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Jo Costa Richardson
Operator's Signature

10/16/03
Date

2003 HOUSE JUDICIARY

HB 1419

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Salvatore Riccardi
Operator's Signature

10/16/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1419

House Judiciary Committee

Conference Committee

Hearing Date 2-5-03

Tape Number	Side A	Side B	Meter #
1		x	11-16
Committee Clerk Signature <i>Al Penrose</i>			

Minutes: 13 members present.

Chairman DeKrey: We will open the hearing on HB 1419.

Chief Justice Jerry VanderWalle: Introduced the bill, support. This bill continues in effect the intermediate court of appeals. We use the intermediate court of appeals when the Supreme Court load gets too large or if there is a vacancy in the court and have trouble getting the caseload out. We don't use it very often, though.

Chairman DeKrey: Thank you.

Rep. Klemin: This started in 1987, and then the sunset clause was extended for four years.

Chief Justice VanderWalle: Yes, and then it was after 2 years, and then it went to every 4 years.

Rep. Klemin: Could this sunset clause be removed all together.

Chief Justice VanderWalle: That would be acceptable to us.

Chairman DeKrey: Thank you.

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House Judiciary Committee
Bill/Resolution Number HB 1419
Hearing Date 2-5-03

Christine Hogan, Exec. Director, State Bar Association: The State Bar Association would like to go on record in support of HB 1419.

Chairman DeKrey: Thank you. What are the committee's wishes in regard to HB 1419.

Rep. Kretschmar: I move a Do Pass on HB 1419.

Rep. Eckre: Seconded.

12 YES 0 NO 1 ABSENT DO PASS

CARRIER: Rep. Kretschmar

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Yolanda Richardson
Operator's Signature

10/16/03
Date

FISCAL NOTE
 Requested by Legislative Council
 01/21/2003

Bill/Resolution No.: HB 1419

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						
Expenditures			\$4,000		\$4,000	
Appropriations						

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 relates to the temporary court of appeals established by the Supreme Court in the event that the Supreme Court has disposed of two hundred and fifty cases in the twelve months preceding September first of any year.

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.

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.

An estimate of expenditures is \$4,000 based on a panel of 3 surrogate judges serving for 3 days plus an amount for travel.

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.

Name:	Ted Gladden	Agency:	Supreme Court
Phone Number:	328-4216	Date Prepared:	01/23/2003

Date: 2/5/03
 Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1419

House Judiciary Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Rep. Kretschmar Seconded By Rep. Eckre

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

Total (Yes) 12 No 0

Absent 1

Floor Assignment Rep. Kretschmar

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

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Colista Rickford 10/6/03
 Operator's Signature Date

REPORT OF STANDING COMMITTEE (410)
February 6, 2003 3:21 p.m.

Module No: HR-23-1910
Carrier: Kretschmar
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1419: Judiciary Committee (Rep. DeKrey, Chairman) recommends DO PASS
(12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1419 was placed on the
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-23-1910

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Operator's Signature

Salvatore Riccardi

Date

10/16/03

2003 SENATE JUDICIARY

HB 1419

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Salosta Richard
Operator's Signature

10/16/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1419

Senate Judiciary Committee

Conference Committee

Hearing Date 03/05/03

Tape Number	Side A	Side B	Meter #
I		X	28.9 - 32.9

Committee Clerk Signature *Maria L. Salberg*

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 1419

Jerry VanDerwalle Chief Justice Supreme Court (meter 27.9) Introduced bill. Intermediate Court of Appeals that would extend the life of the court for another four years. We asked to remove the sunset clause four years ago and they wanted to renew it one more time. Described what the Intermediate Appellee Court function was (meter 28.3) Discussed history of use since inception have tried 75 cases; 1998 16 cases and none in 2001 and 2002.

Christine Hogen - SBAND Testified Support

Testimony in Opposition of HB 1419

None

Testimony Neutral to HB 1419

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Salvatore Richardson
Operator's Signature

10/16/03
Date

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Senate Judiciary Committee
Bill/Resolution Number HB 1419
Hearing Date 03/05/03

None

**Motion Made to DO PASS HB 1419 Senator Stanley W. Lyson, Vice Chairman and
seconded by Senator Thomas L. Trenbeath**

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

Motion Passed

Floor Assignment: Senator John T. Traynor, Chairman

Senator John T. Traynor, Chairman closed the hearing

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Yolanda Rickford
Operator's Signature

10/16/03
Date

REPORT OF STANDING COMMITTEE (410)
March 5, 2003 1:14 p.m.

Module No: SR-39-3959
Carrier: Traynor
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1419: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS**
(5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1419 was placed on the
Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-39-3959

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Salvatore Riccio
Operator's Signature

10/16/03
Date