

2009 HOUSE JUDICIARY

HB 1530

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1530

House Judiciary Committee

☐ Check here for Conference Committee

Hearing Date: 1/26/09

Recorder Job Number: 7741

Committee Clerk Signature <i>D. Penrose</i>

Minutes:

Chairman DeKrey: We will open the hearing on HB 1530.

Al Jaeger, Secretary of State: Support (attachment).

Chairman DeKrey: Thank you. Further testimony in support. Testimony in opposition. We will close the hearing.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1530

House Judiciary Committee

☐ Check here for Conference Committee

Hearing Date: 1/28/09

Recorder Job Number: 7984

Committee Clerk Signature

ORourke

Minutes:

Chairman DeKrey: We will take a look at HB 1530. What are the committee's wishes.

Rep. Griffin: I move a Do Pass.

Rep. Wolf: Second.

12 YES 0 NO 1 ABSENT

DO PASS

CARRIER: Rep. Wolf

Date: 1/28/09
Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1536

HOUSE JUDICIARY COMMITTEE

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken ☒ DP ☐ DNP ☐ DP AS AMEND ☐ DNP AS AMEND

Motion Made By Rep. Griffin Seconded By Rep. Wolf

Representatives	Yes	No	Representatives	Yes	No
Ch. DeKrey	✓		Rep. Delmore	✓	
Rep. Klemin	✓		Rep. Griffin	✓	
Rep. Boehning	✓		Rep. Vig	✓	
Rep. Dahl	✓		Rep. Wolf	✓	
Rep. Hatlestad	✓		Rep. Zaiser		
Rep. Kingsbury	✓				
Rep. Koppelman	✓				
Rep. Kretschmar	✓				

Total (Yes) 12 No 0

Absent 1

Floor Carrier: Rep. Wolf

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

REPORT OF STANDING COMMITTEE (410)
January 28, 2009 12:13 p.m.

Module No: HR-17-1077
Carrier: Wolf
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1530: Judiciary Committee (Rep. DeKrey, Chairman) recommends DO PASS
(12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1530 was placed on the
Eleventh order on the calendar.

2009 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1530

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1530

Senate Government and Veterans Affairs Committee

☐ Check here for Conference Committee

Hearing Date: 03/19/09

Recorder Job Number: 11302

Committee Clerk Signature

Katia Oliver

Minutes:

Chairman Dever opened the public hearing on 1530.

Lisa Meyer: Representative Lisa Meyer, District 32 in Bismarck. House Bill 1530 is a real simple bill. It identifies a larger group of elected officials to take the oath of office and file the oath of office with the Secretary of State. If it is alright I would like to defer to the Secretary of State for questions.

Al Jager: Secretary of State. See attached testimony #1.

Senator Dever: Does this apply to the appointment of a deputy head?

Al Jager: All of that is dealt with in a different section of law. The deputy has same power as I except in one area. When both he and I are out of the office and I appoint a special deputy who executes an oath of office for the time while my assistant and I are out of the office.

Senator Nelson: Where is there a definition of Civil Officer? Is there a difference between hiring and appointing?

Al Jager: Every elected official has to take an oath of office.

Senator Nelson: Do we have an alternate oath to non Christians?

Al Jager: Yes we do.

Senator Cook: Board of Higher Education, do they have to take an oath?

Al Jager: Yes they do. When Claus was appointed I attest the governor's signature.

Senator Horne: Is this designed to provide a background for each elected official?

Al Jager: I can assure you that you did complete a statement of interest. Everyone that the governor appoints has to turn one in. In your case you filled it out in order to run.

Senator Horne: Is this all public information?

Al Jager: Yes. If somebody was so inclined they could.

There was no more testimony on 1530 and Chairman Dever closed the public hearing.

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No.1530

Senate Government and Veterans Affairs Committee

☐ Check here for Conference Committee

Hearing Date: 03/19/09

Recorder Job Number: 11662

Committee Clerk Signature *Kathy Dwyer*

Minutes:

Senator Dever: This matches the requirement for the same people that have to file a statement of interest. No amendment discussion that I recall.

