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10/2/03

2003 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1167

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10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1167

House Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 1-17-03

Tape Number	Side A	Side B	Meter #
1	x		25.4-34.1
2	x		31.2-45.7
Committee Clerk Signature <i>Gay Burke</i>			

Minutes: Representative Klein opened the hearing on HB 1167.

13 committee members present 1 absent (Tieman).

Al Jaeger, Secretary of State provided testimony in support of this bill (SEE ATTACHED TESTIMONY.)

Representative Haas asked if their committee establishes a format for all of these reports.

Al Jaeger: what we do is very common sense, not extravagant but informative.

Carol Two Eagles: appeared and wasn't sure if she was against or for the bill but had a question on page 2, line 13, and was curious about the fee that will belong to the secretary-treasurer. She also was wondering for what purpose it was used for?

Carol Two Eagles: was also wondering why the word shall was being removed and replaced with the word may.

Representative Klein: stated that Al Jaeger clarified it in his presentative (they want consistency with all the other professional boards.)

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Page 2
House Government and Veterans Affairs Committee
Bill/Resolution Number HB 1167
Hearing Date 1-17-03

No further testimony.

Motion was made by Representative Kasper: to DO PASS HB 1167.

Representative Amerman: SECOND the motion.

VOTE 13-YES 0-NO 1-ABSENT

Representative Amerman: will carry the bill to the floor.

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Deanna Hallmark
Operator's Signature

1/21/03
Date

Date: 117-03
Roll Call Vote #: 1167

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House GOVERNMENT AND VETERANS AFFAIRS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken DP

Motion Made By Kasper Seconded By Amerman

Representatives	Yes	No	Representatives	Yes	No
Chairman M.M. Klein	X		B. Amerman	X	
Vice Chairman B.B. Grande	X		L. Potter	X	
W.R. Devlin	X		C. Williams	A	
C.B. Haas	X		L. Winrich	X	
J. Kasper	X				
L.R. Klemin	X				
L. Meier	X				
M. Sitte	X				
W.W. Tieman	A				
R.H. Wikenheiser	X				

Total (Yes) 13 No 0

Absent (1) Tieman

Floor Assignment Amerman

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

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Date

REPORT OF STANDING COMMITTEE (410)
January 17, 2003 11:01 a.m.

Module No: HR-09-0715
Carrier: Amerman
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1167: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)
recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).
HB 1167 was placed on the Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-09-0715

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Deanna Ball
Operator's Signature

1/21/03
Date

2003 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1167.

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Dorena Hall
Operator's Signature

10/2/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1167

Senate Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 03/13/03

Tape Number	Side A	Side B	Meter #
Tape 1	x		1750-3285
Committee Clerk Signature <i>Swadlow</i>			

Minutes:

Senator Karen Krebsbach, Chairman opens HB 1167. All senators present.

Secretary of State Al Jaeger in support of bill (Testimony attached)

Senator Nelson: Does the biennial report basically say who they pay their dues to etc.

Sec. Jaeger: I don't recall for sure.

Senator Nelson: How many copies of these records do you need?

Sec. Jaeger: Under this section of law, I only get one. I do have to submit extra copies to the state library.

Senator Dever: Are most of these reports available on paper and electronically online?

Sec. Jaeger: We have taken portions online but it is not required. In the future we probably will have more online.

Closed HB 1167.

Senator Brown moves a Do Pass

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Deanna Hall
Operator's Signature

10/2/03
Date

Page 2
Senate Government and Veterans Affairs Committee
Bill/Resolution Number HB 1167
Hearing Date 03/13/03

Senator Dever 2nd

6 Yes 0 No

Senator Fairfield carries the bill.

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Danna Hall
Operator's Signature

10/2/03
Date

Date: 3/12/03
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1167

Senate Government and Veteran Affairs Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DO Pass

Motion Made By Brown Seconded By Dever

Senators	Yes	No	Senators	Yes	No
Senator Karen Krebsbach, Chr.	✓		Senator April Fairfield	✓	
Senator Dick Dever, Vice Chr.	✓		Senator Carolyn Nelson	✓	
Senator Richard Brown	✓				
Senator Rich Wardner	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Fairfield

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

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Deanna Holbrook
Operator's Signature

10/2/03
Date

REPORT OF STANDING COMMITTEE (410)
March 13, 2003 9:53 a.m.

