

APPROPRIATIONS

CHAPTER 1

HOUSE BILL NO. 1001
(Committee on Appropriations)

LEGISLATIVE BRANCH

AN ACT to appropriate money for the expenses of the legislative branch of government; and declaring an emergency.

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

SECTION 1. Appropriation for the legislative branch of state government. There are hereby appropriated out of the general fund in the state treasury, not otherwise appropriated, to the legislative branch of the state government for the purposes specified, such sums as set forth in section 2 of this Act, for the fiscal period beginning with the effective date of this Act and ending June 30, 1985.

SECTION 2. APPROPRIATION.

Subdivision 1.

FORTY-EIGHTH AND FORTY-NINTH LEGISLATIVE ASSEMBLIES AND BIENNIUM

Salaries and wages	\$1,672,940
Operating expenses	2,572,944
Equipment	25,830
National conference of state legislatures	55,316
Total	<u>\$4,327,030</u>
Less budget adjustment	85,434
Total general fund appropriation	<u>\$4,241,596</u>

Subdivision 2.

LEGISLATIVE COUNCIL

Salaries and wages	\$1,918,126
Operating expenses	1,343,964
Equipment	10,300
Total	<u>\$3,272,390</u>
Less budget adjustment	65,447
Total general fund appropriation	<u>\$3,206,943</u>
Grand total general fund appropriation	<u>\$7,448,539</u>

SECTION 3. TRANSFERS. The director of the office of management and budget and the state treasurer shall make such transfers of funds between line items of appropriations for the legislative council as may be requested by the chairman of the council or his designee upon the finding by the chairman or his designee that the nature of studies and duties assigned to the council requires such transfers in properly carrying on the council's function and duties. The director of the office of management and budget and the state treasurer shall similarly make transfer of funds between the line items for the forty-eighth and forty-ninth legislative assemblies, upon request of the chairman of the legislative council or his designee upon a finding by the chairman or his designee that such transfers are required for the legislative assembly to carry on its functions and duties.

SECTION 4. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect immediately upon its passage and approval.

Approved April 28, 1983

CHAPTER 2

HOUSE BILL NO. 1002
(Committee on Appropriations)

DEFICIENCY APPROPRIATIONS

AN ACT making an appropriation for defraying the expenses of various departments and institutions of the state of North Dakota; and declaring an emergency.

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

SECTION 1. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, the sums as hereinafter provided or so much thereof as may be necessary, to the stated departments and institutions of the state of North Dakota for the purpose of defraying the expenses thereof, for the period beginning January 1, 1983, and ending June 30, 1983, as follows:

Subdivision 1.

DISASTER EMERGENCY SERVICES

Operating expenses	\$ 60,000
Total general fund appropriation	\$ 60,000

Subdivision 2.

GRAFTON STATE SCHOOL

Salaries and wages	\$ 989,116
Operating expenses	278,000
Equipment	5,000
Total special fund appropriation	<u>\$1,272,116</u>

Subdivision 3.

UNEMPLOYMENT INSURANCE

Grants, benefits, and claims	\$ 500,000
Total special fund appropriation	<u>\$ 500,000</u>

Subdivision 4.

INSURANCE TAX TO FIRE DEPARTMENTS

Grants, benefits, and claims	\$1,003,016
Total special fund appropriation from fire and tornado fund	<u>\$1,003,016</u>
Grand total general fund appropriation H.B. 1002	\$ 60,000
Grand total special fund appropriation H.B. 1002	\$2,775,132
Grand total all funds appropriated H.B. 1002	<u>\$2,835,132</u>

SECTION 2. EMERGENCY. This Act is hereby declared to be an emergency measure and shall be in full effect upon its passage and approval.

Approved March 10, 1983

CHAPTER 3

HOUSE BILL NO. 1003
(Committee on Appropriations)

**ATTORNEY GENERAL LEGAL EXPENSE
DEFICIENCY**

AN ACT making an appropriation for defraying legal expenses of the attorney general.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the attorney general of the state of North Dakota for the purpose of defraying legal expenses, for the period beginning January 1, 1983, and ending June 30, 1985, as follows:

ATTORNEY GENERAL	
Legal expenses - Association for retarded citizens lawsuit	\$561,373
Legal expenses - Valley family planning lawsuit	<u>\$ 31,627</u>
Total general fund appropriation	<u>\$593,000</u>

SECTION 2. Any moneys appropriated in section 1 of this Act and not spent by the attorney general of the state of North Dakota for the legal expenses of those specific cases shall revert to the general fund.

Approved April 8, 1983

CHAPTER 4

HOUSE BILL NO. 1004
 (Committee on Appropriations)

BOARD OF HIGHER EDUCATION

AN ACT to amend and reenact section 4 of chapter 208 of the 1979 Session Laws of North Dakota as amended by section 1 of chapter 175 of the 1981 Session Laws of North Dakota, authorizing the board of university and school lands to invest in property development related to the Dickinson experiment station land transfers; and making an appropriation for defraying the expenses of the board of higher education and various divisions thereof of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income to the board of higher education of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Subdivision 1.

BOARD OF HIGHER EDUCATION	
Salaries and wages	\$ 861,906
Operating expenses	201,745
Data processing	29,665
Equipment	6,870
National direct student loans	150,000
Tuition assistance	400,000
Student financial assistance grants	985,000
Total all funds	<u>\$ 2,635,186</u>
Less budget adjustment	22,004
Less estimated income	400,000
Total general fund appropriation	<u>\$ 2,213,182</u>

Subdivision 2.

RECIPROCAL AGREEMENTS

Reciprocal agreements	\$ 2,676,929
Total general fund appropriation	\$ 2,676,929

SECTION 2. AMENDMENT. Section 4 of chapter 208 of the 1979 Session Laws of North Dakota as amended by section 1 of chapter 175 of the 1981 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

SECTION 4. The board of university, and school lands may invest an amount not to exceed ~~three~~ four million two hundred sixty-five thousand dollars from the permanent fund of the common schools as a loan to the board of higher education for the section 1 unit purchase, section 2 committee implementation, and section 6 land sale. The board of higher education is authorized to borrow from the board of university and school lands the sum of ~~three~~ four million two hundred sixty-five thousand dollars, or so much thereof as may be necessary, for the purpose of the section 1 unit purchase, section 2 committee implementation, and section 6 land sale. The loan from the board of university and school lands shall be for a term not to exceed ten years, but the amount of the loan, interest rate, and method of repayment are to be negotiated by the board of university and school lands and the board of higher education. The board of higher education is authorized to grant a security interest to the permanent fund of the common schools in the property to be acquired. The members of the state board of higher education shall not be held personally liable for repayment of any loan obtained under this section, and the board shall be liable for repayment only in the manner provided pursuant to this section.

SECTION 3. APPROPRIATION. There is hereby appropriated the loan proceeds from any loan under section 2 of this Act to the state board of higher education for the following purposes:

Land development for sale and payment of interest on loans	\$ 1,000,000
Total	\$ 1,000,000

There is also appropriated from any rents, profits, or proceeds described in section 7 of chapter 208 of the 1979 Session Laws of North Dakota an amount as necessary to pay interest due on loans made pursuant to this Act.

Grand total general fund appropriation H.B. 1004	\$ 4,890,111
Grand total special funds appropriated H.B. 1004	\$ 1,400,000
Grand total all funds H.B. 1004	\$ 6,290,111

SECTION 4. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not

affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 5. TRANSFERS. The state board of higher education may make such transfers between line items in section 1 of this Act, other than tuition assistance and student financial assistance grants, as may be necessary and manageable to provide for board and/or institutional budget requirements.

Approved April 29, 1983

CHAPTER 5

HOUSE BILL NO. 1005
(Committee on Appropriations)

HIGHER EDUCATION

AN ACT making an appropriation for defraying the expenses of the various institutions under the supervision of the board of higher education of the state of North Dakota; providing an appropriation to the emergency commission; and declaring an emergency.

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

SECTION 1. APPROPRIATION. The funds provided in this section or, so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income to the various institutions under the supervision of the state board of higher education of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

UNIVERSITY OF NORTH DAKOTA

Salaries and wages	\$ 54,218,113
Operating expenses	17,838,501
Equipment	<u>1,578,399</u>
Total operating budget	\$ 73,635,013
Less budget adjustment	864,012
Less estimated income	<u>18,900,472</u>
Net operating budget	\$ 53,870,529
Capital improvements	<u>1,500,000</u>
Total general fund appropriation	\$ 55,370,529

UNIVERSITY OF NORTH DAKOTA MEDICAL CENTER

Salaries and wages	\$ 24,803,487
Operating expenses	14,220,099
Equipment	<u>1,057,817</u>
Total all funds	\$ 40,081,403
Less budget adjustment	375,594
Less estimated income	<u>15,041,789</u>
Total general fund appropriation	\$ 24,664,020

NORTH DAKOTA STATE UNIVERSITY
OF AGRICULTURE AND APPLIED SCIENCE

Salaries and wages	\$ 46,896,397
Operating expenses	16,222,248
Equipment	<u>1,361,295</u>
Total operating budget	\$ 64,479,940
Less budget adjustment	758,919
Less estimated income	<u>16,752,535</u>
Net operating budget	\$ 46,968,486
Capital improvements	<u>1,500,000</u>
Total general fund appropriation	\$ 48,468,486

