

**Fifty-eighth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 7, 2003**

HOUSE BILL NO. 1100  
(Judiciary Committee)  
(At the request of the State Auditor)

AN ACT to amend and reenact sections 54-10-21, 54-11-04, and 54-27-08 of the North Dakota Century Code, relating to the duties of the state auditor.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 54-10-21 of the North Dakota Century Code is amended and reenacted as follows:

**54-10-21. Duty of state auditor on failures by officers.** The state auditor ~~shall~~ may report to the attorney general the refusal or neglect of any state ~~or county~~ officer to obey the state auditor's ~~instructions, and~~ recommendations. After investigation, the attorney general ~~promptly shall~~ may take appropriate action to enforce compliance therewith.

**SECTION 2. AMENDMENT.** Section 54-11-04 of the North Dakota Century Code is amended and reenacted as follows:

**54-11-04. Records of state treasurer.** The state treasurer shall keep the following records:

1. A ~~cash book in which must be entered the amount~~ record of all moneys received or paid out, showing from whom received or to whom paid and on what account or fund.
2. A ~~ledger in which~~ record that ~~must be kept~~ keep an account with each fund.
3. A daily balance ~~book in which~~ record that ~~must be shown~~ show the amount in state depositories and the amount in cash on hand.
4. ~~Such other books as the state auditor shall prescribe~~ The records may be created and published via electronic devices and must be in compliance with state audit guidelines.

These records must be disposed of in accordance with the procedures established pursuant to chapter 54-46.

**SECTION 3. 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 director of the office of management and budget 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 to facilitate handling of such instruments by banks and other depositories. When an order and warrant-check is signed by the state auditor, the state treasurer shall accept the order or warrant with 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 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 a voucher for the payment until the next settlement. With

respect to electronic records and electronic signatures, the state treasurer shall utilize the services provided by the information technology department.

\_\_\_\_\_  
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-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1100.

House Vote:      Yeas    88      Nays    0      Absent    6

Senate Vote:      Yeas    46      Nays    0      Absent    1

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2003.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2003.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2003,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State