Module No: SR-45-4648
Carrier: Fairfield
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1167: Government and Veterans Affairs Committee (Sen. Krebbsbach, Chairman)
recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1167
was placed on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-45-4648

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Donna H. H. H.
Operator's Signature

12/2/03
Date

2003 TESTIMONY

HB 1167

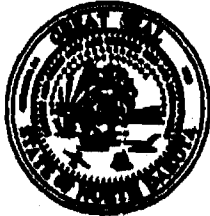
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Doreen G. Hall
Operator's Signature

10/2/03
Date

ALVIN A. JAEGER
SECRETARY OF STATE

HOME PAGE www.state.nd.us/sec



PHONE (701) 328-2900
FAX (701) 328-2992

E-MAIL sec@state.nd.us

SECRETARY OF STATE

STATE OF NORTH DAKOTA
600 EAST BOULEVARD AVENUE DEPT 108
BISMARCK ND 58505-0900

January 17, 2003

TO: Rep. Klein, Chairman,
and Members of the House Government and Veterans Affairs Committee

FR: Al Jaeger, Secretary of State

RE: HB 1167 - Biennial Reports

Under the provisions of N.D.C.C. § 54-06-04(3), "a committee composed of the director of the state historical society, the state librarian, and the secretary of state, or other persons designated to represent them, shall meet at the call of the secretary of state to set the requirements for form, style, materials, and content of biennial reports." (copy of applicable law on reverse side)

It is in that capacity that I introduced the subject bill. The intent of the bill is to remove several obsolete provisions from the Century Code and provide consistency in reporting requirements.

Section 1: It removes text in the Century Code, which states that the state's research extension centers must submit a biennial report to the Board of Higher Education if the Board submits a biennial report to the Governor and Secretary of State. However, the provisions of N.D.C.C. § 54-06-04 do not require the Board of Higher Education to submit a biennial report. Therefore, the text is meaningless.

Section 2: The current law implies that the Bonding Fund is to submit a separate biennial report. However, the Bonding Fund is under the jurisdiction of the Insurance Commission and the Commissioner includes the report for the Bonding Fund in the Commissioner's biennial report. The changes make that distinction and the Commissioner agrees with it.

Section 3: It changes the requirement that the Board of Massage Therapists "shall" submit a report to that it "may" submit a report. This change makes its reporting requirement consistent with other professional boards that "may" submit a report and which do not have a "shall" reporting requirement.

Section 4: Same reasoning for the Psychologists Board as given for Section 3 above.

Section 5: It eliminates a reference to the Governor, which is redundant, and it eliminates the State Library that receives copies of biennial reports under N.D.C.C. § 54-24-09, which requires all state agencies to forward eight copies of all agency publications to the Library.

Section 6: It changes the biennial report submission time for the Council on the Arts from October (established in 1967), prior to the legislative session, to December 1, after the regular session of the legislative assembly. The change makes their biennial submission requirements consistent with the requirements for all other biennial reports.

Doreen H. Hall
Operator's Signature

10/2/03
Date

54-06-03. Report of state officers and boards. Except as otherwise provided by law, all officers, departments, boards, commissions, and state institutions that make and transmit reports annually or biennially to the governor and the secretary of state shall submit their reports to the governor and the secretary of state not later than December first of the year in which the report is required to be made.

54-06-04. Form and number of reports to be submitted.

