not every employee has that access.

Rep. Klemm: Is the term "facilities" defined someplace else so we know what is meant.

Mr. Wolfe: I guess it's not clear what facilities are, we have a reception area and we have somebody walk in there and they are not an employee or contractor, we certainly don't want to have to do a background check before we allow them access to some areas where security is not an issue for us.

Rep. Klemm: Maybe we need to be a little more specific, seems like the word facilities is pretty broad.

Mr. Wolfe: I think with the authority to do background checks, I don't know if it is important whether the word facilities is a key word in the bill itself. Because regardless of physical location, we will do background checks on appropriate employees.

Chairman DeKrey: Thank you. Any further testimony in support.

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House Judiciary Committee
Bill/Resolution Number HB 1252
Hearing Date 1-29-03

Bob Helten, Manager of the Information Services Section of BCI: (see attached testimony of Jerry Kemmet, Director of BCI, who wasn't able to be at the hearing. Bob read Jerry's testimony). Neutral.

Rep. Delmore: It would seem to me to lump all the bills together (House and Senate) when none have been passed at this time, is not a very accurate fiscal note, particularly if you look at criminal record checks on city and county employees. There is going to be a much larger number of those than one department.

Mr. Helten: The numbers you see for this fiscal note, apply only to record checks that would be done as a result of this bill.

Rep. Delmore: Mr. Wolfe said he will have money in his ITD budget, I believe that is noted on the fiscal note as well.

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

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1252

House Judiciary Committee

Conference Committee

Hearing Date 2-3-03

Tape Number	Side A	Side B	Meter #
2		X	38-44

Committee Clerk Signature *D. Penrose*

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

Chairman DeKrey: What are the committee's wishes in regard to HB 1254.

Rep. Maragos: I move to amend, line 9 with employees or contractors, and line 12 to identity.

Rep. Klemm: Seconded.

Voice vote: Carries.

Rep. Klemm: I move to amend, change shall to may in line 8 and line 9.

Chairman DeKrey: Bring the amendments in written form, we will close for now.

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1252

House Judiciary Committee

Conference Committee

Hearing Date 2-4-03

Tape Number	Side A	Side B	Meter #
3	x		37-45

Committee Clerk Signature *Al Penrose*

Minutes: 11 members present, 2 members absent (Rep. Bernstein & Rep. Wrangham)

Chairman DeKrey: We will take a look at HB 1252. What are the committee's wishes.

Rep. Klemin: I move the Klemin amendments of 2/4/03.

Rep. Maragos: Seconded.

Voice vote: Carried.

Rep. Maragos: Move a Do Pass as amended.

Rep. Kretschmar: Seconded.

11 YES 0 NO 2 ABSENT DO PASS AS AMENDED CARRIER: Rep. Onstad

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