A motion was made for a do pass by Senator Cook with a second by Senator Horne. There

was no discussion and the motion passed 5-0 with Senator Horne carrying the bill to the floor.

Date: 4-2-09
Roll Call Vote #:

Carriel
Horne

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1530

Senate Government and Veteran's Affairs Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Cool Seconded By Horne

Representatives	Yes	No	Representatives	Yes	No
Dick Dever	X		Dwight Cook	X	
Dave Oehlke	X		Carolyn Nelson	X	
Robert M. Horne	X				

Total Yes 5 No 0

Absent _____

Floor Assignment _____

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

REPORT OF STANDING COMMITTEE (410)
April 2, 2009 1:36 p.m.

Module No: SR-56-5996
Carrier: Horne
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1530: Government and Veterans Affairs Committee (Sen. Dever, Chairman)
recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1530
was placed on the Fourteenth order on the calendar.

2009 TESTIMONY

HB 1530



E-MAIL sos@nd.gov

STATE OF NORTH DAKOTA
600 EAST BOULEVARD AVENUE DEPT 108
BISMARCK ND 58505-0500

January 26, 2009

TO: Rep DeKrey, Chairman, and Members of the House Judiciary Committee

FR: Al Jaeger, Secretary of State

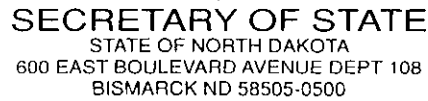
RE: HB 1530 – Oath of Civil Officers

The purpose of this bill is to make it clear in this section of law that an oath of office must be filed by all of those persons appointed by an elected official and by those persons appointed by the Governor who are required to file a statement of interest with the Secretary of State.

16.1-09-02. Statement of interests to be filed.

Every candidate for elective office shall file a statement of interests as required by this chapter. In a year when a president and vice president of the United States are to be chosen, presidential and vice presidential candidates shall file with the secretary of state either a statement of interests as required by this chapter or a copy of the personal disclosure statement that is required by the federal election commission. Candidates for elective office who are required to file such statements shall do so with the filing officer for that election at the time of filing a certificate of nomination, a certificate of endorsement, a petition of nomination, or a certificate of write-in candidacy, pursuant to chapter 16.1-11, 16.1-12, or 40-21, as is appropriate. A person who has filed a statement as the result of candidacy in a primary election need not refile before running in the following general election. A write-in candidate who is not required to file a certificate of write-in candidacy shall file the statement of interests after the candidate's election at the time of filing the required oath of office. Every person who is appointed by the governor to a state agency, board, bureau, commission, department, or occupational or professional licensing board shall file a statement of interests as required by this chapter with the secretary of state simultaneously with announcement of the appointment.

HOME PAGE www.nd.gov/sos



March 19, 2009

RE: HB 1530 – Oath of Civil Officers

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Every candidate for elective office shall file a statement of interests as required by this chapter. In a year when a president and vice president of the United States are to be chosen, presidential and vice presidential candidates shall file with the secretary of state either a statement of interests as required by this chapter or a copy of the personal disclosure statement that is required by the federal election commission. Candidates for elective office who are required to file such statements shall do so with the filing officer for that election at the time of filing a certificate of nomination, a certificate of endorsement, a petition of nomination, or a certificate of write-in candidacy, pursuant to chapter 16.1-11, 16.1-12, or 40-21, as is appropriate. A person who has filed a statement as the result of candidacy in a primary election need not refile before running in the following general election. A write-in candidate who is not required to file a certificate of write-in candidacy shall file the statement of interests after the candidate's election at the time of filing the required oath of office. Every person who is appointed by the governor to a state agency, board, bureau, commission, department, or occupational or professional licensing board shall file a statement of interests as required by this chapter with the secretary of state simultaneously with announcement of the appointment.