

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2383

2001 SENATE JUDICIARY

SB 2383

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2383

Senate Judiciary Committee

Conference Committee

Hearing Date February 5th, 2001

Tape Number	Side A	Side B	Meter #
1		x	14.1-27.8
3	x		2.5-4.9
Committee Clerk Signature			

Minutes: **Senator Traynor** opened the hearing on SB 2383: A BILL FOR AN ACT TO AMEND AND REENACT SECTION 27-09.1-14 OF THE NORTH DAKOTA CENTURY CODE, RELATING TO THE COMPENSATION OF JURORS.

Jim Ganje, submits testimony on behalf of Judge Christofferson. (testimony attached) There are a variety of practices on jury duty. Senior citizens will do it out of duty, whereas younger generation needs to be more motivated.

Senator Traynor, why is the first day less than the subsequent days?

Jim Ganje, quite frankly, money.

Senator Traynor, how much more?

Jim Ganje, double the fiscal note.

Senator Dever, are jurors reluctant to serve because of money.

Jim Ganje, it is becoming a problem.

Senator Dever, why do they pay ten dollars for a corners inquest?

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Senate Judiciary Committee
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Jim Ganje, that is the counties expense.

Christine Hogan, representing the State Bar Association of ND, testifies in favor of SB 2383.

(testimony attached)

Senator Dever, is there anything that would prohibit the amendment?

Christine Hogan, no.

Senator Trenbeath, having this in law would allow district court to say you will be paid this amount.

Senator Traynor closed the hearing on SB 2383.

SENATOR WATNE MOTIONED TO DO PASS, SECONDED BY SENATOR NELSON.

VOTED INDICATED 6 YEAS, 0 NAYS AND 1 ABSENT AND NOT VOTING.

SENATOR TRAYNOR VOLUNTEERED TO CARRY THE BILL.

FISCAL NOTE
 Requested by Legislative Council
 01/29/2001

Bill/Resolution No.: SB 2383

Amendment to:

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.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$136,118	\$0	\$136,118	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

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

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Estimated funds required to increase juror pay from \$25 to \$50 for each day of service after the first day.

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.*

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.*

Estimated expenditures are based on approximately 5,445 days of jury service after the first day of service.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name:	Keith E. Nelson	Agency:	Supreme Court
Phone Number:	328-4216	Date Prepared:	01/29/2001

REPORT OF STANDING COMMITTEE (410)
February 6, 2001 1:21 p.m.

Module No: SR-21-2490
Carrier: Traynor
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2383: Judiciary Committee (Sen. Traynor, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2383 was placed on the
Eleventh order on the calendar.

2001 HOUSE JUDICIARY

SB 2383

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2383

House Judiciary Committee

Conference Committee

Hearing Date 03-07-01

Tape Number	Side A	Side B	Meter #
TAPE II	x		5672 to 6217
TAPE II		x	01 to 227
Committee Clerk Signature <i>Joan Diers</i>			

Minutes: Vice Chr Kretschmar opened the hearing on SB 2382. Relating to the compensation of jurors.

Jim Ganje: office of the State Court Administrator. This bill will increase the pay of jurors. in the bill after a juror must be compensated at the rate of twenty-five dollars and insert for the first day and fifty dollar for each subsequent day. Also attach is written testimony from Lee Christofferson, District Judge (see attached).

TAPE II SIDE B

Jim Ganje testimony continues.

Rep Eckre: What is the rate for federal court.

Jim Ganje: I believe that it is forty to forty five dollars a day.

Rep Klemin: What is the rational for leaving it at twenty five dollars for the first day.

Jim Ganje: When the judicial conference reviewed it they thought it would be nice to raise it to fifty for the first day, but thought they could not sell that from a fiscal standpoint.

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House Judiciary Committee
Bill/Resolution Number SB 2383
Hearing Date 07-03-01

Rep Klemin: What about a coroners inquest.

Jim Ganje: This bill is directed at the costs incurred by the state not the county.

