

2011 SENATE TRANSPORTATION

SB 2287

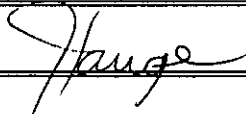
2011 SENATE STANDING COMMITTEE MINUTES

Senate Transportation Committee
Lewis and Clark Room, State Capitol

SB 2287
February 4, 2011
14006

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Minutes:

No written testimony

Senator G. Lee opened the hearing on SB 2287 relating to emergency lights on response vehicles.

Tom Trenbeath, North Dakota Chief Deputy Attorney General, introduced SB 2287. The office of Attorney General consists of thirteen divisions and the largest is BCI, Bureau of Criminal Investigation. He said that the division has forty special agents. They have a fleet of vehicles that are separate and apart from the state fleet. It would be difficult to do an undercover operation with a state license plate. He said that they are the only law enforcement agency that is not mentioned in statute as allowing emergency lights on the vehicles. It would be nice for BCI to have the ability to use these emergency lights if needed. He said that they are asking the North Dakota Legislature to correct what he thinks would be considered an oversight.

Senator Lee asked if there was money in the budget for this.

Mr. Trenbeath answered yes. He said there are some special funds that have to do with forfeitures of properties from drug arrest. He said that the lights would not be permanent lights but something they could put on as needed.

No Opposing Testimony.

Senator Lee closed the hearing on SB 2287.

Senator Nething moved a Do Pass.

Senator Oehlke seconded the motion.

Roll call vote 6-0-0. **Motion passed.**

Senator Nething will carry the bill.

FISCAL NOTE

Requested by Legislative Council
01/21/2011

Bill/Resolution No.: SB 2287

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.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

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

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill adds the Office of Attorney General's Bureau of Criminal Investigation (BCI) to those entities authorized to use emergency lights on response vehicles.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The bill permits, rather than requires, BCI to use emergency lighting on its responding vehicles when used for law enforcement purposes.

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.*

N/A

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.*

BCI vehicles do not currently have emergency lighting.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The Executive Recommendation did not contemplate funding for BCI vehicle emergency lighting.

Name:	Kathy Roll	Agency:	Office of Attorney General
Phone Number:	328-3622	Date Prepared:	01/28/2011

Date: 2-4-11
Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2287

Senate Transportation Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment

Rerefer to Appropriations Reconsider

Motion Made By Senator Nething Seconded By Senator Oehlke

Senators	Yes	No	Senators	Yes	No
Chairman Gary Lee	✓		Senator Tim Mathern	✓	
Vice Chairman Dave Oehlke	✓				
Senator Dave Nething	✓				
Senator George Nodland	✓				
Senator Margaret Sitte	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Nething

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

REPORT OF STANDING COMMITTEE

SB 2287: Transportation Committee (Sen. G. Lee, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2287 was placed on the
Eleventh order on the calendar.

2011 HOUSE TRANSPORTATION

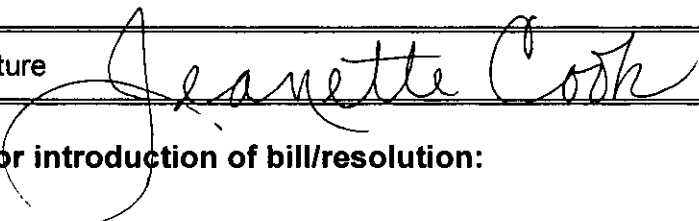
SB 2287

2011 HOUSE STANDING COMMITTEE MINUTES

House Transportation Committee
Fort Totten Room, State Capitol

SB 2287
03/11/2011
Job # 15318

Conference Committee

Committee Clerk Signature 

Explanation or reason for introduction of bill/resolution:

SB 2287 is a bill relating to emergency lights on response vehicles.

Minutes:

Tom Trenbeath, Chief Deputy Attorney General for North Dakota introduced SB 2287. He stated that his law enforcement agency is the only one that doesn't have the ability to put red lights on their cars and exceed the speed limit when they have them on. This bill will add The Bureau of Criminal Investigation to the list of Class A authorized vehicles. He feels that they will not be used often, but in an emergency situation it will be nice to have the ability to use lights and sirens.

Chairman Ruby: There may be a situation when someone is doing an investigation, and they may need to follow someone at a high speed. Would they use a portable red light on the dash?

Tom Trenbeath: Yes, exactly. An example might be if an agent needed backup, he would want them to get there is a hurry.

Representative R. Kelsch moved a DO PASS on SB 2287.
Vice Chairman Weiler seconded the motion.

A roll call vote was taken on SB 2287. Aye 12 Nay 0 Absent 2
The motion carried.
Representative Hogan will carry SB 2287.

FISCAL NOTE
 Requested by Legislative Council
 01/21/2011

Bill/Resolution No.: SB 2287

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.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

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

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill adds the Office of Attorney General's Bureau of Criminal Investigation (BCI) to those entities authorized to use emergency lights on response vehicles.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The bill permits, rather than requires, BCI to use emergency lighting on its responding vehicles when used for law enforcement purposes.

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.*

N/A

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.*

BCI vehicles do not currently have emergency lighting.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The Executive Recommendation did not contemplate funding for BCI vehicle emergency lighting.

Name:	Kathy Roll	Agency:	Office of Attorney General
Phone Number:	328-3622	Date Prepared:	01/28/2011

Date: 3-11-11

Roll Call Vote #: _____

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2287

House TRANSPORTATION Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended Adopt Amendment

Rerefer to Appropriations Reconsider

Motion Made By RA Kelsch Seconded By Weiler

Representatives	Yes	No	Representatives	Yes	No
Chairman Ruby	X		Representative Delmore	X	
Vice Chairman Weiler	X		Representative Gruchalla	X	
Representative Frantsvog	X		Representative Hogan	X	
Representative Heller	X		Representative Onstad	X	
Representative R. Kelsch	X				
Representative Louser					
Representative Owens	X				
Representative Sukut	X				
Representative Vigesaa					
Representative Weisz	X				

Total (Yes) 12 No 0

Absent 2

Floor Assignment Hogan

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

REPORT OF STANDING COMMITTEE

SB 2287: Transportation Committee (Rep. Ruby, Chairman) recommends DO PASS
(12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2287 was placed on the
Fourteenth order on the calendar.