

**Fifty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 9, 2001**

HOUSE BILL NO. 1005
(Appropriations Committee)
(At the request of the Governor)

AN ACT to provide an appropriation for defraying the expenses of the state treasurer; to amend and reenact subsection 1 of the new section to chapter 5-01 of the North Dakota Century Code as created by section 1 of House Bill No. 1404, as approved by the fifty-seventh legislative assembly, and sections 54-11-13 and 54-27-08 of the North Dakota Century Code, relating to issuance of farm winery licenses, the salary of the state treasurer, and the signing of warrants by electronic means; and to provide legislative intent to prohibit payment of national association of state treasurers-related activities.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the state treasurer for the purpose of defraying the expenses of the state treasurer, for the biennium beginning July 1, 2001, and ending June 30, 2003, as follows:

Salaries and wages	\$585,879
Operating expenses	106,036
Equipment	2,000
In lieu of tax payments	<u>1,932,419</u>
Total general fund appropriation	\$2,626,334

SECTION 2. AMENDMENT. Subsection 1 of the new section to chapter 5-01 of the North Dakota Century Code as created by section 1 of House Bill No. 1404, as approved by the fifty-seventh legislative assembly, is amended and reenacted as follows:

1. The state ~~treasurer~~ tax commissioner may issue a farm winery license to the owner or operator of a farm winery located within this state to produce table or sparkling wines. A farm winery must be operated by the owner of a North Dakota farm and produce table or sparkling wines from grapes, grape juice, other fruit bases, or honey with a majority of the ingredients by volume, excluding water, grown and produced in this state by the farm winery. Licenses may be issued and renewed for an annual fee of fifty dollars, which is in lieu of all other license fees required by this title.

SECTION 3. AMENDMENT. Section 54-11-13 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-11-13. Salary of state treasurer. The annual salary of the state treasurer is ~~fifty-eight~~ sixty-two thousand ~~two~~ nine hundred ~~sixty-two~~ seventy-four dollars through June 30, ~~2000~~ 2002, ~~fifty-nine thousand four hundred twenty-eight dollars through December 31, 2000, and sixty-one~~ sixty-four thousand one ~~two~~ hundred forty-two ~~thirty-three~~ thirty-three dollars thereafter.

SECTION 4. AMENDMENT. Section 54-27-08 of the North Dakota Century Code is amended and reenacted as follows:

54-27-08. How moneys paid from state treasury - Warrants - When not necessary. Except as otherwise provided, moneys may be paid from the state treasury only upon the warrant or order prepared by the office of management and budget drawn on the state treasurer. The state auditor shall recommend a form for order and warrant-check of the state government which must conform, so far as consistent with statutory requirements, to approved banking practice ~~in order~~ to facilitate handling of

such instruments by banks and other depositories. When ~~such an~~ order and warrant-check is signed by the state auditor, the state treasurer shall accept the order or warrant with ~~his~~ the treasurer's signature, making the order and warrant-check negotiable. No warrant upon the treasurer may be delivered or mailed to the payee or ~~his~~ the payee's agent or representative until the warrant has been signed by the treasurer and entered on the treasurer's books as a check drawn on a bank depository. A record must be maintained specifying upon what fund or from what apportionment each warrant is to be paid. The state treasurer may redeem outstanding bonds or pay interest on bonds when due without the warrant of the office of management and budget, retaining the bond or interest coupon as ~~his~~ a voucher for the payment until the next ~~succeeding~~ settlement. With respect to electronic records and electronic signatures, the state treasurer shall utilize the services provided by the information technology department.

SECTION 5. LEGISLATIVE INTENT - PAYMENT OF NATIONAL ASSOCIATION OF STATE TREASURERS-RELATED ACTIVITIES. It is the intent of the legislative assembly that the state treasurer be prohibited from using state funds for activities related to the national association of state treasurers for the biennium beginning July 1, 2001, and ending June 30, 2003.

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-seventh Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1005.

House Vote: Yeas 97 Nays 0 Absent 1

Senate Vote: Yeas 46 Nays 3 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2001.

Approved at _____ M. on _____, 2001.

Governor

Filed in this office this _____ day of _____, 2001,
at _____ o'clock _____ M.

Secretary of State