Vice Chr Kretschmar: The first day of the jury session there is a whole panel there, after that there are fewer people.

Jim Ganje: Correct.

Vice Chr Kretschmar: Are there any further questions, thank you for appearing. Is there anyone else wishing to testify in support of SB 2383. in opposition, seeing none, we will close the hearing on SB 2383.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2383b

House Judiciary Committee

Conference Committee

Hearing Date 03-12-01

Tape Number	Side A	Side B	Meter #
TAPE I		X	3903 to 4232
Committee Clerk Signature <i>Joan Diers</i>			

Minutes: Chairman DeKrey called the committee to order on SB 2383.

COMMITTEE ACTION

Rep Delmore moved a DO PASS on SB 2383, seconded by Rep Grande.

DISCUSSION

Chairman DeKrey: the clerk will call the roll on a DO PASS motion of SB 2383. The motion passes with 12 YES, 0 NO and 3 ABSENT. Carrier is Rep Delmore. Motion to refer to Appropriations Committee, motion by Vice Chr Kretschmar and seconded by Rep Grande.

Date: 03-12-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB-2383

House JUDICIARY Committee

Subcommittee on _____
or
 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
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) 12 No 0

Absent 3

Floor Assignment Rep Delmore

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

*referred to
Apprs.*

REPORT OF STANDING COMMITTEE (410)
March 12, 2001 12:05 p.m.

Module No: HR-42-5322
Carrier: Delmore
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2383: Judiciary Committee (Rep. DeKrey, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2383 was rereferred to the Appropriations Committee.

2001 HOUSE APPROPRIATIONS

SB 2383

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **SB2383**

House Appropriations Committee

Conference Committee

Hearing Date **March 20, 2001**

Tape Number	Side A	Side B	Meter #
1		x	2044 - 3599
Committee Clerk Signature <i>Z J Jouheir</i>			

Minutes:

HOUSE APPROPRIATIONS COMMITTEE HEARING ON SB2383.

Rep. Timm: We will open the hearing on SB2383.

Mr. Jim Gange, Staff Attorney , Office of the State Court Administrator: (Followed written testimony and answered questions after his testimony)

Rep. Timm: Does this include people that are called in the pool? One of the biggest complaints that I always hear about jury duty is that they call a bunch of people and then the people that aren't selected they are told to go home but they don't get paid.

Mr. Gange: The twenty five dollars a day would cover anyone who responds to jury call and goes through the jury questioning process, I have done it twice myself. I wasn't put on a jury panel, I got paid and I gave it back to the state. So if they are called and they appear for the jury questioning process they should be getting the twenty five dollars.

Rep. Skarphol: I'm just a little curious, this figures out to 2722 days per year, the fiscal note does, can you give us some idea of the number of jury trials in the State of North Dakota in a single year?

Mr. Gange: Over the last four or five years we have averaged about 340 jury trials per year, and in 2000 we dropped about 28 it went down to about 313 jury trials, but it remains fairly constant at about 320 and 340 per year.

Rep. Byerly: Is the money for this in the court budget? Answer: Yes it is.

Rep. Timm: Any other testimony in support of SB2383? Any opposition to SB2383?

Mr. Wayne Eugene Hervey: (Presented written testimony and answered questions following his testimony:

Rep. Gulleson: I was just wondering, when you go to vote what name do you use?

Mr. Hervey: They have your surname first and then your first and then your middle name, which is all capital letters.

Rep. Gulleson: So is the name that is on the voters list and the jurors list the same? Answer was yes.

Rep. Timm: Do you have any more testimony on the bill itself? Answer was yes.

Rep. Kempenich: Were you a juror, or were you a participant in the proceedings? Answer was yes he was a participant in the proceedings.

Rep. Timm: That is all the further testimony I am going to take on this particular bill. If you were serving on a jury would you like to get paid fifty dollars for the day following the first day? Answer was yes. Any other testimony in opposition to SB2383? If not I will close the hearing on SB2383.

HOUSE APPROPRIATIONS COMMITTEE END HEARING ON SB2383.