STATE SCHOOL OF SCIENCE - WAHPETON

Salaries and wages	\$ 17,684,800
Operating expenses	5,403,352
Equipment	<u>813,107</u>
Total operating budget	\$ 23,901,259
Less budget adjustment	289,842
Less estimated income	<u>5,490,989</u>
Net operating budget	\$ 18,120,428
Capital improvements	<u>416,500</u>
Total general fund appropriation	\$ 18,536,928

DICKINSON STATE COLLEGE

Salaries and wages	\$ 7,343,224
Operating expenses	2,455,198
Equipment	<u>354,579</u>
Total operating budget	\$ 10,153,001
Less budget adjustment	134,447
Less estimated income	<u>1,511,670</u>
Net operating budget	\$ 8,506,884
Capital improvements	<u>177,782</u>
Total general fund appropriation	\$ 8,684,666

MAYVILLE STATE COLLEGE

Salaries and wages	\$ 5,066,784
Operating expenses	1,965,662
Equipment	<u>147,713</u>
Total operating budget	\$ 7,180,159
Less budget adjustment	91,672
Less estimated income	<u>1,245,924</u>
Net operating budget	\$ 5,842,563
Capital improvements	<u>82,800</u>
Total general fund appropriation	\$ 5,925,363

MINOT STATE COLLEGE

Salaries and wages	\$ 13,584,936
Operating expenses	3,045,468
Equipment	<u>301,124</u>
Total operating budget	\$ 16,931,528
Less budget adjustment	189,801
Less estimated income	<u>5,036,257</u>
Net operating budget	\$ 11,705,470

Capital improvements	377,800
Total general fund appropriation	<u>\$ 12,083,270</u>

VALLEY CITY STATE COLLEGE

Salaries and wages	\$ 6,586,116
Operating expenses	2,005,597
Equipment	<u>170,100</u>
Total operating budget	\$ 8,761,813
Less budget adjustment	109,159
Less estimated income	<u>1,828,221</u>
Net operating budget	\$ 6,824,433
Capital improvements	<u>204,000</u>
Total general fund appropriation	\$ 7,028,433

STATE SCHOOL OF FORESTRY - BOTTINEAU

Junior college division:

Salaries and wages	\$ 2,658,737
Operating expenses	776,655
Equipment	<u>55,969</u>
Total operating budget	\$ 3,491,361
Less budget adjustment	47,050
Less estimated income	<u>539,218</u>
Net operating budget	\$ 2,905,093
Capital improvements	<u>136,495</u>
Total general fund appropriation	\$ 3,041,588

North Dakota forest service:

Salaries and wages	\$ 1,094,390
Operating expenses	344,986
Equipment	<u>65,308</u>
Total operating budget	\$ 1,504,684
Less budget adjustment	13,424
Less estimated income	<u>640,767</u>
Net operating budget	\$ 850,493
Capital improvements	<u>31,021</u>
Total general fund appropriation	\$ 881,514

NDSU - STATE TOXICOLOGIST

Salaries and wages	\$ 408,419
Operating expenses	94,220
Equipment	<u>21,500</u>
Total all funds	\$ 524,139
Less budget adjustment	4,636
Less estimated income	<u>215,084</u>
Total general fund appropriation	\$ 304,419

MEDICAL CENTER REHABILITATION HOSPITAL

Salaries and wages	\$ 11,577,927
Operating expenses	6,308,153
Equipment	<u>190,131</u>
Total appropriation from institutional income	\$ 18,076,211
Grand total general fund appropriation H.B. 1005	\$ 185,189,216
Grand total special funds appropriated H.B. 1005	\$ 85,279,137
Grand total all funds appropriated H.B. 1005	\$ 270,468,353

SECTION 2. APPROPRIATION. All income received by the university of North Dakota medical center, which is in excess of the income appropriated in section 1 of this Act, is hereby appropriated for the biennium beginning July 1, 1983, and ending June 30, 1985.

SECTION 3. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holdings shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 4. ADDITIONAL INCOME. Any additional income not required by law to be deposited in the operating fund in the state treasury and income from increased enrollments is hereby appropriated. All income resulting from increased enrollments in excess of estimated income in the budget appropriated by the legislative assembly to the institutions of higher learning must be deposited in their operating funds in the state treasury and can be expended only by authorization of the emergency commission.

The board of higher education is hereby authorized to use operating funds in addition to appropriated plant improvement funds for the maintenance, repair, and improvement of buildings and land acquisition at the various institutions, with consent of the emergency commission during the biennium beginning July 1, 1983, and ending June 30, 1985.

SECTION 5. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget that newly anticipated employees are actually in the employ of the state.

SECTION 6. EMERGENCY. Two hundred fifty thousand dollars of the line item entitled "Capital improvements" in section 1 of this Act for the university of North Dakota is hereby declared an emergency measure and shall be in full force and effect upon its passage and approval.

SECTION 7. TRANSFERS. Each institution upon approval from the board of higher education may make such transfers between line items in its appropriation as may be necessary. Upon approval of the board of higher education, transfers may be made to the salaries and wages line items for the institutions to employ necessary additional faculty.

SECTION 8. APPROPRIATION - EMERGENCY COMMISSION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the emergency commission, \$200,000, or so much thereof as may be necessary, to defray expenses at the institutions under the control of the board of higher education during the biennium beginning July 1, 1983, and ending June 30, 1985.

Approved April 29, 1983

CHAPTER 6

HOUSE BILL NO. 1006
(Committee on Appropriations)

BOARD OF VOCATIONAL EDUCATION

AN ACT making an appropriation for defraying the expenses of the state board of vocational education of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state board of vocational education of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 1,928,421
Operating expenses	486,181
Data processing	40,713
Equipment	15,000
Grants, benefits, and claims	18,824,856
State advisory council	205,733
Total all funds	<u>\$ 21,500,904</u>
Less budget adjustment	49,406
Less estimated income	<u>7,422,742</u>
Total general fund appropriation	<u>\$ 14,028,756</u>

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 7

HOUSE BILL NO. 1007
(Committee on Appropriations)

COMMUNITY OR JUNIOR COLLEGES

AN ACT making an appropriation for defraying the expenses of community or junior colleges.

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

SECTION 1. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, the sums as hereinafter provided, or so much thereof as may be necessary, to the various community or junior colleges and the educational center, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

BISMARCK JUNIOR COLLEGE	
Salaries and wages	\$ 8,844,286
Operating expenses	2,361,387
Equipment	492,951
Land, structures, and major improvements	120,504
Total all funds	<u>\$11,819,128</u>
Less estimated income	8,176,000
Total general fund appropriation	<u>\$ 3,643,128</u>
LAKE REGION JUNIOR COLLEGE	
Salaries and wages	\$ 2,942,844
Operating expenses	1,077,732
Equipment	179,600
Total all funds	<u>\$ 4,200,176</u>
Less estimated income	2,614,050
Total general fund appropriation	<u>\$ 1,586,126</u>

UNIVERSITY OF NORTH DAKOTA - WILLISTON CENTER

Salaries and wages	\$ 2,549,188
Operating expenses	881,658
Equipment	192,705
Grants, benefits, and claims	8,822
Capital improvements	18,604
Total all funds	\$ 3,650,977
Less estimated income	2,465,419
Total general fund appropriation	\$ 1,185,558
Grand total general fund appropriation H.B. 1007	\$ 6,414,812
Grand total special funds appropriated H.B. 1007	\$13,255,469
Grand total all funds appropriated H.B. 1007	\$19,670,281

SECTION 2. APPROPRIATION. There is hereby appropriated to the community or junior colleges or educational center named in this Act, any income in addition to the amounts appropriated in section 1 of this Act for the biennium beginning July 1, 1983, and ending June 30, 1985.

SECTION 3. LEGISLATIVE INTENT. It is the intent of the legislative assembly that the salaries and wages line item appropriated in section 1 of this Act to the university of North Dakota-Williston center provide for the payment of a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a four percent contribution on wages and salaries earned after July 1, 1984, in addition to sufficient amounts to pay the increased cost of medical insurance coverage. It is the further intent of the legislative assembly that the salaries and wages line items appropriated in section 1 of this Act to Bismarck junior college and Lake Region community college provide compensation adjustments as negotiated and agreed upon by each institution's respective board.

Approved April 28, 1983

CHAPTER 8

HOUSE BILL NO. 1008
(Committee on Appropriations)

DIVISION OF INDEPENDENT STUDY

AN ACT making an appropriation for defraying the expenses of the division of independent study of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from other income to the division of independent study of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 1,089,983
Operating expenses	357,130
Equipment	243,000
Total all funds	<u>\$ 1,690,113</u>
Less budget adjustment	33,802
Less estimated income	939,135
Total general fund appropriation	<u>\$ 717,176</u>

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 9

HOUSE BILL NO. 1009
(Committee on Appropriations)

**EXTENSION DIVISION AND
EXPERIMENT STATIONS**

AN ACT making an appropriation for defraying the expenses of the extension division and the experiment stations of North Dakota state university of agriculture and applied science; an appropriation for defraying the expenses of the agricultural products utilization commission; and providing for a transfer of funds from the coal development impact fund.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof, as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income to the extension division and experiment stations of North Dakota state university of agriculture and applied science, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

EXTENSION DIVISION	
Salaries and wages	\$ 15,184,171
Operating expenses	2,923,988
Equipment	<u>308,511</u>
Total all funds	\$ 18,416,670
Less budget adjustment	244,163
Less estimated income	<u>10,277,916</u>
Total general fund appropriation	\$ 7,894,591

EXTENSION DIVISION SPECIAL PROGRAM - FOOD AND NUTRITION	
Salaries and wages	\$ 646,716
Operating expenses	56,843
Equipment	<u>1,500</u>
Total special fund appropriation	\$ 705,059

