

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

1350

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Dennis Hallworth
Operator's Signature

10/3/03
Date

2003 HOUSE JUDICIARY

HB 1350

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Deanna Hallmark
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10/3/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1350

House Judiciary Committee

Conference Committee

Hearing Date 1-22-03

Tape Number	Side A	Side B	Meter #
3	xx		0-11
Committee Clerk Signature <i>D. Remose</i>			

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

Chairman DeKrey: We will now hear testimony on HB 1350.

Sandi Tabor, Deputy AG: It was actually brought to our attention by some of the members of the City of Fargo Police Department, and also the Bismarck Police Dept. that there are several SWAT teams (Special Operations Team). These people go out to take care of bombs, lab raids, and have been responding to calls in the rural areas around their respective cities for some time. As they look at their budgets, and see times getting tighter and tighter. The special operations and special response unit, the budgets for those are also being looked at. The Association of Counties, and the ND League of Cities, and the Attorney General's office got together with the respective police departments and talked about how we could rectify this issue. ND Association of Counties went back to its membership, talked to them, they set up a fee schedule which goes anywhere from \$100-500 of a voluntary assessment, to help fund these special operations team response fund. A grant was given for \$50,000 to help fund the fund. We need this tool. They

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only have them in eight communities right now. It is not something that the rural areas are necessarily going to be able to afford to do themselves. This is a pretty effective, economically and otherwise cooperative agreement between the cities and the counties, and our office is happy to be a part of this and to facilitate it, because it needs to continue.

Rep. Onstad: If SWAT from Bismarck or Fargo goes to rural area, do they get reimbursed?

Ms. Tabor: Not that I know of. Bismarck doesn't, we eat it. But they can't keep it up much longer.

Rep. Onstad: Is there a concern that if you get more than one call, are there enough officers to go around.

Ms. Tabor: I think that Chief Magnus is here, and he'll probably give you a little more detail on how they manage these calls. This bill won't cover all the costs, it will be a way to look at getting overtime reimbursement for the officers and cost of driving and taking the vehicles and equipment, paying for gas. We're trying to be proactive.

Chairman DeKrey: Thank you. Any further testimony in favor of HB 1350.

Lt. Paul Laney, ND Peace Officer's Assn. of Special Operations Comm.: (see attached testimony) Support.

Rep. Delmore: Do you have a team in each of those area, if so, how long would it take to get a unit from wherever they are stationed, into each of these parts, and how many times do you estimate probably being called out.

Lt. Laney: In answer to your first question, it depends on the call time, none of the tactical units are full-time, it would take time to mobilize, we can usually be on the scene within an hour, to

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House Judiciary Committee
Bill/Resolution Number HB 1350
Hearing Date 1-22-03

get to a rural area, like the time in Sargent County, from page out to time of deployment was about 2½ hours.

Rep. Delmore: Where are these teams located.

Lt. Laney: The teams are spread out throughout the state. Currently there are 7, and hoping to get an 8th team to cover the western area.

Chairman DeKrey: Do any of your teams have airlift capabilities?

Lt. Laney: No, not at this time. It is something that we would like to get into, if we could coordinate with the military and the regional civilian law enforcement, where we could make that work, we would be more than willing to work in that area.

Chairman DeKrey: Thank you. Any further testimony in support of HB 1350.

Det. Lonnie Grabowska, Mandan Police Dept.: Support. One thing that I would like to add is on a call-out, we don't send the entire force to one incident, just because they have asked for our help. The SRT commander will actually analyze the situation and decide how many people should go.

Chairman DeKrey: Thank you.

Bryce Hill, President of the ND League of Cities, Police Commissioner of Bismarck:

Support.

Wade Williams, Association of Counties: Support.

Chad Hagen, President of the ND Fraternal Order of Police: Support.

Chairman DeKrey: Thank you. Anyone wishing to testify in opposition? We will close the hearing.

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Donna M. Ballantyne
Operator's Signature

10/3/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1350

House Judiciary Committee

Conference Committee

Hearing Date 1-28-03

Tape Number	Side A	Side B	Meter #
1	x		38-42
Committee Clerk Signature <i>W. Penrose</i>			

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

Chairman DeKrey: We will open the hearing on HB 1350.

Sandi Tabor, Deputy A.M.: This is the bill that provides the creation of a special operations team reimbursement fund. Money for the fund will be found through grants.

Chairman DeKrey: What are the committee's wishes in regard to HB 1350.

Rep. Klemin: Move a Do Pass.

Rep. Kretschmar: Seconded.

12 YES 0 NO 1 ABSENT

DO PASS

CARRIER: Rep. Kingsbury

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10/3/03
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FISCAL NOTE
 Requested by Legislative Council
 01/16/2003

Bill/Resolution No.: HB 1350

1A. **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.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$50,000		\$50,000
Expenditures				\$100,000		\$100,000
Appropriations				\$100,000		\$100,000

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

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. **Narrative:** Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

This bill establishes a special operations team reimbursement fund in the Office of Attorney General. The funds are to reimburse cities and counties that provide special operations team services to rural areas.

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.

It is estimated that the cities and counties will contribute \$50,000 to the special operations team reimbursement fund.

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.

Of the \$100,000 reflected here, \$50,000 is allocated from existing federal Byrne funds. The remaining \$50,000 is anticipated to be funded from city and county assessments for reimbursement for special operations provided to rural areas.

C. **Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

The bill provides for the fund to be appropriated for the reimbursement purpose.

Name:	Kathy Roll	Agency:	Office of Attorney General
Phone Number:	701-328-3622	Date Prepared:	01/16/2003

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Deanna H. Roll
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10/3/03
 Date

Date: 4/28/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1350

House Judiciary Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Rep. Klemm Seconded By Rep. Kretschmar

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

Total (Yes) 12 No 0

Absent 1

Floor Assignment Rep. Kingsbury

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

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Dorinda Hallmark
Operator's Signature

10/3/03
Date

REPORT OF STANDING COMMITTEE (410)
January 28, 2003 11:46 a.m.

Movie No: HR-16-1182
Carrier: Kingsbury
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1350: Judiciary Committee (Rep. DeKrey, Chairman) recommends DO PASS
(12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1350 was placed on the
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-16-1182

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2003 HOUSE APPROPRIATIONS

IIB 1350

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Operator's Signature

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