

# MICROFILM DIVIDER

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ROLL NUMBER

DESCRIPTION

2118

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Yuberaca d. Lee  
Operator's Signature

10-16-03  
Date

2003 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2118

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*Yheresa J. Lee*  
Operator's Signature

*10-16-03*  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2118

Senate Government and Veterans Affairs Committee

Conference Committee

Hearing Date 01/17/03

Tape Number	Side A	Side B	Meter #
Tape 1		x	4760-5260
Committee Clerk Signature <i>[Signature]</i>			

Minutes:

**Senator Karen Krebsbach, Chairman :** We will open SB 2118. All senators present.

**Kathy Kirschman, State Treasurer office.:** This is basically a housekeeping bill to update the duties of the state treasurer.

**Senator Krebsbach :** I would like some explanation on the deletion of lang. on page 3 and why that is being taken away.

**K. Kirschman:** the reason that is being done is that we authenticate with the state seal of ND not the seal of the state treasurer. Line 14 with the computer system we have now deals with the computer system and that is all done through the computer system. Most of this has not been updated since 1959 so when it refers to manual ledgers we no longer do that.

**Senator Krebsbach :** Going back to the state seal, is there any where that you still use that old seal

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10-16-03  
Date

Page 2  
Senate Government and Veterans Affairs Committee  
Bill/Resolution Number SB 2118  
Hearing Date 01/17/03

**K. Kirschman:** I would have to go back and find that information out and get it to you at a later time.

**Senator Krebsbach :** I just want to make sure we are not deleting one and just replacing. And then is you would address changes in Page 4 Lines 19 and 30.

**K. Kirschman:** The cash book is obsolete language.

**Senator Richard Brown :** Isn't cash book and ledger almost a duplication anyway.

**K. Kirschman:** Yes its just updated language.

**Senator Krebsbach :** We will wait to hear from you next Thursday with our questions.

No further testimony

Closed SB 2118

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*10-16-03*  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2118

Senate Government and Veterans Affairs Committee

Conference Committee

Hearing Date 01/23/03

Tape Number	Side A	Side B	Meter #
Tape 3	x		1700-2650
Committee Clerk Signature			

Minutes:

**Senator Karen Krebsbach, Chairman** re opens SB 2118. All senators present.

**Kathy Kirschman from the Treasurer's office** to follow-up with some information regarding SB 2118. She gives a quick refresher of the contents of the bill and has passed out an amendment that refers to the state treasurer's seal that is no longer in existence because they use the state seal( See attached)

**Senator Dever :** What do you thin the Secretary of State's office would think?

**Kirschman:** We are currently using the state seal on all of our letterhead, etc., but I could check with the Secretary of State's office if you wish.

Senator Wardner moves a Do Pass on Amendment

Senator Brown 2nd

6 Yes, 0 No, 0 Absent

Senator Nelson moves a Do Pass as amended on SB 2118

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10-16-03  
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Page 2  
Senate Government and Veterans Affairs Committee  
Bill/Resolution Number SB 2118  
Hearing Date 01/23/03

Senator Brown 2nd

6 Yes, 0 No, 0 Absent

Carrier: Senator Brown

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10-16-03  
Date

**FISCAL NOTE**  
 Requested by Legislative Council  
 01/03/2003

Bill/Resolution No.: SB 2118

1A. **State fiscal effect:** Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. **County, city, and school district fiscal effect:** Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. **Narrative:** Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

This bill does not incur any fiscal impact.

3. **State fiscal effect detail:** For information shown under state fiscal effect in 1A, please:

A. **Revenues:** Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

B. **Expenditures:** Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

C. **Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	Kathy Kirschman	Agency:	State Treasurer
Phone Number:	(701) 328-4694	Date Prepared:	01/06/2003

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10-16-03  
 Date

38123.0101  
Title.0200

Adopted by the Government and Veterans  
Affairs Committee  
January 23, 2003

*JB*  
1-24-03

PROPOSED AMENDMENTS TO SENATE BILL NO. 2118

Page 3, line 23, remove the overstrike over "~~Authenticate with the official~~" and insert immediately thereafter "state", remove the overstrike over "seal", and remove the overstrike over "~~all writings and papers~~"

Page 3, remove the overstrike over line 24

Page 3, line 25, remove the overstrike over "+4."

Page 3, line 29, replace "14." with "15."

Page 4, line 3, replace "15." with "16."

Page 4, line 14, replace "16." with "17."

