

Fifty-fifth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Monday, the sixth day of January, one thousand nine hundred and ninety-seven

HOUSE BILL NO. 1066
(Legislative Council)
(Legislative Audit and Fiscal Review Committee)
(Representatives Dorso, Wald, Timm)
(Senators Mutch, Tallackson)

AN ACT to amend and reenact section 6-09-29 of the North Dakota Century Code, relating to the audit of the Bank of North Dakota.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 6-09-29 of the North Dakota Century Code is amended and reenacted as follows:

6-09-29. ~~Department of banking and financial institutions and the industrial commission responsible for examinations~~ Examinations and audit reports. ~~The industrial commission is responsible for contracting with a nongovernment certified public accounting firm to annually audit state auditor shall contract with an independent certified public accounting firm for an annual audit of the Bank of North Dakota in accordance with generally accepted government auditing standards, which must include inspection and verification of the assets in its possession and under its control with sufficient thoroughness to ascertain with reasonable certainty whether the valuations are carried correctly on its books. The state auditor shall audit annually or contract for an annual audit of the separate programs and funds administered by the Bank of North Dakota. On request of the state auditor, the industrial commission shall assist the state auditor in the auditing firm selection process, but the selection of the auditing firm is the state auditor's responsibility. The auditor selected shall prepare an audit report that includes financial statements presented in accordance with the audit and accounting guide for banks and savings institutions issued by the American institute of certified public accountants. The auditor also shall prepare audited financial statements for inclusion in the comprehensive annual financial report for the state. The state auditor may conduct performance audits of the Bank of North Dakota, including the separate programs and funds administered by the Bank. The auditor so hired shall audit the Bank's methods of operation and accounting, shall report the results of the audit to the industrial commission as soon as practicable, and shall furnish one copy and to the legislative assembly. The Bank of North Dakota or its separate programs and funds shall pay the costs of such the audit must be paid for by the Bank of North Dakota. The department of banking and financial institutions, through the commissioner, is responsible for performing an examination of shall examine the Bank of North Dakota at least once each twenty-four months and for conduct any investigation of the Bank which may be necessary. The commissioner shall report the examination results, and the results of any necessary investigation, must be reported to the industrial commission as soon as practicable and to the legislative assembly. Fees for such examinations must be charged by the~~ The department of banking and financial institutions shall charge a fee for any examination or investigation at an hourly rate to be set by the commissioner, sufficient to cover all reasonable expenses of the department associated with the examinations and investigations provided for by this section.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1066.

House Vote: Yeas 96 Nays 0 Absent 2

Senate Vote: Yeas 41 Nays 4 Absent 4

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 1997.

Approved at _____ M. on _____, 1997.

Governor

Filed in this office this _____ day of _____, 1997,
at _____ o'clock _____ M.

Secretary of State