

2023 SENATE STATE AND LOCAL GOVERNMENT

SB 2130

2023 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee
Room JW216, State Capitol

SB 2130
1/12/2023

Relating to the definition of peace officers.

10:50 AM Chair K Roers opened the hearing. Present: Chair Roers, Vice Chair Barta, Sen Cleary, Sen Estenson, Sen J Lee, and Sen Braunberger.

Discussion Topics:

- Death coverage
- Correction officers

Sen Vedaa, District 6, bill sponsor, testified in support. #13027

Sen Lee moved a DO PASS.

Sen Barta seconded.

Senators	Vote
Senator Kristin Roers	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	Y
Senator Sean Cleary	Y
Senator Judy Estenson	Y
Senator Judy Lee	Y

Vote: 6 YES 0 NO Absent 0 Motion PASSED

Sen Barta will carry the bill.

Additional Testimony:

Anthony Hauf, in support #12659

10:51 AM Chair K Roers closed the hearing.

Pam Dever, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2130: State and Local Government Committee (Sen. K. Roers, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2130 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

2023 HOUSE POLITICAL SUBDIVISIONS

SB 2130

2023 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Room JW327B, State Capitol

SB 2130
3/9/2023

Relating to the definition of peace officers
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2:30 PM Chairman Longmuir opened the hearing. Members present: Chairman Longmuir, Vice Chairman Fegley, Rep. Hatlestad, Rep. Heilman, Rep. Holle, Rep. Jonas, Rep. Klemin, Rep. Motschenbacher, Rep. Ostlie, Rep. Rios, Rep. Toman, Rep. Warrey, Rep. Davis, and Rep. Hager.

Discussion Topics:

- Including correctional officers

Senator Vedaa: Testimony #23455

The hearing closed at 2:38 PM.

Delores Shimek, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Room JW327B, State Capitol

SB 2130
3/10/2023

Relating to the definition of peace officers

9:17 AM Chairman Longmuir opened the meeting. Members present: Chairman Longmuir, Vice Chairman Fegley, Rep. Hatlestad, Rep. Heilman, Rep. Holle, Rep. Jonas, Rep. Klemin, Rep. Motschenbacher, Rep. Ostlie, Rep. Rios, Rep. Warrey, Rep. Davis, and Rep. Hager. Absent: Rep. Toman

Discussion Topics:

- Committee action.

Rep. Fagley moved a Do Pass;
Seconded by Rep. Rios

Representatives	Vote
Representative Donald W. Longmuir	Y
Representative Clayton Fegley	Y
Representative Jayme Davis	Y
Representative LaurieBeth Hager	Y
Representative Patrick Hatlestad	Y
Representative Matt Heilman	Y
Representative Dawson Holle	Y
Representative Jim Jonas	Y
Representative Lawrence R. Klemin	Y
Representative Mike Motschenbacher	Y
Representative Mitch Ostlie	Y
Representative Nico Rios	Y
Representative Nathan Toman	A
Representative Jonathan Warrey	Y

Roll call vote: 13 Yes 0 No 1 Absent Motion carried.

Carrier: Rep. Hatlestad

The meeting closed at 9:25 AM.

Delores Shimek, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2130: Political Subdivisions Committee (Rep. Longmuir, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2130 was placed on the Fourteenth order on the calendar.

TESTIMONY

SB 2130

To: Senate State and Local Committee Members

From: Sergeant Anthony Hauf

Date: January 9, 2023

RE: SB 2130

Dear Senator Roers, Senator Barta, and members of the Senate State and Local Government Committee,

I am Anthony Hauf, a Sergeant at Heart of America Correctional Center in Rugby, ND. My testimony is in support of SB 2130.

I would like the Senate State and Local Government Committee to consider passing SB 2130 so that "correctional officer staff" by definition of NDCC 12-44.1-01(4) can be included in NDCC 15-10-18.5 "Free tuition in North Dakota institutions of higher education for survivor of firefighter, emergency medical services personnel, or peace officer." The way NDCC 12-63-01(3) is currently written only "Peace Officers" are being considered and not "correctional facility staff". According to NDCC 12-63-01(3) "Peace officer" means a public servant authorized by law or by government agency or branch to enforce the law and to conduct or engage in investigations of violations of the law. While according to NDCC 12-44.1-01(4) "Correctional facility staff" means correctional personnel with titles such as jailer, deputy, counselor, correctional officer, or any other title, whose duties include the ongoing supervision of inmates in a correctional facility.

Myself along with other correctional facility staff is part of the criminal justice system that has to supervise 24/7, individuals that have been arrested/prosecuted. The staff maintain security by settling disputes between inmates, preventing disturbances, assaults, and escapes. The officers, while being armed/trained, are also able to transport prisoners between the correctional facility and courtrooms, medical facilities, and other destinations. Please note that some correctional facilities not only supervise city, county, and state inmates. They can also supervise federal inmates if that facility has federal contracts with agencies, such as United States Marshal Service and Bureau of Indian Affairs. Correctional facility staff with advanced training or college educations can also be utilized in the rehabilitation and counseling of offenders.

Thank You for your consideration,

Anthony Hauf
Sergeant
HACTC-Rugby, ND
701-776-2221
ahauf@nd.gov

Senate bill 2130

For the record my name is Senator Shawn Veda District 6. I believe it is time to add correctional officer to NDCC subsection 2 of section 15-10-18.4. It was brought to my attention by a constituent in my district who works as a correctional officer. In NDCC 15-10-18.5 legislation passed in a previous session so the children of a fallen officer will receive tuition at no cost from a State College in North Dakota if the peace officer is killed in the line of duty. The language failed to include correctional officer which I believe was not intended. In subsection 2 of section 15-10 -18.4 of the North Dakota century code states "peace officer means any person employed by a state law enforcement agency or a political subdivision of the state who has been charged with the prevention and detection of crime and the enforcement of the criminal laws of the state and who has full power of arrest:". This bill will change the language on line 7 word "any" replaced "Any" and take out "who is" and after the semi colon on line 10 add the word "or" and underline 11 add "b. a correctional officer employed by the state or a political subdivision of the state". Correctional officer definitely fits in the description, they certainly are employed by a state law enforcement agency or political subdivision and they are in the prevention and detection of crime when they're working as a correctional officer and I do feel that this is important that those individuals families are covered in the event of a death while working as a correctional officer. This concludes my testimony, and I will stand for any questions.

Senate bill 2130

For the record my name is Senator Shawn Veda District 6. I believe it is time to add correctional officer to NDCC subsection 2 of section 15-10-18.4. It was brought to my attention by a constituent in my district who works as a correctional officer. In NDCC 15-10-18.5 legislation passed in a previous session so the children of a fallen officer will receive tuition at no cost from a State College in North Dakota if the peace officer is killed in the line of duty. The language failed to include correctional officer which I believe was not intended. In subsection 2 of section 15-10 -18.4 of the North Dakota century code states "peace officer means any person employed by a state law enforcement agency or a political subdivision of the state who has been charged with the prevention and detection of crime and the enforcement of the criminal laws of the state and who has full power of arrest:". This bill will change the language on line 7 word "any" replaced "Any" and take out "who is" and after the semi colon on line 10 add the word "or" and underline 11 add "b. a correctional officer employed by the state or a political subdivision of the state". Correctional officer definitely fits in the description, they certainly are employed by a state law enforcement agency or political subdivision and they are in the prevention and detection of crime when they're working as a correctional officer and I do feel that this is important that those individuals families are covered in the event of a death while working as a correctional officer. This concludes my testimony, and I will stand for any questions.