Renumber accordingly

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Operator's Signature

*10-16-03*  
Date







REPORT OF STANDING COMMITTEE (410)  
January 27, 2003 1:27 p.m.

Module No: SR-15-1130  
Carrier: Brown  
Insert LC: 38123.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**

**SB 2118: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2118 was placed on the Sixth order on the calendar.

Page 3, line 23, remove the overstrike over "~~Authenticate with the official~~" and insert immediately thereafter "state", remove the overstrike over "~~see~~", and remove the overstrike over "~~all writings and papers~~"

Page 3, remove the overstrike over line 24

Page 3, line 25, remove the overstrike over "~~14.~~"

Page 3, line 29, replace "14." with "15."

Page 4, line 3, replace "15." with "16."

Page 4, line 14, replace "16." with "17."

Renumber accordingly

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Operator's Signature

10-16-03  
Date

2003 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2118

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Yuberaca S. Ace  
Operator's Signature

10-16-03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2118

House Government and Veterans Affairs Committee

Conference Committee

Hearing Date 3-06-03

Tape Number	Side A	Side B	Meter #
1	x		15.8-22.9

Committee Clerk Signature *Joey Runkle*

Minutes: Chairman Klein: called the meeting to order on SB 2118. All committee members were present.

Kathy Kerschman, State Treasurers Office: appeared in support of SB 2118. Primarily this bill is to update some out dated language. Line 23 on page 3, State Treasurers seal will no longer exist and no longer print book, page 4 line 19 this has amendment, HB 1100 has revised language in this portion. We are taking out the language, with cash book, with the current technology this is done on computer now. Not printed in final book anymore. Further documents are all prepared on computers also, change number 4, this is the auditors intent to remove line 24. This just indicates that all these documents are prepared on a computer and are available on public record. I will make copies of the amendment for you.

Representative Winrich: do we need to amend this bill also so that the language is consistent with the House Bill?

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*Yubereca d. Lee* 10-16-03  
Operator's Signature Date

Page 2  
House Government and Veterans Affairs Committee  
Bill/Resolution Number SB 2118  
Hearing Date 3-06-03

Kathy Kerschman: I want to just inform you. The same thing that is in this bill is also in HB

1100.

No further testimony.

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10-16-03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2118

House Government and Veterans Affairs Committee

Conference Committee

Hearing Date 3-07-03

Tape Number	Side A	Side B	Meter #
2	x		27.3-32.0
Committee Clerk Signature <i>Joey Rinke</i>			

Minutes: Chairman Klein: lets bring up SB 2118.

Representative Haas: moved to **AMEND** SB 2118.

Representative Sitte: **SECOND** the motion to amend SB 2118.

All were in favor.

Representative Winrich: made a **DO PASS** as amended motion on SB 2118.

Representative Haas: **SECOND** the motion.

**VOTE: 14-YES 0-NO 0-ABSENT.**

Motion carried.

Representative Williams: will carry the bill to the floor.

Meeting adjourned.

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*Yvonne J. Lee* 10-16-03  
Operator's Signature Date

38123.0201  
Title.0300

Adopted by the Government and Veterans  
Affairs Committee  
March 7, 2003

VR  
3/7/03

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2118

Page 4, line 19, remove the overstrike over "A", after "amount" insert "record", and remove the overstrike over "~~of all moneys received or paid~~"

Page 4, remove the overstrike over line 20

Page 4, line 21, remove the overstrike over "2.", overstrike "ledger in which" and insert immediately thereafter "record that", and overstrike "be kept" and insert immediately thereafter "keep"

Page 4, line 22, remove the overstrike over "3.", remove "2.", overstrike "book in which" and insert immediately thereafter "record that", and overstrike "be shown" and insert immediately thereafter "show"

Page 4, line 24, remove the overstrike over "4.", remove "3.", and overstrike "Such other books as the state auditor shall prescribe" and insert immediately thereafter "Records must be created and published via electronic devices and must be in compliance with state audit guidelines"

Renumber accordingly

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Operator's Signature

10-16-03  
Date



Date: 3-7-03

Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTE  
SENATE BILL/RESOLUTION NO. SB. 2118

House GOVERNMENT AND VETERANS AFFAIRS Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Moved to Amend

Motion Made By Haas Seconded By Sitte

Representatives	Yes	No	Representatives	Yes	No
Chairman M.M. Klein			B. Amerman		
Vice Chairman B.B. Grande			L. Potter		
W.R. Devlin			C. Williams		
C.B. Haas			L. Winrich		
J. Kasper					
L.R. Klemin					
L. Meier					
M. Sitte					
W.W. Tieman					
R.H. Wikenheiser					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent all in favor

Floor Assignment \_\_\_\_\_

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

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Yuberaca d. Lee 10-16-03  
Operator's Signature Date

Date: 3-07-03

Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTE  
SENATE BILL/RESOLUTION NO. SB 2118

House GOVERNMENT AND VETERANS AFFAIRS Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass As Amended.