EXTENSION DIVISION
ENERGY SERVICE

Salaries and wages	\$ 156,480
Operating expenses	38,120
Equipment	1,000
Total special fund appropriation	\$ 195,600

NORTHERN CROPS INSTITUTE

Salaries and wages	\$ 249,392
Operating expenses	116,580
Equipment	415,520
Northern crops institute supplement	160,711
Total all funds	\$ 942,203
Less budget adjustment	19,348
Less estimated income	297,263
Total general fund appropriation	\$ 625,592

EXPERIMENT STATION - MAIN STATION

Salaries and wages	\$ 22,881,031
Operating expenses	5,582,721
Equipment	1,603,558
Total operating budget	\$ 30,067,310
Less budget adjustment	589,055
Less estimated income	11,457,146
Net operating budget	\$ 18,021,109
Capital improvements	1,025,000
Total general fund appropriation	\$ 19,046,109

DICKINSON EXPERIMENT STATION

Salaries and wages	\$ 578,988
Operating expenses	369,842
Equipment	141,000
Total operating budget	\$ 1,089,830
Less budget adjustment	30,632
Less estimated income	195,002
Net operating budget	\$ 864,196
Capital improvements	126,222
Total general fund appropriation	\$ 990,418

HETTINGER EXPERIMENT STATION

Salaries and wages	\$ 280,246
Operating expenses	163,399
Equipment	108,100
Total operating budget	\$ 551,745
Less budget adjustment	14,224
Less estimated income	111,999
Net operating budget	\$ 425,522
Capital improvements	34,400
Total general fund appropriation	\$ 459,922

LANGDON EXPERIMENT STATION

Salaries and wages	\$ 299,909
Operating expenses	149,215
Equipment	113,700
Total operating budget	\$ 562,824
Less budget adjustment	16,801

Less estimated income	45,000
Net operating budget	\$ 501,023
Capital improvements	42,200
Total general fund appropriation	\$ 543,223

NORTH CENTRAL EXPERIMENT STATION

Salaries and wages	\$ 308,312
Operating expenses	197,790
Equipment	198,000
Total operating budget	\$ 704,102
Less budget adjustment	20,491
Less estimated income	305,062
Net operating budget	\$ 378,549
Capital improvements	284,000
Total general fund appropriation	\$ 662,549

WILLISTON EXPERIMENT STATION

Salaries and wages	\$ 342,192
Operating expenses	125,483
Equipment	62,499
Total operating budget	\$ 530,174
Less budget adjustment	14,360
Less estimated income	62,499
Net operating budget	\$ 453,315
Capital improvements	11,000
Total general fund appropriation	\$ 464,315

CARRINGTON EXPERIMENT STATION

Salaries and wages	\$ 556,123
Operating expenses	450,636
Equipment	119,015
Total operating budget	\$ 1,125,774
Less budget adjustment	20,585
Less estimated income	469,601
Net operating budget	635,588
Capital improvements	30,000
Total general fund appropriation	\$ 665,588

AGRONOMY SEED FARM

Salaries and wages	\$ 184,645
Operating expenses	355,226
Equipment	173,000
Total special fund appropriation	\$ 712,871

CENTRAL GRASSLAND EXPERIMENT STATION

Salaries and wages	\$ 247,202
Operating expenses	352,700
Equipment	237,668
Total operating budget	\$ 837,570
Less budget adjustment	25,277
Less estimated income	86,000
Net operating budget	\$ 726,293
Capital improvements	91,000
Total general fund appropriation	\$ 817,293

LAND RECLAMATION RESEARCH CENTER

Coal reclamation research	\$ 500,000
Land reclamation research center	189,320
Total special fund appropriation	\$ 689,320
Grand total general fund appropriation H.B. 1009	\$ 32,169,600
Grand total special funds appropriation H.B. 1009	\$ 27,461,038
Grand total all funds appropriated H.B. 1009	\$ 59,630,638

Any additional income including funds from the federal government and gifts and donations from private sources received by the North Dakota main experiment station, branch stations, and the cooperative extension division, except as otherwise provided by law, are hereby appropriated for the purpose designated in the gift, grant, or donation; however, public moneys from local sources, which shall include receipts from sale of grains, personal services, dairy products, livestock, and other agricultural products at the North Dakota main experiment station, branch experiment stations, and cooperative extension division, may be expended in excess of that specifically appropriated through biennial appropriations bills of the legislative assembly only in the event that an authorization has first been received from the emergency commission. The balances of all existing moneys on deposit in the name of the North Dakota state university main experiment station, the branch experiment stations, and the cooperative extension division, except grants, gifts, and donations from private sources, along with all subsequent receipts of such moneys, shall be deposited in a special fund in the state treasury. Hereafter, this fund shall be referred to as an operating fund and shall also be the depository for transfers from the general fund, and balances therein shall not revert to any other fund under the terms of section 54-44.1-11. All of the moneys in the operating fund shall remain in such fund until expended pursuant to any specific legislative appropriation or an authorization from the emergency commission, and the balances of such moneys except those received from the federal government or as gifts from private sources, shall be used to reduce the amount of moneys to be expended pursuant to the general fund appropriation only to the extent that the unencumbered balance in the operating fund on June 30, 1983, exceeds the estimated income for the biennium ending June 30, 1985. The state board of higher education is authorized to approve transfer of funds between categories of expenditures, and will notify the director of the office of management and budget of any such transfers within ten days following such authorization.

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget that newly anticipated employees are actually in the employ of the state.

SECTION 3. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any

item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purpose provided for herein.

SECTION 4. STORAGE FACILITIES. Structures for storage of agricultural products may be authorized for construction by the state board of higher education when such structures do not exceed \$25,000 in cost.

SECTION 5. APPROPRIATION. There is hereby appropriated \$300,000 to the main experiment station, out of any funds available from the sale of animals by the experiment stations due to adverse climate conditions, for the purpose of purchasing replacement animals at the respective experiment stations during the biennium beginning July 1, 1983, and ending June 30, 1985.

SECTION 6. RESEARCH/EXTENSION CONSTRUCTION - APPROPRIATION. Provision is hereby made in this section for the main agricultural experiment station or any of its branch stations to accept a gift dedicated to the construction of a facility to house research and extension service staff. The facility is to be constructed at or near the station headquarters site. The total construction cost shall not exceed \$1,000,000. Any funds received are hereby appropriated, but shall not be expended pursuant to this section without the approval of the legislative council's budget section.

SECTION 7. TRANSFER. There is hereby authorized, as included in the appropriation to the land reclamation research center in section 1 of this Act, a transfer of \$500,000, or so much thereof as may be necessary, from the coal development impact fund for the purposes of funding the coal reclamation research project. Such funds shall be transferred by the director of the energy development impact office from the reclamation research line item of the coal development impact fund to the land reclamation research center operating fund, upon receipt of an itemized statement of expenditures from the land reclamation research center.

SECTION 8. LEGISLATIVE INTENT REGARDING SECTION 7. In approving section 7, it is the intent of the legislative assembly that the land reclamation research center file an annual report with the legislative council and the public service commission on August 1, 1983, August 1, 1984, and August 1, 1985. The annual report shall contain a description and analysis of the conclusions reached from each reclamation research project that has been conducted to date for the preceding fiscal year as well as a brief description and analysis of any tentative conclusions reached from all ongoing projects. The annual report of the land reclamation research center shall also include any recommendations it may have for reducing unnecessary and duplicative regulatory costs that are not required by federal or state reclamation law and which do not contribute to effective reclamation practices. For any new

reclamation research project to be approved for funding, each proposed project must meet all of the following criteria:

1. Development of data and conclusions that will assist in returning the land to its original or better productivity.
2. Development of data and conclusions that will assist in returning the land to an approved postmining land use as soon as possible.
3. Development of data and conclusions that will reduce unnecessary regulatory costs and assist in effectively reclaiming the land to its original or better productivity.

SECTION 9. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the agriculturally derived alcohol motor fuel tax fund in the state treasury, not otherwise appropriated, to the agricultural products utilization commission of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 96,513
Operating expenses	51,752
Equipment	1,835
Grants, benefits, and claims	400,600
Total appropriation from agriculturally derived alcohol motor fuel tax fund	\$550,700

Approved April 29, 1983

CHAPTER 10

HOUSE BILL NO. 1010
(Committee on Appropriations)

DEPARTMENT OF HEALTH

AN ACT making an appropriation for defraying the expenses of the department of health of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the department of health of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

DEPARTMENT OF HEALTH	
Salaries and wages	\$ 11,964,323
Operating expenses	11,126,271
Data processing	596,506
Equipment	328,285
Grants, benefits, and claims	5,897,125
Total all funds	\$ 29,912,510
Less budget adjustment	480,308
Less estimated income	20,696,130
Total general fund transfer and appropriation	\$ 8,736,072

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 11

HOUSE BILL NO. 1011
(Committee on Appropriations)

COUNCIL ON THE ARTS

AN ACT making an appropriation for defraying the expenses of the council on the arts of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the council on the arts of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 156,976
Operating expenses	112,374
Equipment	1,000
Grants, benefits, and claims	753,368
Total all funds	\$1,023,718
Less budget adjustment	5,407
Less estimated income	668,368
Total general fund appropriation	\$ 349,943

SECTION 2. APPROPRIATION. All income from the cultural arts endowment fund is hereby appropriated for the furthering of the cultural arts in the state of North Dakota for the biennium beginning July 1, 1983, and ending June 30, 1985.

