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Yolanda Richardson
Operator's Signature

10/16/03
Date

2003 HOUSE JUDICIARY

HB 1461

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10/6/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1461

House Judiciary Committee

Conference Committee

Hearing Date 2-11-03

Tape Number	Side A	Side B	Meter #
1		x	8.5-30.1
Committee Clerk Signature <i>APinrose</i>			

Minutes: 10 members present, 3 members absent (Rep. DeKrey, Rep. Wrangham, Rep. Eckre)

Vice Chair Maragos: We will open the hearing on HB 1461.

Rep. Niemeier: Introduced the bill. Support. This bill is modeled after the Colorado statute.

Vice Chair Maragos: Thank you. Any further testimony in favor of HB 1461.

Bonnie Palacek, ND Council on Abused Women's Services: Support (see attached testimony).

Rep. Kretschmar: How often does this come up to change names.

Ms. Palacek: Under 50 a year.

Vice Chair Maragos: Thank you. Further testimony in support of HB 1461.

Deb Draven: Support (see attached testimony).

Vice Chair Maragos: Thank you.

Dave Bliss, attorney: Support (see attached testimony).

Vice Chair Maragos: Thank you.

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Date

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House Judiciary Committee
Bill/Resolution Number HB 1461
Hearing Date 2-11-03

Connie Hildebrand, representing the Association of University Women: Support.

Vice Chair Maragos: Thank you. Any further testimony in support? Any testimony in opposition? We will close the hearing.

Vice Chair Maragos: What are the committee's wishes in regard to HB 1461.

Rep. Delmore: I move a Do Pass.

Rep. Grande: Seconded.

10 YES 0 NO 3 ABSENT DO PASS

CARRIER: Rep. Galvin

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Sal Costa Richardson
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10/16/03
Date

Date: 2/11/03
 Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1461

House Judiciary Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Rep. Delmore Seconded By Rep. Grande

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

Total (Yes) 10 No 0

Absent 3

Floor Assignment Rep. Galvin

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

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Richard Costa Operator's Signature 10/16/03 Date

REPORT OF STANDING COMMITTEE (410)
February 11, 2003 12:00 p.m.

Module No: HR-26-2258
Carrier: Galvin
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1461: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS**
(10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1461 was placed on the
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-26-2258

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LoCoستا Richard
Operator's Signature

10/16/03
Date

FR

2003 SENATE JUDICIARY

HB 1461

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La Costa Rickford
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10/6/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1461

Senate Judiciary Committee

Conference Committee

Hearing Date 03/25/03

Tape Number	Side A	Side B	Meter #
1	X		0.0 - 20
Committee Clerk Signature <i>Mara 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 1461

Rep. Carol Niemeier - Dist. # 20, Introduced the bill (meter .4) Read Testimony - Attachment #1. Referred to the Attorney Generals Report of 2001.

Sen. Trenbeath questioned the language indicates have to be a showing of "proof". What is the standard of proof. Discussed-is it with evidence, beyond reasonable doubt? Deferred question.

Sen. Dever discussed if original intent to change a name was not to hide from bad debt-how have we addressed that? Part of the judicial ruling on the bill, this bill can only be available at a domestic violence hearing and has applied. Discussion of a creditor and no outstanding dept.

Jo Costa Richardson
Operator's Signature

10/16/03
Date

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Senate Judiciary Committee
Bill/Resolution Number HB 1461
Hearing Date 03/25/03

Bonnie Palecek - ND Council on Abused Women's Services. (meter 4.4) Read Testimony - Attachment #2a and also read David R Bliss, Attorney - Attachment 2b. Bonnie discussed that the "proof" was at the discretion of a judge under our Domestic Violence Act #1407

Sen. Trenbeath discussed "evidence satisfactory to the court".

Discussion of bad debt name changing.

Sen. Lyson questioned how many cases in ND? 25-30.

Sen. Trenbeath stated that court records are open records

Deb Draven - Abused woman (meter 16) Gave personal Testimony on her situation - Att. #3.

Connie Hildbrad - University of ND Freedom From Violence - in support of this legislation

Testimony in Opposition of HB 1461 - None

Discussion of an amendment to line 14 and the word "proof" to "upon evidence satisfactory to the court".

Motion Made to DO PASS Amendment to HB 1461 by Sen. Trenbeath and seconded by Senator Carolyn Nelson

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

Motion Passed

Motion Made to DO PASS HB 1461 as Amended by Sen. Nelson and seconded by Sen.

Trenbeath

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

Motion Passed

Floor Assignment: Sen. Nelson

Senator John T. Traynor, Chairman closed the hearing.

30675.0101
Title.0200

Adopted by the Judiciary Committee
March 25, 2003

JOB
3-25-03

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1461

Page 1, line 14, replace "proof" with "evidence satisfactory to the court"

Renumber accordingly

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Operator's Signature

10/6/03
Date

Date: March 25, 2003
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1461

Senate JUDICIARY Committee

Check here for Conference Committee

Legislative Council Amendment Number 30675.0101

Action Taken DO PASS Amendment

Motion Made By Sen. Trenbeath Seconded By Sen. Nelson

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

Total (Yes) FIVE (5) No ZERO (0)

Absent ONE (1)

Floor Assignment _____

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Salvatore Riccardi
Operator's Signature

10/16/03
Date