Motion Made By Winrich Seconded By Haas

Representatives	Yes	No	Representatives	Yes	No
Chairman M.M. Klein	X		B. Amerman	X	
Vice Chairman B.B. Grande	X		L. Potter	X	
W.R. Devlin	X		C. Williams	X	
C.B. Haas	X		L. Winrich	X	
J. Kasper	X				
L.R. Klemin	X				
L. Meier	X				
M. Sitte	X				
W.W. Tieman	X				
R.H. Wikenheiser	X				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Williams

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

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Yherosa d. Lee 10-16-03  
Operator's Signature Date

REPORT OF STANDING COMMITTEE (410)  
March 10, 2003 9:29 a.m.

Module No: HR-42-4303  
Carrier: Williams  
Insert LC: 38123.0201 Title: .0300

**REPORT OF STANDING COMMITTEE**

SB 2118, as engrossed: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and, when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2118 was placed on the Sixth order on the calendar.

Page 4, line 19, remove the overstrike over "A", after "amount" insert "record", and remove the overstrike over "~~of all monoye received or paid~~"

Page 4, remove the overstrike over line 20

Page 4, line 21, remove the overstrike over "2.", overstrike "ledger in which" and insert immediately thereafter "record that", and overstrike "be kept" and insert immediately thereafter "keep"

Page 4, line 22, remove the overstrike over "3.", remove "2.", overstrike "book in which" and insert immediately thereafter "record that", and overstrike "be shcwn" and insert immediately thereafter "show"

Page 4, line 24, remove the overstrike over "4.", remove "3.", and overstrike "Such other books as the state auditor shall prescribe" and insert immediately thereafter "Records must be created and published via electronic devices and must be in compliance with state audit guidelines"

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10-16-03  
Date

2003 TESTIMONY

SB 2118

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Operator's Signature

10-16-03  
Date



# OFFICE OF STATE TREASURER

STATE OF NORTH DAKOTA

Kathi Gilmore  
STATE TREASURER

Section 4 repealing 54-11-03 is referring to where state warrants are cashed. State warrants are no longer cleared through the State Treasurer's Office. Warrants are cleared through the Bank of North Dakota.

---

State Capitol • 600 East Boulevard Avenue • Bismarck, ND 58505-0800  
Telephone 701-328-2643/FAX 701-328-3002

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Operator's Signature

*10-16-03*  
Date

PROPOSED AMENDMENTS TO SENATE BILL 2118

- Line 14 1. A ~~cash book in which must be entered the amount~~ record of all moneys received or paid  
Line 15 out, showing from whom received or to whom paid and on what account or fund.  
Line 16 2. A ~~ledger in record~~ which must ~~be kept~~ keep an account with each fund.  
Line 17 3. A daily balance ~~book in record~~ which must ~~be shown~~ show the amount in state  
Line 18 depositories and the amount in cash on hand.  
Line 19 4. ~~Such other books as the state auditor shall prescribe.~~ Records shall be created and  
Line 20 published via electronic devices and shall be in compliance with state audit guidelines.  
Line 21 These records must be disposed of in accordance with the procedures established pursuant  
Line 22. to Chapter 54-46.

Line 23 **SECTION 3. AMENDMENT.** Section 54-27-08 of the North Dakota Century Code  
Line 24 is Amended and reenacted as follows:

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10-16-03  
Date

13. Authenticate with the official seal of the state treasurer all writings and papers issued from the treasurer's office.
14. Keep a book in which the state treasurer shall enter all warrants paid, giving the name of the owner and the number and amount of each warrant.
15. Keep and disburse all moneys belonging to the state in the manner provided by law.
16. Keep books of the state treasurer open at all times for the inspection of the governor, the state auditor, the commissioner of financial institutions, the office of management and budget, and any committee appointed to examine them by either house of the legislative assembly.
17. Unless otherwise specified by law, credit all income earned on the deposit or investment of all state moneys to the state's general fund. This subsection does not apply to:
  - a. Income earned on state moneys that are deposited or invested to the credit of the industrial commission or any agency, utility, industry, enterprise, or business project operated, managed, controlled, or governed by the industrial commission.
  - b. Income earned by the Bank of North Dakota for its own account on state moneys that are deposited in or invested with the Bank.
  - c. Income earned on college and university funds not deposited in the state treasury.
18. Perform all other duties as are prescribed by law.

