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*F. Costa Richardson*  
Operator's Signature

*10/16/03*  
Date

2003 HOUSE JUDICIARY

HB 1502

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Julie R. Richardson  
Operator's Signature

10/16/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1502

House Judiciary Committee

Conference Committee

Hearing Date 2-12-03

Tape Number	Side A	Side B	Meter #
1		XX	0-14.6
1		XX	24-26
Committee Clerk Signature <i>A. Penrose</i>			

**Minutes:** 13 members present.

**Chairman DeKrey:** We will open the hearing on HB 1502.

**Rep. Dave Monson:** Introduced bill, support (see Mike Stensrud letter, proposed amendments).

**Rep. Delmore:** Do you think this bill would interfere with the investigative process of these people, if they are hired for legitimate reasons.

**Rep. Monson:** Could interfere if the person being investigated might be in the office where he has to check in, say with a sheriff's office, etc.. That would let the law enforcement officer know if he were being investigated.

**Rep. Klemin:** What is the affect of this, what are they going to tell the person being investigated if they see the private investigator and question the police. What are they going to tell the person. What are they going to do.

**Rep. Monson:** I guess that would be a little bit of a dilemma. Tell them don't worry.

Page 2  
House Judiciary Committee  
Bill/Resolution Number HB 1502  
Hearing Date 2-12-03

**Rep. Klemm:** What if the person being investigated has a cousin in the police department, would the police officer lie to the person being investigated.

**Rep. Monson:** I don't know.

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

**Francine Johnson, Johnson & Johnson Investigations, Bismarck, ND:** Opposed (see attached testimony). We need to remain covert, anonymous, notifying law enforcement should be at our discretion. It would be counterproductive in some cases to notify law enforcement.

**Chairman DeKrey:** Thank you. Further testimony in opposition.

**Norm Evans, PI:** Opposed (see attached testimony).

**Richard Olson, PI:** Opposed. One of the saddest investigations we have to do, is investigate police officers, etc. This bill would really hinder our investigations.

**Chairman DeKrey:** Thank you. Further testimony? We will close the hearing.

(Reopened later in the same session)

**Chairman DeKrey:** What are the committee's wishes in regard to HB 1502.

**Rep. Onstad:** I move a Do Not Pass.

**Rep. Eckre:** Seconded.

11 YES 1 NO 1 ABSENT      DO NOT PASS      CARRIER: Rep. Eckre

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*Sal Costa Richard*  
Operator's Signature

*10/16/03*  
Date

30735.0101  
Title.

Prepared by the Legislative Council staff for  
Representative Morison  
February 10, 2003

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1502

Page 1, line 7, after "services" insert "that include surveillance"

Page 1, line 8, replace the second "the" with "these"

Renumber accordingly

Page No. 1

30735.0101

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Val Costa Richardson  
Operator's Signature

10/16/03  
Date

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

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 1502**

House Judiciary Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Not Pass

Motion Made By Rep. Onstad Seconded By Rep. Eckre

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) 11 No 1

Absent 1

Floor Assignment Rep. Eckre

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

Yolanda Richardson 10/16/03  
 Operator's Signature Date

REPORT OF STANDING COMMITTEE (410)  
February 12, 2003 9:36 a.m.

Module No: HR-27-2376  
Carrier: Eckre  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
**HB 1502: Judiciary Committee (Rep. DeKrey, Chairman) recommends DO NOT PASS**  
**(11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1502 was placed on the**  
**Eleventh order on the calendar.**

(2) DESK, (3) COMM

Page No. 1

HR-27-2376

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*Calista Rickford*  
Operator's Signature

*10/16/03*  
Date

42

2003 TESTIMONY

HB 1502

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La Costa Rickford 10/16/03  
Operator's Signature Date



**Notice to law enforcement agencies.** An individual physically providing private investigative services outside a county in which that individual has a place of business shall notify the city law enforcement agency, or county law enforcement agency if the services are provided outside the corporate limits of a city, of that individual's provision of private investigative services in that city or county and the make, model, year, color, and number plate of the vehicle being used by that individual. The notification must be made within a reasonable amount of time before or after the individual enters the city or county. Section 43-30-10 does not apply to this section.

Representative Monson,

I would like to take this opportunity to respond to HB 1502. I would request that since I can not make the hearing that this e mail be shared with the committee.

I am currently a licensed Private Investigator in the State of North Dakota. I am also a licensed Commissioned Security Officer and am General Manager of Bismarck-Mandan Security, Inc. Prior to my becoming a Private Investigator in 1983, I was an active licensed law enforcement officer for 10 years. During my career in law enforcement and in the private sector, I have found no need for such a law.

I am licensed by the State of North Dakota to practice investigations within the state and am based in Bismarck. I find no reason that when I go to Mandan or Fargo or anywhere in the state, that I am already licensed in, that I need to contact a law enforcement agency and tell them that I am there. For example, if I go to Minot to interview a witness and stop at the Courthouse to obtain records, do I need to call the Minot Police Department and tell them what kind of vehicle I am driving in case they see it at the Courthouse or outside a business? If I stop in Hazen, on my way to Minot to interview a witness at the grocery store, do I need to contact the Sheriff's Office? From Hazen I continue on and stop in Max to obtain photos of a vehicle that was involved in the accident that I am investigating for an insurance company. I now need to contact that Sheriff's Office and tell them I'm in town?

I have now called three different law enforcement agencies and told them that I am in their town or county conducting business. My question is why is this law needed? Why do these three agencies need to know I am in town conducting business? I do contact law enforcement if I feel there is a need or a purpose, and work very closely with the law enforcement community. I would very interested in finding out what prompted this bill and what the reason was behind it.

John Costa Richardson  
Operator's Signature

10/16/03  
Date

In closing, I would like to state that I am licensed by the State of North Dakota, I am allowed to conduct business in the entire State of North Dakota, I am regulated by the North Dakota Private Investigative and Security Board, and therefore, my home area of conducting business is within the State of North Dakota. There is no need or reason for this type of requirement to conduct business within the State.

Thank you,

Mike Stensrud

General Manager, Private Investigator

Bismarck-Mandan Security, Inc

Mike.bms@midconetwork.com

Bismarck, ND

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Loiseta Rickford  
Operator's Signature

10/16/03  
Date

