

MICROFILM DIVIDER

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ROLL NUMBER

DESCRIPTION

1371

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Dorinda Halliwell
Operator's Signature

10/3/03
Date

2003 HOUSE JUDICIARY

HB 1371

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10/3/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1371

House Judiciary Committee

Conference Committee

Hearing Date 2-12-03

Tape Number	Side A	Side B	Meter #
1		xx	16.4-24
2		xx	31.6-36
Committee Clerk Signature <i>Al Penrose</i>			

Minutes: 13 members present.

Chairman DeKrey: We will open the hearing on HB 1371.

Rep. Dan Ruby: Introduced the bill, support.

Chairman DeKrey: Thank you. Testimony in support of HB 1371.

Reed Soderstrom, attorney and bail bondsman: Support. Explained that several costs that are not currently being reimbursed, and would like them to be.

Chairman DeKrey: If the percent remained at 10%, but bump up the fee to \$75, would this help.

Mr. Soderstrom: That would be okay.

Chairman DeKrey: You would need to let the defendant know upfront what the additional costs might be.

Mr. Soderstrom: I wouldn't have a problem with that. We issue receipts now to defendants listing out the costs.

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Page 2
House Judiciary Committee
Bill/Resolution Number HB 1371
Hearing Date 2-12-03

Rep. Eckre: Do you bill for advice, or when someone calls you on the phone, such as attorneys do.

Mr. Soderstrom: I don't charge for telephone calls, unless they are long distance. Sometimes calls have to be made to check out collateral, etc.

Rep. Wrangham: You're talking about these charges you make now, why do we need this new language if you are already making those charges.

Mr. Soderstrom: It is not clarified, it is possibly a violation of the law, the fact that we are charging administrative fees, because the law specifically says 10% or \$50 whichever is greater. This will clarify what most bail bondsmen are already doing.

Rep. Klemin: If it was made clear in here that the premium, commission or fee related to bond itself, maybe then we wouldn't need any language about this expense thing. If we added fee for a bond, would that make it more clear that what we're really talking about is the limitation on the fee for the bond itself.

Mr. Soderstrom: That would help clarify, I agree.

Rep. Klemin: Maybe we wouldn't need that other language that just relates to expenses, which I think is probably just a matter of contract between you and whoever you are bonding.

Mr. Soderstrom: Yes.

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

(Reopened later in the afternoon session)

Chairman DeKrey: What are the committee's wishes in regard to 1371.

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10/3/03
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House Judiciary Committee
Bill/Resolution Number HB 1371
Hearing Date 2-12-03

Rep. Maragos: I move the amendment to add the words "for a bond" after the word fee in line 7, to leave in 10%, \$75, and delete the last sentence.

Rep. Delmore: Seconded.

Voice vote: Carried.

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

Rep. Maragos: Seconded.

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

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10/3/03
Date

38322.0101
Title.0200

Adopted by the Judiciary Committee
February 12, 2003

VK
2/13/03

. HOUSE AMENDMENTS TO HOUSE BILL NO. 1371 JUD 2-13-03

Page 1, line 7, after "fee" insert "for a bond", remove the overstrike over "~~ten~~", and remove "~~twelve~~"

Page 1, line 8, remove "A"

Page 1, remove lines 9 through 11

Renumber accordingly

Page No. 1

38322.0101

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10/3/03
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Date: 2/12/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1371

House Judiciary Committee

Check here for Conference Committee

Legislative Council Amendment Number 38322.0101 .0200

Action Taken Do Pass as Amended

Motion Made By Rep. Delmore Seconded By Rep. Maragos

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

Total (Yes) 11 No 0

Absent 2

Floor Assignment Rep. Onstad

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

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Operator's Signature

10/3/03
Date

REPORT OF STANDING COMMITTEE (410)
February 13, 2003 11:06 a.m.

Module No: HR-28-2562
Carrier: Onstad
Insert LC: 38322.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1371: Judiciary Committee (Rep. DeKrey, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1371 was placed on the Sixth order on the calendar.

Page 1, line 7, after "fee" insert "for a bond", remove the overstrike over "~~ten~~", and remove "twelve"

Page 1, line 8, remove "A"

Page 1, remove lines 9 through 11

Renumber accordingly

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10/3/03
Date

2003 SENATE JUDICIARY

HB 1371

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10/3/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1371

Senate Judiciary Committee

Conference Committee

Hearing Date 03/25/03

Tape Number	Side A	Side B	Meter #
1	X		25.9 - End

Committee Clerk Signature *Maria L. Solberg*

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 1371

Rep. Dan Ruby - Dist #38 Introduced Bill (meter 26.5)

Sen. Dever questioned how this was amended. The other fees were changed and the bill was shortened.

Mr. Reed Soderstrom - Attorney, running the Bail Bond Agency and only Bail Bond Instructor in ND The language of "administrative fees" was changed. We already having the freedom to charge these as long as we can itemize and document these fees, the ND Insurance Commissioners Office said we are in compliance. This is in fact a separate contract. I do not have a problem with these changes. Discussed what different locations in ND charge.

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Dennis Halverson
Operator's Signature

10/3/03
Date

Page 2
Senate Judiciary Committee
Bill/Resolution Number HB 1371
Hearing Date 03/25/03

Sen. Dever discussed how the process works different fees are charged in different

locations-sometimes this is do to competition in the area-a flat out \$25 administrative fee or each process is charged. Discussion of example; on a \$20,000 bail bond- we are paid 10%. We get \$2, 000-the underwriter will get 25% of this leaving us with 75% of the 10%.

Testimony in Opposition of HB 1371

None

Motion Made to DO PASS HB 1371 by Senator Thomas L. Trenbeath and seconded by

Sen. Dever

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

Motion Passed

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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Thomas L. Trenbeath
Operator's Signature

10/3/03
Date

Date: 3/25

Roll Call Vote #:

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1371

Senate JUDICIAL Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Engrossed

Motion Made By _____ Seconded By _____

Senators	Yes	No	Senators	Yes	No
Sen. John T. Traynor - Chairman	✓		Sen. Dennis Bercier	A	A
Sen. Stanley Lyson - Vice Chair	✓		Sen. Carolyn Nelson	✓	✓
Sen. Dick Dever (2)	✓				
Sen. Thomas L. Trenbeath (1)	✓				

Total (Yes) _____ No _____

Absent _____

Floor Assignment Dover

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Dennis Bercier 10/3/03
Operator's Signature Date