SECTION 3. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 12

HOUSE BILL NO. 1012
(Committee on Appropriations)

MOTOR VEHICLE FUEL TAX TRANSFER

AN ACT to transfer a portion of the motor vehicle fuel tax revenues to the general fund for the cost of administering the motor vehicle fuel tax laws.

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

SECTION 1. TRANSFER. There is hereby transferred to the general fund in the state treasury, out of motor vehicle fuel taxes, collected pursuant to section 57-54-08 of the North Dakota Century Code, the sum of \$654,000 for the purpose of reimbursing the general fund for expenses incurred in the collection of the motor vehicle fuels and special fuels taxes and the administration of the respective tax acts.

Approved January 31, 1983

CHAPTER 13

HOUSE BILL NO. 1013
(Committee on Appropriations)

INDIAN AFFAIRS COMMISSION

AN ACT creating a native American alcohol and drug abuse education program and making an appropriation for defraying the expenses of the Indian affairs commission of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the Indian affairs commission of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 152,294
Operating expenses	39,000
Equipment	1,000
Native American alcohol and drug abuse education	300,000
Grants, benefits, and claims	200,000
Total	\$ 692,294
Less budget adjustment	3,846
Total general fund appropriation	\$ 688,448

SECTION 2. LEGISLATIVE INTENT. The legislative assembly recognizes the uniqueness of the native American culture and that the alcohol and drug abuse problems being experienced by reservation inhabitants can best be addressed with early education on the reservation. The legislative assembly further recognizes that a great deal of human suffering can be avoided by working to prevent alcohol and drug abuse problems before they occur. With this in mind, the legislative assembly is appropriating general fund moneys to help finance alcohol and drug abuse education programs for native Americans of the four major Indian reservations in North Dakota.

SECTION 3. NATIVE AMERICAN ALCOHOL AND DRUG ABUSE EDUCATION. The distribution of moneys appropriated to the Indian affairs commission for native American alcohol and drug abuse

education are to be made by the commission at least once each year to the four major Indian reservations in North Dakota. Each reservation is entitled to receive a prorated share based upon the Indian population living on the reservation as compared with the total Indian population living on all four major reservations within the state as determined by most recent federal decennial census. However, in order for reservations to receive funds for alcohol and drug abuse education programs, the reservations must make application to the commission showing such information as required based on early educational program criteria developed and approved by the commission in consultation with the alcohol and drug abuse division of the department of human services and the office of Indian program development at the university of North Dakota. Before the funds are disbursed, a reservation receiving funds under this section must file an annual report with the commission on actual expenditures for the previous year.

SECTION 4. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purpose provided for herein.

Approved April 26, 1983

CHAPTER 14

HOUSE BILL NO. 1014
(Committee on Appropriations)

DEPARTMENT OF VETERANS' AFFAIRS

AN ACT making an appropriation for defraying the expenses of the department of veterans' affairs of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the veterans postwar trust fund in the state treasury, not otherwise appropriated, to the department of veterans' affairs of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 271,061
Operating expenses	53,984
Equipment	<u>511</u>
Total	\$ 325,556
Less budget adjustment	<u>6,511</u>
Total appropriation from postwar trust fund	\$ 319,045

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purpose provided for herein.

Approved April 28, 1983

CHAPTER 15

HOUSE BILL NO. 1015
(Committee on Appropriations)

STATE LABORATORIES DEPARTMENT

AN ACT making an appropriation for defraying the expenses of the state laboratories department of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the state laboratories department of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 1,543,210
Operating expenses	419,897
Data processing	28,388
Equipment	52,779
Total	\$ 2,044,274
Less budget adjustment	40,886
Total general fund appropriation	\$ 2,003,388

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 16

HOUSE BILL NO. 1016
(Committee on Appropriations)

AERONAUTICS COMMISSION

AN ACT making an appropriation for defraying the expenses of the aeronautics commission of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the aeronautics commission of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 298,308
Operating expenses	96,580
Data processing	1,550
Equipment	14,350
Capital improvements	495,000
Grants, benefits, and claims	<u>3,000,000</u>
Total all funds	\$ 3,905,788
Less budget adjustment	8,216
Less estimated income	<u>2,772,073</u>
Total general fund transfer and appropriation	\$ 1,125,499

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 25, 1983

CHAPTER 17

HOUSE BILL NO. 1017
(Committee on Appropriations)

WEATHER MODIFICATION BOARD

AN ACT making an appropriation for defraying the expenses of the weather modification board of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the weather modification board of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 276,533
Operating expenses	1,221,416
Data Processing	48,770
Equipment	2,340
Research - weather mod.	<u>1,050,000</u>
Total all funds	\$ 2,599,059
Less estimated income	<u>1,727,327</u>
Total general fund appropriation	\$ 871,732

SECTION 2. APPROPRIATION. There is hereby appropriated, upon the approval of the emergency commission, from special funds derived from federal funds and other income, such moneys as become available during the biennium beginning July 1, 1983, and ending June 30, 1985, to the weather modification board of the state of North Dakota for the purpose of continuing the position of assistant director in the administrative division, and for the purpose of increasing the level of the cooperative research program.

SECTION 3. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 13, 1983

CHAPTER 18

HOUSE BILL NO. 1018
(Committee on Appropriations)

DEPARTMENT OF BANKING AND FINANCIAL INSTITUTIONS

AN ACT making an appropriation for defraying the expenses of the department of banking and financial institutions of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the department of banking and financial institutions of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$1,123,686
Operating expenses	245,019
Data processing	3,896
Equipment	2,450
Total	\$1,375,051
Less budget adjustment	27,501
Total general fund appropriation	\$1,347,550

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purpose provided for herein.

Approved April 28, 1983

CHAPTER 19

HOUSE BILL NO. 1019
(Committee on Appropriations)

SECURITIES COMMISSIONER

AN ACT making an appropriation for defraying the expenses of the securities commissioner of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the securities commissioner of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 421,287
Operating expenses	49,740
Data processing	300
Equipment	7,950
Total	\$ 479,277
Less budget adjustment	9,586
Total general fund appropriation	\$ 469,691

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 20

HOUSE BILL NO. 1020
(Committee on Appropriations)

PREDATORY ANIMAL CONTROL

AN ACT making appropriation for defraying the expenses of the predatory animal control of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the predatory animal control of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 385,385
Operating expenses	301,940
Total	<u>\$ 687,325</u>
Less budget adjustment	13,747
Total general fund appropriation	<u>\$ 673,578</u>

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holdings shall not affect or be construed to apply to the remaining items of appropriation herein or purpose provided for herein.

Approved April 28, 1983

CHAPTER 21

HOUSE BILL NO. 1021
(Committee on Appropriations)

MILK STABILIZATION BOARD

AN ACT making an appropriation for defraying the expenses of the milk stabilization board of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the milk stabilization fund in the state treasury, not otherwise appropriated, to the milk stabilization board of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 242,720
Operating expenses	157,730
Equipment	360
Contingencies	7,500
Total special fund appropriation	\$ 408,310

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 22

HOUSE BILL NO. 1022
(Committee on Appropriations)

LIVESTOCK SANITARY BOARD

AN ACT making an appropriation for defraying the expenses of the livestock sanitary board of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the livestock sanitary board of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 305,136
Operating expenses	165,025
Equipment	1,960
Total	\$ 472,121
Less budget adjustment	9,442
Total general fund appropriation	\$ 462,679

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 23

HOUSE BILL NO. 1023
(Committee on Appropriations)

AGRICULTURAL COUNCILS AND COMMISSIONS

AN ACT making an appropriation for defraying the expenses of various agricultural councils and commissions of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated from special funds derived from federal funds and other income, to the various agricultural councils and commissions of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Subdivision 1.

	EDIBLE BEAN COUNCIL	
Operating expenses		\$ 620,100
Total appropriation from edible bean fund		\$ 620,100

Subdivision 2.

	SUNFLOWER COUNCIL	
Salaries and wages		\$ 33,539
Operating expenses		1,438,279
Equipment		7,000
Total appropriation from sunflower fund		\$ 1,478,818

Subdivision 3.

	HONEY PROMOTION FUND	
Operating expenses		\$ 32,000
Total appropriation from honey promotion fund		\$ 32,000

Subdivision 4.

	STATE POTATO COUNCIL	
Operating expenses		\$ 558,900
Total appropriation from spud fund		\$ 558,900

Subdivision 5.

TURKEY FUND

Operating expenses	\$ 30,400
Total appropriation from turkey promotion fund	\$ 30,400

Subdivision 6.

STATE WHEAT COMMISSION

Salaries and wages	\$ 433,957
Operating expenses	1,569,591
Data processing	6,483
Equipment	15,000
Grants, benefits, and claims	136,500
Contingency	20,000
Total appropriation from wheat promotion fund	<u>\$ 2,181,531</u>
Grand total special funds appropriated H.B. 1023	\$ 4,901,749
Grand total all funds appropriated H.B. 1023	\$ 4,901,749

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION.

All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purpose provided for herein.

SECTION 3. APPROPRIATION.

There is hereby appropriated in addition to the appropriations provided in section 1 of this Act, all funds as may be on deposit in the various special funds for which appropriations are made in section 1 for the biennium beginning July 1, 1983, and ending June 30, 1985.