**54-11-01.1. Bicentennial trust fund - Created - Expenditures.** The centennial commission shall transfer ten thousand dollars from its special revolving fund to the state treasurer to be placed in a bicentennial trust fund. The principal and interest of this fund must remain intact until transferred to the bicentennial commission on or after January 1, 2089. If no bicentennial commission is in existence on January 1, 2089, the money in the bicentennial trust fund must be transferred to the governor. Upon transfer to the bicentennial commission or the governor, as the case may be, the moneys in the fund may be expended to commemorate and celebrate the bicentennial of the state.

**54-11-02. Monthly warrants turned over to office of management and budget.**  
Repealed by S.L. 1965, ch. 181, § 33.

**54-11-03. Warrants - Redemption - Duty of treasurer.** When the state treasurer redeems any warrant drawn by the office of management and budget and signed by the state auditor in conformity with law or receives any warrant in payment for public dues, the treasurer shall cause the person presenting the warrant to endorse the same. The treasurer shall write or stamp on the face of such warrant "redeemed" and shall enter in the treasurer's book in separate columns:

1. The number of the warrant.
2. The date of the warrant.
3. The amount of the warrant.
4. The name of the person to whom payable.
5. The date of payment.

Page No. 84

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Date

6. The amount of interest, if any, paid thereon.

**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 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 must be kept an account with each fund.
3. A dally balance book in which must be shown the amount in state depositories and the amount in cash on hand.
4. Such other books as the state auditor shall prescribe.

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

**54-11-05. Books and blanks furnished by state to treasurer - Kept as state records.** All checks and drafts, deposit slips, bankbooks, and other books and blanks used in the transactions of the state treasurer for state business must be furnished by the state and must be kept on record by the treasurer. They must be disposed of in accordance with the procedures established pursuant to chapter 54-46.

**54-11-06. Irregularities in books of treasurer - Auditor to report to governor - Temporary suspension of treasurer.** If the state auditor upon examination finds that the books of the state treasurer do not correspond with the amount of funds on hand, or do not show the actual condition of the funds, or if it appears to the state auditor that any moneys belonging to the state have been embezzled, diverted, or in any manner taken from the treasury without authority of law, or that the state treasurer has been guilty of negligence in keeping books or taking care of the public moneys, the auditor shall certify the fact to the governor. Upon the receipt of such certificate, the governor forthwith shall take possession of all books, moneys, papers, and other property belonging to the state, which have come into the possession of the state treasurer by virtue of that office, or otherwise, and shall temporarily suspend the state treasurer from that office.

**54-11-07. Suspension of treasurer by governor - Appointment.** When a certificate is made to the governor by the state auditor under section 54-11-06, the governor, with the state auditor and the commissioner of financial institutions, shall examine the books, papers, and all matters connected with the office of the state treasurer so suspended. If it appears to the governor, state auditor, and commissioner of financial institutions on examination that the state treasurer has embezzled or converted to the treasurer's own use the public moneys, or has been negligent in keeping the books, or in taking care of public moneys, the governor on the certificate of the state auditor and the commissioner of financial institutions to that effect may remove the state treasurer and appoint another person to fill the place of the suspended state treasurer. The person so appointed shall enter upon the office of state treasurer as provided by law. The governor shall report the removal of the state treasurer to the next succeeding legislative assembly. The state treasurer so appointed shall hold office until the suspended state treasurer is reinstated or a successor is elected and qualified.

**54-11-08. State bonds - Registration.** The state treasurer upon presentation of any bond issued or assumed by the state of North Dakota, and upon application to the state treasurer in writing by the owner of such bond for the registration thereof, shall register such bond in the name of the said owner in a book which the state treasurer shall keep for that purpose. Before the bond is registered, the state treasurer first shall detach and cancel all unmatured coupons if the bond is a coupon bond. After the registration of ownership, duly endorsed by the treasurer upon the bond registered, no transfer of ownership of the bond may be deemed valid unless registration of the transfer is made by the state treasurer as aforesaid. The bond shall continue subject to registration and to transfer at the option of the owner.