

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2365

2001 SENATE JUDICIARY

SB 2365

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2365

Senate Judiciary Committee

Conference Committee

Hearing Date January 7th, 2001

Tape Number	Side A	Side B	Meter #
1		x	7.1-33.2
Committee Clerk Signature			

Minutes: **Senator Traynor** opened the hearing on SB 2365: A BILL FOR AN ACT TO CREATE AND ENACT FOUR NEW SECTIONS TO CHAPTER 25-13 OF THE NORTH DAKOTA CENTURY CODE, RELATING TO ASSISTANCE DOGS; TO AMEND AND REENACT SECTIONS 25-13-02, 25-13-03, 25-13-04, AND 39-10-33.3 AND SUBSECTION 22 OF SECTION 40-05-02 OF THE NORTH DAKOTA CENTURY CODE, RELATING TO THE RIGHTS OF INDIVIDUALS WITH DISABILITIES WHO ARE ACCOMPANIED BY ASSISTANCE DOGS AND THE LICENSING OF ASSISTANCE DOGS; TO REPEAL SECTIONS 25-13-01 AND 25-13-05 OF THE NORTH DAKOTA CENTURY CODE, RELATING TO LEGILSLATIVE POLIC; AND TO PROVIDE A PENALTY.

Senator Erbele, has a guide dog facility in his district. There has been abuses of using guide dogs. Section 5 addresses this issue. Section 3- house committee deleted this section and section 4. House felt dog should have clear markings. We accept these amendments.

Senator Nelson, Section 4 was deleted because of human rights address this, however, it didn't pass.

Senator Erbele, Metcalf could answer that.

Mike Goering, with great plains association, testifies in support of SB 2365. One concern is training organizations such as (ADA) believes this bill is to liberal. Currently now get several calls from property owners whose clients recieves a companian animal. I have a problem with that because they are not trained animals. This bill doesn't address this issue, it is just a seed to plant in your heads. In section 5, I've been dreaming about this for years. We just brought this dog into the great hall today and you just can't do that with a dog straight from the pound. Subsection 1 needs to be changed so registered trainers are recognized.

Senator Traynor, what language do you suggeset on 19 and 20?

Mike Goering, the trainer wears a photo id issued by the training program. I have no problem taking liability for my dogs. I don't want any one to be a trainer, I want schooling.

Senator Watne, this bothers me. Why should you be able to bring a dog into a building? What about allergic people?

Mike Goering, I support you. I'm saying the dog needs training to learn how to socialize with people. Allergies are a big problem and accomidations were made by employers. I have found allergies not to be a problem.

Senator Nelson, in subsection 4. A photo id, do you get a card for qualification?

Mike Goering, no, but there is a frame certifing.

Senator Nelson, could you take that and use them on the id card?

Mike Goering, I could do that, but it won't make much of a difference.

Senator Traynor closed the hearing on SB 2365.

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Senate Judiciary Committee
Bill/Resolution Number SB 2365
Hearing Date FEBRUARY 7TH, 2001

**MOTION MADE BY SENATOR TRENBEATH TO MOVE AMENDMENTS AS
REVISED, SECONDED BY SENATOR BERCIER. VOTE INDICATED 6 YEAS, 0
NAYS AND 1 ABSENT AND NOT VOTING. SENATOR TRENBEATH MOTIONED
TO DO PASS AS AMENDED, SECONDED BY SENATOR NELSON. VOTE
INDICATED 6 YEAS, 0 NAYS AND 1 ABSENT AND NOT VOTING. SENATOR
NELSON VOLUNTEERED TO CARRY THE BILL.**

PROPOSED AMENDMENTS TO SENATE BILL NO. 2365

Page 1, line 11, remove ". or is being specially trained."

Page 2, line 15, after "**dog**" insert "in training", replace "The" with:

"1. A", and replace "of" with "with"

Page 2, line 16, after the first "dog" insert "in training" and remove ", with the assistance dog."

Page 2, line 18, after "dog" insert "in training"

Page 2, line 19, replace "1." with:

"a. The trainer notifies an onsite manager that an assistance dog in training is being brought onto the premises;

b." and after "by" insert "a dog training program holding membership in"

Page 2, line 20, remove "indicating that the trainer is a member of assistance dogs"

Page 2, line 21, remove "international"

Page 2, line 22, replace "2" with "c"

Page 2, line 23, after "dog" insert "in training."

2. Upon receiving notice as provided in subsection 1, the onsite manager may not deny admission to the trainer and the assistance dog in training without good cause"

Page 3, line 17, remove ", including a trainer."

Page 3, line 18, after the period insert "This section does not apply to a denial of admission under section 5 of this Act."

Re-number accordingly

PROPOSED AMENDMENTS TO SENATE BILL NO. 2365

Page 1, line 1, replace "four" with "two"
Page 1, line 3, remove the first "and" and after "39-11-333" insert a comma
Page 1, line 5, remove "to repeal sections 25-13-01 and 25-13-05 of the"

Page 1, line 6, remove "North Dakota Century Code, relating to legislative policy;"

Page 1, line 11, remove ", or is being specially trained."

