

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2047

2001 SENATE JUDICIARY

SB 2047

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2047

Senate Judiciary Committee

Conference Committee

Hearing Date January 24th, 2001

Tape Number	Side A	Side B	Meter #
1		X	16.4
Committee Clerk Signature			

Minutes: **Senator Traynor** opened the hearing on SB 2047: A BILL FOR AN ACT TO AMEND AND REENACT SECTION 14-09-05.1 OF THE NORTH DAKOTA CODE, RELATING TO GRANDPARENTAL RIGHTS OF VISITATION OF UNMARRIED MINORS.

Vonette Richter, staff council for the interim judiciary committee. (testimony attached) Bill before you would remove the part the court found unconstitutional that shifted burden from grandparents to parents. This moves law back to what it was in 1993. This bill also complies with the supreme courts wishes.

Senator Traynor: so we're back to the 1989 law.

Vonette Richter: 1983.

Senator Traynor: so this is the revision of that law? The language on page 2 was in the statute inacted in 1993.

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Senate Judiciary Committee

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Susan Beehler (testimony attached). We are not going to argue with either the supreme court
ore the state supreme court.

SENATOR LYSON MOTIONED TO DO PASS. SECONDED BY SENATOR WATNE.

VOTE INDICATED 7 YEAS, 0 NAYS, AND 0 ABSENT AND NOT VOTING. SENATOR

TRAYNOR VOLUNTEERED TO CARRY THE BILL.

Date: 1/24/01
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2047

Senate Judiciary Committee

- Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Lyson Seconded By Watne

Senators	Yes	No	Senators	Yes	No
Traynor, J. Chairman	X		Bercier, D.	X	
Watne, D. Vice Chairman	X		Nelson, C.	X	
Dever, D.	X				
Lyson, S.	X				
Trenbeath, T.	X				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Traynor

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

REPORT OF STANDING COMMITTEE (410)
January 25, 2001 8:28 a.m.

Module No: SR-13-1567
Carrier: Traynor
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2047: Judiciary Committee (Sen. Traynor, Chairman) recommends DO PASS
(7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2047 was placed on the
Eleventh order on the calendar.

2001 HOUSE JUDICIARY

SB 2047

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2047

House Judiciary Committee

Conference Committee

Hearing Date 02-14-01

Tape Number	Side A	Side B	Meter #
TAPE II	x		874 to 1215
Committee Clerk Signature <i>Jean Mullen</i>			

Minutes: Chairman DeKrey opened the hearing on SB 2047. Relating to grand parental rights of visitation of unmarried minors.

Jean Mullen: Assistant Attorney General The statute was enacted in 1983, was amended in the 1990's and that shifted the presumption to the grandparents. That visitation was in the child's best interest. The Supreme Court said the decision was unconstitutional. It was a violation of parental rights. So the statute reverted back to the existing bill. This bill has original language in it to take care of that and some parts of the amended law that were not unconstitutional. Essentially it is to comply with the constitution.

Yonette Richter: Legislative Council, had a handout that would show why the original bill was unconstitutional.

Chairman DeKrey: this is another one of those bills that came out of the judiciary committee that is a clean up bill. This bill brings it in line with the Supreme Court ruling. IS there anyone

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House Judiciary Committee
Bill/Resolution Number SB 2047
Hearing Date 02-14-01

wishing to testify in support of SB 2047 or in opposition. If there is no further testimony on SB 2047, we will close the hearing on SB 2047. Thank you Vonette.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2047b

House Judiciary Committee

Conference Committee

Hearing Date 03-05-01

Tape Number	Side A	Side B	Meter #
TAPE II	x		3718 to 4103
Committee Clerk Signature <i>Jean Davis</i>			

Minutes: Chairman DeKrey called the committee to order on SB 2047. This bill puts North Dakota law in line with the US Supreme Court decision, I am open to a motion.

COMMITTEE ACTION

Rep Delmore moved a DO PASS motion and Rep Disrud seconded the motion.

DISCUSSION

Chairman DeKrey: If there is no further discussion the clerk will call the roll on a DO PASS motion on SB 2047. The motion passes with 13 YES, 0 NO 2 ABSENT. Carrier Rep Klemin.

Date: 03-05-01
Roll Call Vote #: 1.

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB-2047

House JUDICIARY Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Rep Delmore Seconded By Rep Disrud

Representatives	Yes	No	Representatives	Yes	No
CHR - Duane DeKrey	✓				
VICE CHR -- Wm E Kretschmar	✓				
Rep Curtis E Brekke	✓				
Rep Lois Delmore	✓				
Rep Rachael Disrud	✓				
Rep Bruce Eckre	✓				
Rep April Fairfield					
Rep Bette Grande	✓				
Rep G. Jane Gunter	✓				
Rep Joyce Kingsbury	✓				
Rep Lawrence R. Klemin	✓				
Rep John Mahoney	✓				
Rep Andrew G Maragos	✓				
Rep Kenton Onstad					
Rep Dwight Wrangham	✓				

Total (Yes) 13 No 0

Absent 2

Floor Assignment Rep Klemin

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

REPORT OF STANDING COMMITTEE (410)
March 5, 2001 12:17 p.m.

Module No: HR-37-4811
Carrier: Klemin
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2047: Judiciary Committee (Rep. DeKrey, Chairman) recommends DO PASS
(13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2047 was placed on the
Fourteenth order on the calendar.