Approved April 29, 1983

CHAPTER 24

HOUSE BILL NO. 1024
(Committee on Appropriations)

STATE FAIR ASSOCIATION

AN ACT making an appropriation for defraying the expenses of the state fair association of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the state fair association of the state of North Dakota, for the purpose of defraying premium expenses, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Premiums	\$ 215,000
Total general fund appropriation	\$ 215,000

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 25

HOUSE BILL NO. 1025
(Committee on Appropriations)

ECONOMIC DEVELOPMENT COMMISSION

AN ACT making an appropriation for defraying the expenses of the economic development commission of the state of North Dakota; and providing for a transfer.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income to the economic development commission of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 1,018,153
Operating expenses	1,300,676
Equipment	15,000
Data processing	7,726
Total	<u>\$ 2,341,555</u>
Less budget adjustment	46,831
Less estimated income	<u>1,311,020</u>
Total general fund appropriation	<u>\$ 983,704</u>

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 3. TRANSFER. The amount of \$1,311,020 included in the estimated income line item in section 1 shall be transferred from the state highway fund to the economic development commission operating fund as directed by the office of management and budget during the biennium beginning July 1, 1983, and ending June 30, 1985.

Approved April 28, 1983

CHAPTER 26

HOUSE BILL NO. 1026
(Committee on Appropriations)

ABANDONED MOTOR VEHICLES

AN ACT making an appropriation for defraying the expenses of the abandoned motor vehicles division of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the abandoned vehicle disposal fund in the state treasury, not otherwise appropriated, to the abandoned motor vehicle division of the health department of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Grants, benefits, and claims	\$ 300,000
Total special funds appropriation	\$ 300,000

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved March 4, 1983

CHAPTER 27

HOUSE BILL NO. 1027
(Committee on Appropriations)

STATE SEED DEPARTMENT

AN ACT making an appropriation for defraying the expenses of the state seed department and various divisions thereof of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys from special funds derived from income, to the state seed department of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 1,573,732
Operating expenses	561,733
Equipment	26,569
Capital improvements	32,290
Contingency	85,798
Total appropriation from seed department fund	\$ 2,280,122

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 29, 1983

CHAPTER 28

HOUSE BILL NO. 1028
(Committee on Appropriations)

HIGHWAY PATROL

AN ACT making an appropriation for defraying the expenses of the highway patrol of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the highway patrol of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

HIGHWAY PATROL	
Salaries and wages	\$ 10,426,727
Operating expenses	2,447,751
Data processing	46,079
Equipment	942,439
Capital improvements	40,000
Total all funds	<u>\$ 13,902,996</u>
Less budget adjustment	277,260
Less estimated income	6,540,609
Total general fund appropriation	<u>\$ 7,085,127</u>

SECTION 2. APPROPRIATION. Each patrolman of the state highway patrol shall receive from funds appropriated in the operating expenses line item in section 1 of this Act an amount not to exceed \$120 per month for the biennium ending June 30, 1985. Such payments shall be in lieu of reimbursement for meals and other expenses, except lodging, while in travel status within the state of North Dakota or while at their respective home stations. Such amounts shall be paid without the presentation of receipts or other memoranda at the time and in the same manner as salaries of members of the highway patrol are paid.

SECTION 3. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining

to additional employees shall be made available only after certification to the executive office of the budget that newly anticipated employees are actually in the employ of the state.

SECTION 4. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 5. APPROPRIATION - TRANSFER. There is hereby appropriated in the income line item of section 1 of this Act, the sum of \$6,224,596, or so much thereof as may be necessary, from the state highway fund, for the purpose of defraying the expenses of the highway patrol.

Approved April 28, 1983

CHAPTER 29

HOUSE BILL NO. 1029
(Committee on Appropriations)

HIGHWAY DEPARTMENT

AN ACT making an appropriation for defraying the expenses of the highway department of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the highway department of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 52,669,152
Operating expenses	50,792,089
Data processing	1,547,266
Equipment	6,439,217
Grants, benefits, and claims	3,589,150
Capital improvements	8,468,500
Contracts	236,398,560
Total all funds	\$ 359,903,934
Less budget adjustment	2,228,954
Less estimated special funds	357,558,901
Total general fund appropriation	\$ 116,079

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 3. APPROPRIATION. In addition to the appropriation in section 1 of this Act there is hereby appropriated to the highway department any additional federal funds which may become available during the biennium beginning July 1, 1983, and ending June 30, 1985.

Approved April 28, 1983

CHAPTER 30

HOUSE BILL NO. 1030
 (Committee on Appropriations)

UPPER GREAT PLAINS TRANSPORTATION
 INSTITUTE

AN ACT making an appropriation for defraying the expenses of the upper great plains transportation institute of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income to the upper great plains transportation institute of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 354,903
Operating expenses	108,107
Equipment	<u>1,400</u>
Total	\$ 464,410
Less budget adjustment	9,288
Less estimated income	<u>207,702</u>
Total general fund appropriation	\$ 247,420

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purpose provided for herein.

Approved April 28, 1983

CHAPTER 31

HOUSE BILL NO. 1031
(Committee on Appropriations)

MOTOR VEHICLE DEPARTMENT

AN ACT making an appropriation for defraying the expenses of the motor vehicle department of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the motor vehicle registration fund in the state treasury, not otherwise appropriated, to the motor vehicle department of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 1,821,358
Operating expenses	1,396,748
Data processing	978,971
License plates and tabs	379,243
Equipment	5,000
Special refunds	25,700
Contingency fund	50,000
Motorcycle safety	2,000
Total	\$ 4,659,020
Less budget adjustment	84,042
Total appropriation from motor vehicle registration fund	\$ 4,574,978

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 32

HOUSE BILL NO. 1032
(Committee on Appropriations)

COMMISSIONER OF UNIVERSITY
AND SCHOOL LANDS

AN ACT making an appropriation for defraying the expenses of the commissioner of university and school lands of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the state lands maintenance fund in the state treasury, not otherwise appropriated, to the commissioner of university and school lands of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 757,085
Operating expenses	149,265
Data processing	51,085
Equipment	3,640
Grants	181,338
Contingency fund	35,000
Total	<u>\$1,177,413</u>
Less budget adjustment	19,222
Total appropriation from state lands maintenance fund	<u>\$1,158,191</u>

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 33

HOUSE BILL NO. 1033
(Committee on Appropriations)

INDUSTRIAL COMMISSION

AN ACT making an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission of the state of North Dakota; and to amend and reenact section 54-44.3-20 of the North Dakota Century Code, relating to exemptions of the North Dakota mill and elevator association employees from the classified service of state government.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated from special funds derived from federal funds and other income, to the state industrial commission and agencies under its control, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Subdivision 1.		
	INDUSTRIAL COMMISSION	
Salaries and wages		\$ 1,750,242
Operating expenses		432,275
Data processing		100,000
Equipment		149,275
Contingency		10,000
Total		\$ 2,441,792
Less budget adjustment		48,636
Total appropriation from lands and mineral trust fund		\$ 2,393,156
Subdivision 2.		
	BANK OF NORTH DAKOTA	
Salaries and wages		\$ 5,148,055
Operating expenses		2,884,225
Data processing		1,666,767
Equipment		512,785
Contingency		75,000

Total	\$ 10,286,832
Less budget adjustment	<u>204,237</u>
Total appropriation from Bank of North Dakota fund	\$ 10,082,595

Subdivision 3.

MILL AND ELEVATOR ASSOCIATION

Salaries and wages	\$ 7,905,775
Operating expenses	5,083,489
Agriculture promotion	50,000
Contingency	<u>600,000</u>
Total	\$ 13,639,264
Less budget adjustment	<u>259,785</u>
Total appropriation from mill and elevator fund	\$ 13,379,479

Subdivision 4.

HOUSING FINANCE AGENCY

Salaries and wages	\$ 760,060
Operating expenses	352,113
Data processing	58,134
Equipment	6,000
Grants	7,872,000
Contingency	20,000
Program development	139,452
HFA reserve	<u>180,115</u>
Total	\$ 9,387,874
Less budget adjustment	<u>23,526</u>
Total special fund appropriation	\$ 9,364,348
Grand total special funds appropriated H.B. 1033	\$ 35,219,578
Grand total all funds H.B. 1033	\$ 35,219,578

SECTION 2. APPROPRIATION. In addition to the amount appropriated to the housing finance agency in section 1 of this Act, there is hereby appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 1983, and ending June 30, 1985.

SECTION 3. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget that newly anticipated employees are actually in the employ of the state.

SECTION 4. AMENDMENT. Section 54-44.3-20 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-44.3-20. Categories of positions in the state service. All positions in the state service are included in the classified service except:

1. Each official elected by popular vote and each person appointed to fill vacancies in an elective office, one principal assistant, and one private secretary.

2. Members of boards and commissions required by law.
3. Administrative heads of departments required by law.
4. Officers and employees of the legislative branch of government.
5. Members of the judicial branch of government of the state of North Dakota and their employees and jurors.
6. Persons temporarily employed in a professional or scientific capacity as consultants or to conduct a temporary and special inquiry, investigation, or examination for the legislative branch of government or a department of the state government.
7. Officers and members of the teaching staff of universities and other institutions of higher education.
8. Positions deemed to be inappropriate to the classified service due to the special nature of the position as determined by the division and approved by the board.
9. The classified employees at the institutions of higher education under the control of the state board of higher education, until July 1, 1976.
10. Members and employees of occupational and professional boards.
11. Officers and employees of the North Dakota mill and elevator association.

