

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1013

That the Senate recede from its amendments as printed on pages 1183 and 1184 of the House Journal and pages 1022-1024 of the Senate Journal and that Engrossed House Bill No. 1013 be amended as follows:

Page 1, line 2, after "lands" insert "; to declare legislative intent regarding priorities of the state abandoned property office administrator; and to amend and reenact subsection 2 of section 47-30.1-30 and section 47-30.1-32 of the North Dakota Century Code, relating to unclaimed property records and appeals"

Page 2, after line 2, insert:

"SECTION 5. LEGISLATIVE INTENT - UNCLAIMED PROPERTY EXAMINATIONS - REPORT TO THE FIFTY-SEVENTH LEGISLATIVE ASSEMBLY. It is the intent of the fifty-sixth legislative assembly that the administrator of the state abandoned property office give priority to unclaimed property holder education programs and, when conducting examinations under North Dakota Century Code chapter 47-30.1, the administrator give priority to examinations of financial institutions and hospitals. The administrator shall report to the fifty-seventh legislative assembly on abandoned property examinations conducted during the 1999-2001 biennium.

SECTION 6. AMENDMENT. Subsection 2 of section 47-30.1-30 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. The administrator, at reasonable times and upon reasonable notice, may examine the records of any person to determine whether the person has complied with this chapter. The administrator may not require a person to provide records for a period exceeding the current year and seven preceding fiscal years. The administrator may conduct the examination even if the person believes ~~it~~ that person is not in possession of any property reportable or deliverable under this chapter. The administrator may not contract for an examination done within this state.

SECTION 7. AMENDMENT. Section 47-30.1-32 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

47-30.1-32. Enforcement - Appeals. The administrator may bring an action in a court of competent jurisdiction to enforce this chapter. A person in this state who is aggrieved by an audit that in any form requests the payment of money or a civil penalty is entitled to a hearing before the board of university and school lands. A demand for a hearing must be made within thirty days of the request by the administrator. The request by the administrator must contain notice of the right to a hearing. The board's decision is the final order of the agency and is appealable to the district court. Any amount of money requested by the administrator which may increase over time is tolled at the time of filing an appeal, retroactive to the date of the request."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 226 - LAND DEPARTMENT

CONFERENCE COMMITTEE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	CONFERENCE COMPARISON TO SENATE VERSION
Assets management Energy development impact office	\$2,436,471 5,004,267	\$2,415,900 5,000,000		\$2,415,900 5,000,000	\$2,343,160 \$5,000,000	\$72,740
Total all funds	\$7,440,738	\$7,415,900	\$0	\$7,415,900	\$7,343,160	\$72,740
Less special funds	<u>7,440,738</u>	<u>7,415,900</u>		<u>7,415,900</u>	<u>7,343,160</u>	<u>72,740</u>
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	19.00	19.00	0.00	19.00	18.00	1.00

Senate changes narrative:

This amendment makes the following changes:

- Restores 1 FTE auditor I position for the unclaimed property audit program which was removed by the Senate and is included in the engrossed bill.