1. The following executive and administrative officers and departments shall submit to the governor and the secretary of state reports covering their operations for the two preceding fiscal years, except as otherwise provided by law, not later than the first day of December each year after the regular session of the legislative assembly:
 - a. Secretary of state.
 - b. State auditor.
 - c. Insurance commissioner.
 - d. Attorney general.
 - e. Agriculture commissioner.
 - f. Superintendent of public instruction.
 - g. State tax commissioner.
 - h. Public service commission.
 - i. Department of corrections and rehabilitation.
 - j. Department of transportation.
 - k. State department of health.
 - l. Department of human services.
 - m. Workers compensation bureau.
 - n. Office of management and budget.
 - o. State treasurer.
 - p. Labor commissioner.
 - q. Department of financial institutions.
 - r. Game and fish department.
 - s. Industrial commission.
 - t. Job service North Dakota.
 - u. Board of university and school lands.
2. A committee composed of the director of the state historical society, the state librarian, and the secretary of state, or other persons designated to represent them, shall meet at the call of the secretary of state to set the requirements for form, style, materials, and content of biennial reports.
3. This section does not prohibit the executive and administrative officers and departments enumerated in subsection 1 from receiving additional copies of their reports as may be available and printed.
4. All officers, departments, boards, commissions, and state institutions that submit reports covering their operations for the two preceding fiscal years to the governor and the secretary of state shall submit copies of their reports in the form and style, using the materials, and having the content prescribed under subsection 2 on or before the first day of December in each year after the regular session of the legislative assembly. If submitted, one copy of each report must be distributed to the following agencies:
 - a. Governor's office.
 - b. Legislative council.
 - c. Office of management and budget.
 - d. State law library.
 - e. The libraries of each state institution of higher education.
 - f. State library.
 - g. State archivist for official and public use.
5. All executive and administrative officers and departments that submit reports under this section shall bear the costs of the preparation and any printing of the reports.
6. All reports required under this section to be submitted to the secretary of state must be subsequently transmitted by the secretary of state to the state archivist for official and public use following their receipt and review by the secretary of state.

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ALVIN A. JAEGER
SECRETARY OF STATE

HOME PAGE www.state.nd.us/sec



PHONE (701) 328-2900
FAX (701) 328-2992

E-MAIL sec@state.nd.us

SECRETARY OF STATE

STATE OF NORTH DAKOTA
600 EAST BOULEVARD AVENUE DEPT 108
BISMARCK ND 58505-0800

March 13, 2003

TO: Senator Krebsbach, Chairman, and Members – Senate Government and Veterans Affairs Committee

FR: Al Jaeger, Secretary of State

RE: HB 1167 – Biennial Reports

Under the provisions of N.D.C.C. § 54-06-04(3), "a committee composed of the director of the state historical society, the state librarian, and the secretary of state, or other persons designated to represent them, shall meet at the call of the secretary of state to set the requirements for form, style, materials, and content of biennial reports." (copy of applicable law on reverse side)

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Section 2: The current law implies that the Bonding Fund is to submit a separate biennial report. However, the Bonding Fund is under the jurisdiction of the Insurance Commission and the Commissioner includes the report for the Bonding Fund in the Commissioner's biennial report. The changes make that distinction and the Commissioner concurs with the change.

Section 3: It changes the requirement that the Board of Massage Therapists "shall" submit a report to that it "may" submit a report. This change makes its reporting requirement consistent with other professional boards that "may" submit a report and which do not have a "shall" reporting requirement.

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Section 5: It eliminates a reference to the Governor, which is redundant, and it eliminates the State Library that receives copies of biennial reports under N.D.C.C. § 54-24-09, which requires all state agencies to forward eight copies of all agency publications to the Library.

Section 6: It changes the biennial report submission time for the Council on the Arts from October (established in 1967), prior to the legislative session, to December 1, after the regular session of the legislative assembly. The change makes their biennial submission deadline the same as it is for all other biennial reports.

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54-06-04. Form and number of reports to be submitted.

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 - a. Secretary of state.
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 - c. Insurance commissioner.
 - d. Attorney general.
 - e. Agriculture commissioner.
 - f. Superintendent of public instruction.
 - g. State tax commissioner.
 - h. Public service commission.
 - i. Department of corrections and rehabilitation.
 - j. Department of transportation.
 - k. State department of health.
 - l. Department of human services.
 - m. Workers compensation bureau.
 - n. Office of management and budget.
 - o. State treasurer.
 - p. Labor commissioner.
 - q. Department of financial institutions.
 - r. Game and fish department.
 - s. Industrial commission.
 - t. Job service North Dakota.
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