SECTION 5. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 34

HOUSE BILL NO. 1034
(Committee on Appropriations)

PUBLIC EMPLOYEES RETIREMENT SYSTEM

AN ACT making an appropriation for defraying the administrative costs of the public employees retirement system and the group insurance program of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the public employees retirement fund in the state treasury, not otherwise appropriated, to the public employees retirement system and group insurance program of the state of North Dakota, for the purpose of defraying the administrative costs of the divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

PUBLIC EMPLOYEES RETIREMENT BOARD	
Salaries and wages	\$ 452,657
Operating expenses	1,287,352
Data processing	270,318
Equipment	9,290
Contingency	100,000
Total	\$2,119,617
Less budget adjustment	40,392
Total appropriation from public employees retirement fund	\$2,079,225

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holdings shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 35

HOUSE BILL NO. 1035
(Committee on Appropriations)

TEACHERS' FUND FOR RETIREMENT

AN ACT making an appropriation for defraying the administrative costs of the teachers' fund for retirement of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the teachers' fund for retirement in the state treasury, not otherwise appropriated, to the teachers' fund for retirement of the state of North Dakota for the purpose of defraying the administrative costs thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 299,741
Operating expenses	529,495
Data processing	215,834
Equipment	4,490
Contingency	275,000
Total	<u>\$1,324,560</u>
Less budget adjustment	20,991
Total appropriation from teachers' fund for retirement	<u>\$1,303,569</u>

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 36

HOUSE BILL NO. 1036
 (Committee on Appropriations)

JOB SERVICE NORTH DAKOTA

AN ACT making an appropriation for defraying the expenses of the job service North Dakota and divisions thereof of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in special funds in the state treasury, not otherwise appropriated, derived from federal funds and other income, to job service North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Subdivision 1.

JOB SERVICE NORTH DAKOTA

Salaries and wages	\$ 18,629,623
Operating expenses	5,245,006
Equipment	207,598
Grants, benefits, and claims	<u>100,000</u>
Total special funds appropriated	\$ 24,182,227

Subdivision 2.

NORTH DAKOTA OASIS AND SOCIAL SECURITY

Salaries and wages	\$ 217,764
Operating expenses	141,804
Equipment	<u>2,500</u>
Total appropriation from social security contribution fund	\$ 362,068
Grand total special funds appropriated H.B. 1036	\$ 24,544,295

SECTION 2. APPROPRIATION. All federal funds received by job service North Dakota in excess of those funds appropriated in subdivision 1 of section 1 of this Act are hereby appropriated for the biennium beginning July 1, 1983, and ending June 30, 1985.

SECTION 3. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 37

HOUSE BILL NO. 1037
(Committee on Appropriations)

WORKMEN'S COMPENSATION BUREAU

AN ACT making an appropriation for defraying the expenses of the workmen's compensation bureau of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the workmen's compensation fund in the state treasury, not otherwise appropriated, to the workmen's compensation bureau of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

WORKMEN'S COMPENSATION BUREAU	
Salaries and wages	\$ 2,728,881
Operating expenses	802,934
Data processing	498,392
Equipment	30,667
Contingent	30,000
Total	\$ 4,090,874
Less budget adjustment	81,217
Total appropriation from workmen's compensation fund	\$ 4,009,657

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purpose provided for herein.

Approved April 28, 1983

CHAPTER 38

HOUSE BILL NO. 1038
(Committee on Appropriations)

CRIME VICTIMS REPARATIONS

AN ACT making an appropriation for defraying the expenses of the Crime Victims Reparations Act under the supervision of the workmen's compensation bureau of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the workmen's compensation bureau of the state of North Dakota for the purpose of defraying the expenses of the Crime Victims Reparations Act, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 48,273
Operating expenses	11,860
Equipment	2,000
Grants, benefits, and claims	<u>215,000</u>
Total	\$ 277,133
Less budget adjustment	<u>1,243</u>
Total general fund appropriation	\$ 275,890

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 39

HOUSE BILL NO. 1039
(Committee on Appropriations)

MILL AND ELEVATOR PROFITS TRANSFER

AN ACT to transfer moneys from the accumulated and undivided profits of the North Dakota mill and elevator association to the general fund of the state of North Dakota.

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

SECTION 1. TRANSFER. There is hereby authorized the transfer to the general fund in the state treasury, the sum of \$3,000,000 from the accumulated and undivided profits of the North Dakota mill and elevator association. Such moneys shall be transferred during the biennium beginning July 1, 1983, and ending June 30, 1985, upon order of the industrial commission.

Approved March 14, 1983

CHAPTER 40

HOUSE BILL NO. 1040
(Committee on Appropriations)

BANK OF NORTH DAKOTA PROFITS TRANSFER

AN ACT to transfer moneys from the accumulated and undivided profits of the Bank of North Dakota to the general fund of the state of North Dakota.

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

SECTION 1. TRANSFER. There is hereby authorized the transfer to the general fund in the state treasury, the sum of \$5,000,000 from the accumulated and undivided profits of the Bank of North Dakota. Such moneys shall be transferred during the biennium beginning July 1, 1983, and ending June 30, 1985, upon order of the industrial commission.

Approved March 3, 1983

CHAPTER 41

HOUSE BILL NO. 1452
(Hausauer)

SCHOOL OF SCIENCE STUDENT CENTER

AN ACT to provide an appropriation for the construction of an addition to the student center building at the state school of science; and to declare an emergency.

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

SECTION 1. APPROPRIATION. There is hereby appropriated to the state school of science from any federal, private, or local funds the sum of \$100,000, or so much thereof as may be necessary, for the purpose of constructing an addition to the student center at the state school of science during the biennium beginning July 1, 1983, and ending June 30, 1985.

SECTION 2. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval.

Approved March 4, 1983

CHAPTER 42

HOUSE BILL NO. 1530
(Representatives Peltier, Sinner, C. Williams)
(Senator Nelson)

MAIN EXPERIMENT STATION LAND PURCHASE

AN ACT making an appropriation for defraying the expense of the purchase of certain land for agricultural research purposes by the main experiment station of North Dakota state university and by the Carrington experiment station; and declaring an emergency.

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

SECTION 1. APPROPRIATION. There is hereby appropriated out of moneys in local operating funds of the North Dakota state university main experiment station, not otherwise appropriated, the sum of \$400,000, or so much thereof as may be necessary, to the North Dakota state university main experiment station for the purpose of defraying the expense of land for agricultural research.

SECTION 2. APPROPRIATION. There is hereby appropriated out of any moneys in the operating fund of the Carrington experiment station, not otherwise appropriated, the sum of \$45,000, or so much thereof as may be necessary, to the Carrington experiment station for the purpose of defraying the expense of purchasing for agricultural research purposes a tract of land not to exceed fifty-six acres located in the north half of section six, township one hundred forty-six north, range sixty-six west, Foster County, North Dakota. The tract of land to be purchased is contiguous to the south boundary of the existing Carrington experiment station.

SECTION 3. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval.

Approved March 25, 1983

CHAPTER 43

HOUSE BILL NO. 1687
(O. Hanson)

PERSONAL PROPERTY TAX REPLACEMENT

AN ACT making an appropriation for the distribution of funds for the replacement of personal property taxes.

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

SECTION 1. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$3,200,000, or so much thereof as may be necessary, to the state tax commissioner for the purpose of replacement of personal property taxes, for the period beginning January 1, 1983, and ending June 30, 1985.

SECTION 2. DISTRIBUTION. The distribution of funds appropriated under section 1 of this Act shall be made in accordance with the formula for personal property tax replacement payments as provided for in section 57-58-01.

Approved April 25, 1983

CHAPTER 44

SENATE BILL NO. 2001
(Committee on Appropriations)

STATE OFFICIALS

AN ACT making an appropriation for defraying the expenses of various elected and appointed officials of the state of North Dakota and for the state waterbank program; to create and enact three new sections to chapter 38-14.1 and one new section to chapter 54-46 of the North Dakota Century Code, relating to a reclamation research advisory committee and a transfer of records management functions; to amend and reenact sections 4-01-21, 15-21-02, 26-01-03, 34-05-01.2, 49-01-05, 54-07-04, 54-08-03, 54-09-05, 54-10-10, 54-11-13, 54-12-11, and 57-01-04 of the North Dakota Century Code as amended by chapter 480 of the 1977 Session Laws of North Dakota, and section 26.1-01-09 of the North Dakota Century Code as created by House Bill No. 1054, as approved by the forty-eighth legislative assembly, relating to salaries of elected state officials; to repeal chapter 481 of the 1977 Session Laws of North Dakota and chapter 521 of the 1981 Session Laws of North Dakota, relating to salaries of elected state officials; providing an effective date; and declaring an emergency.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income the sums as hereinafter provided to the various elected officials for the purpose of defraying the expenses of the various elected officials of the state of North Dakota, for the period ending June 30, 1985, as follows:

Subdivision 1.

GOVERNOR'S OFFICE

Salaries and wages	\$	862,847
Operating expenses		189,169
Equipment		1,000
Governor's office contingency		7,000
Lieutenant governor's contingency		7,000

Lieutenant governor's supplement	85,800
Total	<u>\$ 1,152,816</u>
Less budget adjustment	21,060
Total general fund appropriation	<u>\$ 1,131,756</u>

Subdivision 2.

GOVERNOR'S ASSOCIATIONS

Operating expenses	\$ 86,200
Total general fund appropriation	<u>\$ 86,200</u>

Subdivision 3.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Operating expenses	\$ 2,500
Total general fund appropriation	<u>\$ 2,500</u>

Subdivision 4.

GOVERNOR ELECT

Governor elect expenses	\$ 5,000
Total general fund appropriation	<u>\$ 5,000</u>

Subdivision 5.

