



Legal Advisory Unit

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John Hoeven, Governor
Carol K. Olson, Executive Director

September 21, 2009

SEP 21 2009

Mr. John Walstad, Code Revisor
North Dakota Legislative Council
State Capitol
Bismarck, ND 58505

RE: Proposed Amendments to N.D. Admin. Code Chapter 75-02-04.1
Child Support Guidelines

Dear Mr. Walstad:

Enclosed for filing in the office of the Legislative Council is the Notice of Intent to Amend Administrative Rules concerning the above proposed rules as required by N.D.C.C. Section 28-32-10. Also enclosed is a copy of the proposed rules.

We have requested publication of an abbreviated newspaper publication notice once in each official county newspaper which will notify the public that an oral hearing on these rules will be held on October 29, 2009, beginning at 3:30 p.m. and continuing until 5:00 p.m. or until no further testimony is offered, whichever occurs first.

If you have any questions or concerns, please contact me at 328-2311. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Julie Leer".

Julie Leer
Legal Advisory Unit

JL/ca

Enclosures

Cc: James Fleming, Child Support
Paulette Oberst, Child Support



John Hoeven, Governor
Carol K. Olson, Executive Director

NOTICE OF INTENT TO AMEND
ADMINISTRATIVE RULES RELATING TO
N.D.A.C. CHAPTER 75-02-04.1
CHILD SUPPORT GUIDELINES

TAKE NOTICE that the North Dakota Department of Human Services will hold a public hearing to address proposed amendments to N.D. Admin. Code Chapter 75-02-04.1 at 3:30 p.m. on Thursday, October 29, 2009, in Bismarck, N.D. in the AV Room – Room 210, located on the second floor of the Judicial Wing of the State Capitol.

The proposed amendments to N.D. Admin. Code Chapter 75-02-04.1, Child Support Guidelines, are necessary to comply with section 2 of 2009 House Bill No.1329. The proposed amendment may have an impact on the regulated community in excess of \$50,000.

Chapter 75-02-04.1, is amended to comply with section 2 of 2009 House Bill No. 1329. The proposed amendments are to exclude consideration of atypical overtime wages or nonrecurring bonuses over which the obligor does not have significant influence or control, rather than consider those items as criteria for rebuttal of the presumptively correct child support amount.

Copies of the proposed rules are available for review at county social services offices and at human service centers. Copies of the proposed rules and the regulatory analysis relating to these rules may be requested by telephoning (701) 328-2311. Written or oral data, views, or arguments may be entered at the hearing or sent to: Rules Administrator, North Dakota Department of Human Services, State Capitol - Judicial Wing, 600 E. Boulevard Ave., Dept. 325, Bismarck, ND 58505-0250. Written data, views, or arguments on the proposed rules must be received no later than 5:00 p.m. on Monday, November 9, 2009.

ATTENTION PERSONS WITH DISABILITIES: If you plan to attend the hearing and will need special facilities or assistance relating to a disability, please contact the Department of Human Services at the above telephone number or address at least two weeks prior to the hearing.

Dated this 21st day of September, 2009.