Page 1, remove lines 23 and 24

Page 2, remove lines 1 through 12

Page 2, line 15, after "dog" insert "in training" and replace "the" with:

"1. ~~A~~ ^{and} ~~trainer with an~~ ^{"The trainer of an"} ~~or~~ ^{and} ~~replace~~ ^{of} ~~with~~ ^{with}

Page 2, line 16, after the first "dog" insert "in training" and remove "with the assistance dog," with "in training"

Page 2, line 18, after "dog" insert "in training"

Page 2, line 19, ^{replace} replace "1." with:

"a. The trainer notifies an onsite manager that an assistance dog in training is being brought onto the premises;

^{The trainer wears a photo identification card issued by}
b. ^a and after "by" insert "a dog training program holding membership in,"

Page 2, line 20, remove "indicating that the trainer is a member of assistance dogs" ^{2 assistance dogs}

Page 2, line 21, remove "international"

Page 2, line 22, replace "2" with "c"

Page 2, line 23, after "dog" insert "in training."

2. Upon receiving notice as provided in subsection 1, the onsite manager may not deny admission to the trainer and the assistance dog in training without good cause"

Page 3, line 17, remove ", including a trainer,"

Page 3, line 18, after the period insert "This section does not apply to a denial of admission under section 5 of this Act."

Page 4, remove lines 1 and 2

Date: 2/13/01
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2365

Senate Judiciary Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Move Amendments 10709.0202 as revised

Motion Made By Trenbeath Seconded By Bercier

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

Total (Yes) 6 No 0

Absent 1

Floor Assignment _____

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

Date: 2/13/01
Roll Call Vote #: 2

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2365

Senate Judiciary Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as Amended

Motion Made By Trenbeath Seconded By Nelson

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

Total (Yes) 6 No 0

Absent _____

Floor Assignment S. L. Nelson

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

meter # 11-47.4 tape 2

Date: 2/7
Roll Call Vote #: |

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2365

Senate Judiciary Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Delete section 10, 3, 4 and line 11 pg. 1

Motion Made By Nelson Seconded By Trenbeath

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

Total (Yes) 6 No 0

Absent 1

Floor Assignment _____

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

REPORT OF STANDING COMMITTEE

SB 2365: Judiciary Committee (Sen. Traynor, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2365 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "four" with "two"

Page 1, line 3, remove the first "and" and after "39-10-33.3" insert a comma

Page 1, line 5, remove "to repeal sections 25-13-01 and 25-13-05 of the"

Page 1, line 6, remove "North Dakota Century Code, relating to legislative policy;"

Page 1, line 11, remove ", or is being specially trained,"

Page 1, remove lines 23 and 24

Page 2, remove lines 1 through 12

Page 2, line 15, after "dog" insert "in training" and replace "The trainer of an" with:

"1. A trainer with an"

Page 2, line 16, replace ", with the assistance dog," with "in training"

Page 2, line 18, after "dog" insert "in training"

Page 2, replace line 19 with:

"a. The trainer notifies an onsite manager that an assistance dog in training is being brought onto the premises;

b. The trainer wears a photo identification card issued by a dog training program holding membership in assistance dogs"

Page 2, line 20, remove "indicating that the trainer is a member of assistance dogs"

Page 2, line 21, remove "international"

Page 2, line 22, replace "2" with "c"

Page 2, line 23, after "dog" insert "in training."

2. Upon receiving notice as provided in subsection 1, the onsite manager may not deny admission to the trainer and the assistance dog in training without good cause"

Page 3, line 17, remove ", including a trainer,"

Page 3, line 18, after the period insert "This section does not apply to a denial of admission under section 3 of this Act."

Page 4, remove lines 1 and 2

Renumber accordingly

2001 HOUSE JUDICIARY

SB 2365

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2365

House Judiciary Committee

Conference Committee

Hearing Date 03-07-01

Tape Number	Side A	Side B	Meter #
TAPE II	X		1889 to 5677
Committee Clerk Signature <i>Joan Diers</i>			

Minutes: Vice Chr Kretschmar opened the hearing on SB 2365. Relating to assistance dogs; relating to the rights of individuals with disabilities who are accompanied by assistance dogs and the licensing of assistance dogs and to provide a penalty.

Senator Robert Erbele: District 28, introduced the bill, there is a very similar bill on the House side carried by Rep Gulleason and then I introduced a bill on the Senate side (Great Plains Guide Dog School of Jud, North Dakota). They began in the late 1980 to train guide dogs. He explained the bill and explained the penalty phase of the bill.

Rep Klemm On page two, line two of section one, the word "common carrier" is used, what about North West Airlines.

Senator Erbele: Perhaps Mr Gehring can answer that question.

Rep Delmore: Arn't the dogs clearly recognizable as a trained assistance dog.

Senator Erbele: They have the harness that would indicate that they are an assistance dog, and the trainer would have a photo ID.