LIEUTENANT GOVERNOR

Salaries and wages	\$ 62,260
Salary contingency	2,600
Operating expenses	5,200
Total	<u>\$ 70,060</u>
Less budget adjustment	1,349
Total general fund appropriation	<u>\$ 68,711</u>

Subdivision 6.

SECRETARY OF STATE

Salaries and wages	\$ 699,749
Operating expenses	97,500
Data processing	150,348
Petition review	10,000
Election law administration	50,000
Equipment	5,000
Total	<u>\$ 1,012,597</u>
Less budget adjustment	19,052
Total general fund appropriation	<u>\$ 993,545</u>

Subdivision 7.

SECRETARY OF STATE - PUBLIC PRINTING

Operating expenses	\$ 218,100
Total	<u>\$ 218,100</u>
Less budget adjustment	4,362
Total general fund appropriation	<u>\$ 213,738</u>

Subdivision 8.

ATTORNEY GENERAL

Salaries and wages	\$ 3,885,547
Operating expenses	1,273,215
Data processing	49,500
Equipment	277,845

Grants	205,000
Gaming enforcement division	500,000
Litigation fees	100,000
Total	<u>\$ 6,291,107</u>
Less budget adjustment	114,742
Less estimated income	<u>200,000</u>
Total general fund appropriation	<u>\$ 5,976,365</u>

Subdivision 9.

STATE AUDITOR

Salaries and wages	\$ 2,328,322
Operating expenses	388,960
Data processing	31,550
Equipment	3,610
Total	<u>\$ 2,752,442</u>
Less budget adjustment	<u>55,049</u>
Total general fund appropriation	<u>\$ 2,697,393</u>

Subdivision 10.

STATE TREASURER

Salaries and wages	\$ 485,221
Operating expenses	54,846
Data processing	21,671
Equipment	1,614
Total	<u>\$ 563,352</u>
Less budget adjustment	<u>11,267</u>
Total general fund appropriation	<u>\$ 552,085</u>

Subdivision 11.

STATE TAX COMMISSIONER

Salaries and wages	\$ 6,775,974
Operating expenses	1,900,429
Data processing	1,399,567
Equipment	60,011
Total	<u>\$10,135,981</u>
Less budget adjustment	<u>202,720</u>
Total general fund appropriation	<u>\$ 9,933,261</u>

Subdivision 12.

INSURANCE COMMISSIONER

Salaries and wages	\$ 1,024,030
Operating expenses	161,038
Data processing	40,049
Equipment	7,383
Total	<u>\$ 1,232,500</u>
Less budget adjustment	<u>24,650</u>
Total appropriation from state bonding fund	<u>\$ 1,207,850</u>

Subdivision 13.

LABOR COMMISSIONER

Salaries and wages	\$ 345,021
Operating expenses	165,775
Total	<u>\$ 510,796</u>
Less budget adjustment	10,216

Less estimated income	90,160
Total general fund appropriation	\$ 410,420

Subdivision 14.

PUBLIC SERVICE COMMISSION

Salaries and wages	\$ 3,393,732
Operating expenses	3,724,590
Data processing	969,833
Equipment	115,435
Total	\$ 8,203,590
Less budget adjustment	164,072
Less estimated income	3,958,591
Total general fund appropriation	\$ 4,080,927

Subdivision 15.

AGRICULTURE COMMISSIONER

Salaries and wages	\$ 1,498,043
Operating expenses	702,556
Marketing division activities	50,000
Equipment	19,346
Grants	300,000
Total all funds	\$ 2,569,945
Less budget adjustment	45,399
Less estimated income	191,638
Total general fund appropriation	\$ 2,332,908
Grand total general fund appropriation S.B. 2001	\$ 28,484,809
Grand total special funds appropriated S.B. 2001	\$ 6,648,239
Grand total all funds S.B. 2001	\$ 35,133,048

SECTION 2. APPROPRIATION. The moneys herein appropriated for salaries and wages for new positions shall be made available only after certification to the executive office of the budget that the additional employees allowed are actually in the employ of the state.

SECTION 3. APPROPRIATION. There is hereby appropriated, upon the approval of the emergency commission, from special funds derived from federal funds and other income, such moneys as become available during the biennium beginning July 1, 1983, and ending June 30, 1985, to the public service commission of the state of North Dakota, for the purpose of increasing the level of the abandoned mine lands program, and for the purpose of increasing the hydrology monitoring and water sampling and analysis pass-through funds to the United States geological survey.

SECTION 4. APPROPRIATION. There is hereby appropriated out of any moneys, public or private, received by the commissioner of agriculture for the state waterbank program, not exceeding \$1,000,000 in aggregate total, and not otherwise appropriated, or so much thereof as may be necessary, to the commissioner of agriculture for the purpose of implementing and administering the provisions of the state waterbank program for the biennium beginning July 1, 1983, and ending June 30, 1985. No contract shall be entered into by the

commissioner unless there are moneys on hand and appropriated to pay for all of the lease payments for the duration of the contract.

SECTION 5. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 6. EXEMPTION. The funds herein appropriated for subdivisions 2, 3, 4, and 7 of section 1 of this Act shall not be subject to the provisions of sections 54-27-10 and 54-27-11 of the North Dakota Century Code, relating to the time during which appropriations become available.

SECTION 7. AMENDMENT. Section 4-01-21 of the North Dakota Century Code as amended by section 1 of chapter 480 of the 1977 Session Laws is hereby amended and reenacted to read as follows:

4-01-21. Salary of commissioner of agriculture. The annual salary of the commissioner of agriculture shall receive an annual salary of thirty-three is forty-three thousand five three hundred eighty dollars.

SECTION 8. AMENDMENT. Section 15-21-02 of the North Dakota Century Code as amended by section 2 of chapter 480 of the 1977 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

15-21-02. Salary and traveling expenses. The annual salary of the superintendent of public instruction shall receive an annual salary of thirty-four is forty-four thousand twenty-eight dollars. He shall be allowed in addition thereto his expenses incurred in the discharge of his official duties, such expenses to be paid monthly on a warrant prepared by the department of accounts and purchases office of management and budget and signed by the state auditor, upon the filing of an itemized and verified statement of expenses.

SECTION 9. AMENDMENT. If House Bill No. 1054 does not become effective, section 26-01-03 of the North Dakota Century Code as amended by section 3 of chapter 480 of the 1977 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

26-01-03. Salary of commissioner of insurance. The annual salary of the commissioner of insurance shall be thirty-three is forty-three thousand five three hundred eighty dollars.

SECTION 10. AMENDMENT. Section 26.1-01-09 of the North Dakota Century Code as created by House Bill No. 1054, as approved by the forty-eighth legislative assembly, is hereby amended and reenacted to read as follows:

26.1-01-09. Salary of commissioner. The annual salary of the commissioner is ~~thirty-three~~ forty-three thousand ~~five~~ three hundred eighty dollars.

SECTION 11. AMENDMENT. Section 34-05-01.2 of the North Dakota Century Code as amended by section 4 of chapter 480 of the 1977 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

34-05-01.2. Department of labor to be administered by commissioner of labor. The department of labor shall be administered by a commissioner of labor who shall be elected for a four-year term on a no-party ballot in the year 1966 and every four years thereafter in the same manner as provided for no-party candidates pursuant to ~~chapter 16-08~~ title 16.1. Following his election, the term of the commissioner of labor shall commence on the same day as the terms for other elected state officials. The commissioner of labor shall possess the same qualifications for office as the commissioner of agriculture ~~and labor and he shall receive an~~. The annual salary of ~~thirty-three~~ the commissioner of labor is forty-three thousand ~~five~~ three hundred eighty dollars.

SECTION 12. A new section to chapter 38-14.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Reclamation research advisory committee. The governor shall appoint a three-member reclamation research advisory committee. Appointments must be for staggered three-year terms. The committee shall consist of one representative from the coal-producing counties, one representative from the North Dakota lignite council, and one representative from the reclamation staff of the commission. Each appointee must have experience or involvement in reclamation problems and processes. The members of the committee shall serve without compensation or expense reimbursement.

SECTION 13. A new section to chapter 38-14.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Advisory committee responsibilities. The committee, after consultation with the commission, shall adopt procedures under which it is to operate. The responsibilities of the committee, with the administrative and staff assistance and accounting of all funds to be provided by the commission, include:

1. An inventory and brief description and analysis of the conclusions from all reclamation research projects in this state that have been conducted to date as well as an inventory and brief description of all on-going projects.
2. A review of all past and current reclamation research projects to identify all existing or future research needs and objectives, to prevent duplication, and to

establish priorities for future reclamation research according to the objectives established in section 14 of this Act.

3. A review of all proposed reclamation research projects administered by the commission and a determination of which reclamation research projects should be funded and the proper funding levels for the projects.
4. Preparation of future reclamation research budgets administered by the commission.
5. Preparation of yearly reports to the legislative council on the status of all reclamation research projects, conclusions reached, and future goals and objectives.

SECTION 14. A new section to chapter 38-14.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Reclamation research objectives. The reclamation research advisory committee shall make all recommendations on the specific reclamation research projects that are to be funded from moneys administered by the commission. Prior to awarding reclamation research funds, the commission must receive the recommendations of the committee relating to the proposed reclamation research project. For any reclamation research project to be approved for funding by the commission, each proposed project must meet the following criteria:

1. Development of data and conclusions that will assist in returning the land to its original or better productivity.
2. Development of data and conclusions that will assist in returning the land to an approved post-mining land use as soon as possible.
3. Development of data and conclusions that will reduce unnecessary regulatory costs and assist in effectively reclaiming the land to its original or better productivity.

