

**REFERENDUM PETITION  
TO THE SECRETARY OF STATE,  
STATE OF NORTH DAKOTA**

We, the undersigned, being qualified electors request Senate Bill No. 2004, Section 3 passed by the sixty-sixth Legislative Assembly be placed on the ballot as provided by law.

**SPONSORING COMMITTEE**

The following are the names and addresses of the qualified electors of the state of North Dakota who, as the sponsoring committee for the petitioners, represent and act for the petitioners in accordance with law:

Riley Kuntz, Chairperson  
238 5th Ave W  
Dickinson ND 58601

Miranda Geiger  
213 S Mandan St  
Bismarck ND 58504

Mikayla F Jost  
200 Telstar Dr  
Bismarck ND 58503

Michael Mitzel  
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Bismarck, ND 58501

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Fargo ND 58103

Robert Hale  
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Minot ND 58701

Janet Wendel  
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Fargo ND 58103

Steve Bakken  
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Bismarck ND 58504

Wilma J Hamilton  
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Minot ND 58701

Ron Shaw  
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Bismarck ND 58504

Neal Brown  
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Bismarck ND 58501

Karen Meyer  
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Solen ND 58570

Mark Splonskowski  
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Bismarck ND 58501

Neil Toman II  
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Bismarck ND 58501

Josiah L Geiger  
4926 162nd Ave NE  
Baldwin ND 58521

Cody Schuh  
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Bismarck ND 58504

Andrea Toman  
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Bismarck ND 58501

Louise Muecke  
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Gladstone ND 58630

Ralph Muecke  
Box 37  
Gladstone ND 58630

Florence Mayer  
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Bismarck ND 58501

Michael C Coachman  
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Larimore ND 58251

Jorden Keller  
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Minot ND 58701

Myron Thompson  
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Minot ND 58703

Steven Neal Seidler  
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Garrison ND 58540

Donna Henderson  
7980 99th St NE  
Calvin ND 58323

Leon Francis  
1131 Oak St N  
Fargo ND 58102

Finton Dooley  
140 Riverside Park Road  
Bismarck ND 58504

Paul A Owens  
5602 33rd St S  
Fargo ND 58104

## PETITION TITLE

This referendum seeks to reject section three of Senate Bill 2004 passed by the 2019 Legislative Assembly. This section relates to the powers and duties of the state auditor and provides that the state auditor may not contract to do work required by the federal government without the prior approval of the legislative audit and fiscal review committee and may not conduct agency performance audits unless determined necessary by the legislative assembly or approved by the legislative audit and fiscal review committee. Additionally, this section provides funding guidelines to pay for audits.

## FULL TEXT OF THE MEASURE

IF MATERIAL IS UNDERSCORED, IT IS NEW MATERIAL WHICH IS BEING ADDED. IF MATERIAL IS OVERSTRUCK BY DASHES, THE MATERIAL IS BEING DELETED. IF MATERIAL IS NOT UNDERSCORED OR OVERSTRUCK, THE MATERIAL IS EXISTING LAW THAT IS NOT BEING CHANGED.

## SENATE BILL NO. 2004

**SECTION 3. AMENDMENT.** Section 54-10-01 of the North Dakota Century Code is amended and reenacted as follows: 54-10-01.

### **Powers and duties of state auditor.**

The state auditor shall:

1. Be vested with the duties, powers, and responsibilities involved in performing the postaudit of all financial transactions of the state government, detecting and reporting any defaults, and determining that expenditures have been made in accordance with law and appropriation acts.
2. Perform or provide for the audit of the general purpose financial statements and a review of the material included in the comprehensive annual financial report of the state and perform or provide for the audits and reviews of state agencies. Except for the annual audit of the North Dakota lottery required by section 53-12.1-03, the state auditor shall audit or review each state agency once every two years. The state auditor shall determine the contents of the audits and reviews of state agencies. The state auditor may conduct any work required by the federal government. The state auditor may not contract for work required by the federal government without the prior approval of the legislative audit and fiscal review committee. The state auditor shall charge an amount equal to the cost of the audit and other services rendered by the state auditor to all agencies that receive and expend moneys from other than the general fund. This charge may be reduced for any agency that receives and expends both general fund and nongeneral fund moneys. State agencies must use nongeneral fund moneys to pay for audits performed by the state auditor. If nongeneral fund moneys are not available, the agency may, upon approval of the legislative assembly, or the budget section if the legislative assembly is not in session, use general fund moneys to pay for audits performed by the state auditor. The budget section reviews and approvals must comply with the new section to chapter 54-35 of the North Dakota Century Code created by section 15 of Senate Bill No. 2055 as adopted by the sixty-sixth legislative assembly. Audits and reviews may be conducted at more frequent intervals if requested by the governor or legislative audit and fiscal review committee.
3. Be vested with the authority to determine whether to audit the International Peace Garden at the request of the board of directors of the International Peace Garden.

4. Perform or provide for performance audits of state agencies, or the agencies' blended component units or discreetly presented component units, as determined necessary by ~~the state auditor or legislative assembly; the legislative audit and fiscal review committee; or the state auditor,~~ subject to approval by the legislative audit and fiscal review committee. A performance audit must be done in accordance with generally accepted auditing standards applicable to performance audits. The state auditor may not hire a consultant to assist with conducting a performance audit of a state agency without the prior approval of the legislative audit and fiscal review committee. The state auditor shall notify an agency of the need for a consultant before requesting approval by the legislative audit and fiscal review committee. The agency that is audited shall pay for the cost of any consultant approved.
5. For the audits and reviews the state auditor is authorized to perform or provide for under this section, the audit or review may be provided for by contract with a private certified or licensed public accountant or other qualified professional. If the state auditor determines that the audit or review will be done pursuant to contract, the state auditor, except for occupational or professional boards, shall execute the contract, and any executive branch agency, including higher education institutions, shall pay the fees of the contractor.
6. Be responsible for the above functions and report thereon to the governor and the secretary of state in accordance with section 54-06-04 or more often as circumstances may require.
7. Perform all other duties as prescribed by law.

### INSTRUCTIONS TO PETITION SIGNERS

You are being asked to sign a petition. You must be a qualified elector. This means you are eighteen years old, you have lived in North Dakota thirty days, and you are a United States citizen. All signers shall also legibly print their name, complete residential address or rural route or general delivery address, and the date of signing on the petition. Every qualified elector signing a petition must do so in the presence of the individual circulating the petition.

### QUALIFIED ELECTORS

Month/Day /Year	<b>PRINTED</b> Name of Qualified Elector	<b>SIGNED</b> Name of Qualified Elector	Residential Address or Complete Rural Route or General Delivery Address	City, State, Zip Code
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Month/Day /Year	<b>PRINTED</b> Name of Qualified Elector	<b>SIGNED</b> Name of Qualified Elector	Residential Address or Complete Rural Route or General Delivery Address	City, State, Zip Code
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**State of North Dakota**

**County of** \_\_\_\_\_  
(county where signed)

I, \_\_\_\_\_, being sworn, say that I am a qualified elector; that I reside at  
(circulator)

\_\_\_\_\_  
(address);

that each signature contained on the attached petition was executed in my presence; and that to the best of my knowledge and belief each individual whose signature appears on the attached petition is a qualified elector; and that each signature contained on the attached petition is the genuine signature of the individual whose name it purports to be.

\_\_\_\_\_  
(signature of circulator)

Subscribed and sworn to before me on \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_, North Dakota  
(city)

(Notary Stamping Device)

\_\_\_\_\_  
(signature of notarial officer)