

# MICROFILM DIVIDER

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Deanna Halliwell  
Operator's Signature

10/3/03  
Date

2003 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1386

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10/3/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1386

House Government and Veterans Affairs Committee

Conference Committee

Hearing Date 1-30-03

Tape Number	Side A	Side B	Meter #
1		x	23.5-end
2	x		0-0.4
Committee Clerk Signature <i>James Runkle</i>			

Minutes: Chairman Klein: opened the hearing on HB 1386. All committee members were present.

Representative Schmidt: appeared in favor of HB 1386. This bill came about because of the auctioneers. Before you get a license you have to buy a bond, which the state requires. Over the years the fee has gone up a little bit, but the auctioneers have asked me to bring to you is to why those bonds we pay for are not companied in North Dakota. There are 2 companies that bond auctioneers and clerks, one of them is in South Carolina and the other is in South Dakota. Our bonds money is being sent out of state. The auction sale barns are bonded. People have to be bonded where is that money going to? As of yesterday they have 328 auction bonds at \$100.00 each. There are also 24 clerks at \$100.00 each. There were approximately 600 auctioneers last year. Every penny of that money went out of state. If you have to use your bond you have to pay it back, and right away and if you don't pay it back your out of business.

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*Deanna Hall*  
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10/3/03  
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Page 2  
House Government and Veterans Affairs Committee  
Bill/Resolution Number HB 1386  
Hearing Date 1-30-03

Representative Froelich: appeared in support of the bill and wants to amend it (SEE ATTACHED TESTIMONY). I called Legislative Council and asked them to draft an amendment, because this is not something that we can take care of this session. What is it going to take to set this up, basically what we would like to see done is an interim study done, find out how many bonds are in needed in the state. Even in the ranching industry you have to be bonded all our money is going out of state. There is money in bonding. There is such a vast array of people that need to be bonded. Legally this state could employ a lot of people in N.D. I'm asking for an amendment, pass the amendment, pass the bill, and lets see if we can make the state some money.

Representative Haas: Made a motion to AMEND HB 1386 as provided in testimony.

Representative Meier: SECOND the motion on the amendment.

Representative Tieman: made a motion to DO PASS AS AMENDED .

Representative Devlin: SECOND the motion.

VOTE 14 YES 0 NO 0 ABSENT.

**Motion carried.**

Representative Winrich: will carry the bill to the floor.

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Dorinda Hallworth  
Operator's Signature

10/3/03  
Date

**FISCAL NOTE**  
 Requested by Legislative Council  
 02/03/2003

Amendment to: HB 1386

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
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

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

The bill will not have any impact on the Insurance Department's appropriation or on the general fund.

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.*

N/A

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.*

N/A

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.*

N/A

<b>Name:</b>	Charles E. Johnson	<b>Agency:</b>	Insurance Department
<b>Phone Number:</b>	328-2440	<b>Date Prepared:</b>	02/03/2003

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*Deanna Hallworth*  
 Operator's Signature

10/3/03  
 Date

**FISCAL NOTE**  
 Requested by Legislative Council  
 01/20/2003

Bill/Resolution No.: HB 1386

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
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

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

It appears that this bill limits a public employee to providing a bond from a surety located in this state. It is not believed that the bill will have any impact on the Insurance Department's appropriation or on the general fund.

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.

N/A

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.

N/A

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.

N/A

Name:	Charles E. Johnson	Agency:	Insurance Department
Phone Number:	328-2440	Date Prepared:	01/24/2003

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*Demetrius Hall*  
 Operator's Signature

10/3/03  
 Date

30431.0102  
Title.0200

Adopted by the Government and Veterans  
Affairs Committee  
January 30, 2003

VR  
1/30/03

HOUSE AMENDMENTS TO HOUSE BILL NO. 1386 GVA 1-31-03

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative council study of bonds required by law."

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

**SECTION 1. LEGISLATIVE COUNCIL STUDY OF BONDS REQUIRED BY LAW.** During the 2003-04 Interim, the legislative council shall consider studying North Dakota Century Code provisions requiring public officers and other individuals and entities to provide bonds, whether the state bonding fund is an appropriate entity to provide those bonds, whether private entities within the state provide bonds for public officials and other individuals and entities required to be bonded, and whether the bonds required by statute are appropriate and necessary. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly."

Renumber accordingly

Page No. 1

30431.0102

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Deanna Hallworth  
Operator's Signature

1/30/03  
Date

Date: 1-30-03  
 Roll Call Vote #: 1386

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO.**

House GOVERNMENT AND VETERANS AFFAIRS Committee

Check here for Conference Committee

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

Action Taken more to amend

Motion Made By Rep Haas Seconded By Rep. Meier

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 \_\_\_\_\_

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

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

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Dennis Hallworth  
 Operator's Signature

10/3/03  
 Date



Date: 1-30-03  
 Roll Call Vote #: 1386

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO.**

House GOVERNMENT AND VETERANS AFFAIRS Committee

Check here for Conference Committee

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

Action Taken DP as amended

Motion Made By Rep. Tieman Seconded By Rep. Devlin

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. Winrich

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

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Dennis Hallworth 10/3/03  
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