SECTION 15. AMENDMENT. Section 49-01-05 of the North Dakota Century Code as amended by section 5 of chapter 480 of the 1977 Session Laws is hereby amended and reenacted to read as follows:

49-01-05. Salary of commissioners. The annual salary of each a commissioner shall be ~~thirty-three~~ is ~~forty-three~~ thousand ~~five~~ ~~three~~ hundred ~~eighty~~ dollars per annum which shall be full compensation for all official services. All fees received or charged by any such commissioner for any act or service rendered in any official capacity, shall be accounted for and paid over by him monthly to the state treasurer and shall be credited to the general fund of the state.

SECTION 16. AMENDMENT. Section 54-07-04 of the North Dakota Century Code as amended by section 6 of chapter 480 of the 1977 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

54-07-04. Salary of governor. The annual salary of the governor shall receive an annual salary of forty-seven is sixty thousand eight hundred sixty-two dollars for all services performed by him.

SECTION 17. AMENDMENT. Section 54-08-03 of the North Dakota Century Code as amended by section 7 of chapter 480 of the 1977 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

54-08-03. Salary of lieutenant governor. The annual salary of the lieutenant governor shall receive an annual salary of eight is twelve thousand five hundred dollars for all services performed by him.

SECTION 18. AMENDMENT. Section 54-09-05 of the North Dakota Century Code as amended by section 8 of chapter 480 of the 1977 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

54-09-05. Salary of secretary of state. The annual salary of the secretary of state shall receive an annual salary of thirty-three is forty-three thousand five three hundred eighty dollars.

SECTION 19. AMENDMENT. Section 54-10-10 of the North Dakota Century Code as amended by section 9 of chapter 480 of the 1977 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

54-10-10. Salary of state auditor. The annual salary of the state auditor shall receive an annual salary of thirty-three is forty-three thousand five three hundred eighty dollars.

SECTION 20. AMENDMENT. Section 54-11-13 of the North Dakota Century Code as amended by section 10 of chapter 480 of the 1977 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

54-11-13. Salary of state treasurer. The annual salary of the state treasurer shall receive an annual salary of thirty-three is forty-three thousand five three hundred eighty dollars.

SECTION 21. AMENDMENT. Section 54-12-11 of the North Dakota Century Code as amended by section 11 of chapter 480 of the 1977 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

54-12-11. Salary of attorney general. The annual salary of the attorney general shall receive an annual salary of thirty-eight is forty-nine thousand two hundred six dollars.

SECTION 22. A new section to chapter 54-46 of the North Dakota Century Code is hereby created and enacted to read as follows:

Transfer of records management functions authorized. The secretary of state and the director of the office of management and budget may agree to permanently transfer the administration of the state's records management functions authorized by this chapter and chapter 54-46.1 to the office of management and budget. Upon the effective date of any agreement, the director of the office of management and budget is the state records administrator and shall perform the duties of the state records administrator as prescribed in this chapter, chapter 54-46.1, and section 55-02.1-06.

SECTION 23. AMENDMENT. Section 57-01-04 of the North Dakota Century Code as amended by section 12 of chapter 480 of the 1977 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

57-01-04. Salary. The annual salary of the state tax commissioner shall be ~~thirty-three~~ is forty-three thousand ~~five~~ three hundred eighty dollars.

SECTION 24. REPEAL. Chapter 481 of the 1977 Session Laws of North Dakota and chapter 521 of the 1981 Session Laws of North Dakota are hereby repealed.

SECTION 25. EFFECTIVE DATE. Sections 7 through 11, sections 15 through 21, and sections 23 and 24 are effective as of January 1, 1983. The annual salary of the public service commissioner elected to the term of office commencing on January 1, 1983, is forty-eight thousand dollars until the passage and approval of this Act.

SECTION 26. EXEMPTION. The appropriation in subdivision 7 of section 1 of chapter 1 of the 1981 Session Laws for records management and microfilming shall not be subject to the provisions of section 54-44.1-11 of the North Dakota Century Code and shall be available for transfer to the office of management and budget for defraying expenses of the records management and microfilming functions during the biennium beginning July 1, 1983, and ending June 30, 1985.

SECTION 27. EMERGENCY. The line items entitled "Salaries and wages" and "Salary contingency" in subdivision 5 of section 1 and sections 7 through 11, sections 15 through 21, and sections 23 through 26 of this Act are hereby declared to be an emergency measure and is in effect from and after its passage and approval.

SECTION 28. STATE TAX COMMISSIONER - AUDITING ENHANCEMENT PROGRAM - LEGISLATIVE COUNCIL REVIEW. The state tax commissioner, while establishing the auditing enhancement program for which funds are provided in subdivision 11 of this bill, shall report quarterly on the progress made in collecting additional tax revenues to the Legislative Council or such persons or committees as the council may designate.

Approved April 21, 1983

CHAPTER 45

SENATE BILL NO. 2002
(Committee on Appropriations)

SUPERINTENDENT OF PUBLIC INSTRUCTION

AN ACT making an appropriation for defraying the expenses of the superintendent of public instruction of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the superintendent of public instruction of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 3,965,021
Operating expenses	2,024,013
Data processing	401,169
Equipment	28,310
Grants - special education	21,196,650
Grants - foundation aid	352,666,802
Grants - tuition	37,100,000
Grants - motorcycle safety	300,000
Grants - school lunch program	1,400,000
Grants - adult education	250,000
Grants - textbooks	100,000
Grants - federal grants	43,073,835
Total	<u>\$462,505,800</u>
Less budget adjustment	128,370
Less estimated income	84,691,107
Total general fund appropriation	<u>\$377,686,323</u>

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal

or otherwise unavailable for any cause, such holdings shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 3. INTENT. It is the intent of the legislative assembly that the appropriation of \$250,000 from the general fund for grants - adult education in section 1 of this Act be used for the purpose of aiding and promoting any adult basic and secondary education program established by the school board of any public school district.

SECTION 4. INTENT. It is the intent of the legislative assembly that the sum of \$37,100,000, or such greater or lesser sums as become available, included in the grants - tuition fund and estimated income line items in section 1 of this Act, be distributed by the office of management and budget out of any moneys in the state tuition fund in the state treasury to the public schools of this state as provided in article IX, section 2 of the Constitution of the State of North Dakota and chapter 15-44 of the North Dakota Century Code, for the biennium beginning July 1, 1983, and ending June 30, 1985.

SECTION 5. TEXTBOOKS. It is the intent of the legislative assembly that the sum of \$100,000, of which \$50,000 is from the general fund and \$50,000 is from estimated income, included in the grants - textbooks line item in section 1 of this Act, be utilized for the purpose of defraying the expenses of purchasing the new "History of North Dakota" textbook for eighth-grade students in the state of North Dakota. The department of public instruction shall be reimbursed for the cost of or a portion of the cost of the textbooks purchased by the school districts.

Approved April 26, 1983

CHAPTER 46

SENATE BILL NO. 2003
(Committee on Appropriations)

OFFICE OF MANAGEMENT AND BUDGET

AN ACT making an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget of the state of North Dakota; providing for an exemption; and declaring an emergency.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the various divisions under the supervision of the director of the office of management and budget of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Subdivision 1.

OFFICE OF MANAGEMENT AND BUDGET

Salaries and wages	\$ 3,750,814
Operating expenses	1,714,778
Data processing	989,060
Equipment	42,993
Grants	19,696,200
Surplus property contingency	<u>20,000</u>
Total	\$ 26,213,845
Less budget adjustment	129,953
Less estimated income	<u>21,750,222</u>
Total general fund appropriation	\$ 4,333,670

Subdivision 2.

CENTRAL DATA PROCESSING

Salaries and wages	\$ 5,119,327
Operating expenses	8,683,271
Equipment	<u>874,900</u>
Total	\$ 14,677,498
Less budget adjustment	<u>293,550</u>

Total special funds appropriated	\$ 14,383,948
Subdivision 3.	
STATE PRINTING	
Salaries and wages	\$ 436,512
Operating expenses	843,065
Data processing	25,000
Equipment	25,500
Total	<u>\$ 1,330,077</u>
Less budget adjustment	26,602
Total special funds appropriated	<u>\$ 1,303,475</u>
Grand total general fund appropriation S.B. 2003	\$ 4,333,670
Grand total special funds appropriated S.B. 2003	\$ 37,437,645
Grand total all funds appropriated S.B. 2003	\$ 41,771,315

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget that newly anticipated employees are actually in the employ of the state.

SECTION 3. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 4. TRANSFER AUTHORITY. Upon approval of the emergency commission, the director of the office of management and budget may transfer between appropriation authority contained in the various subdivisions in section 1 of this Act.

SECTION 5. EXEMPTION. The appropriation for development of the state accounting system contained in section 11 of chapter 1 of the 1981 Session Laws shall not be subject to the provisions of section 54-44.1-11 of the North Dakota Century Code and any unexpended funds from this appropriation shall be available for continued development of this system during the biennium beginning July 1, 1983, and ending June 30, 1985.

SECTION 6. EMERGENCY. Section 5 of this Act is hereby declared to be an emergency measure and shall be in full force and effect upon its passage and approval.

Approved April 28, 1983

CHAPTER 47

SENATE BILL NO. 2004
(Committee on Appropriations)

HOMESTEAD TAX CREDIT

AN ACT making an appropriation for the homestead tax credit.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the state tax commissioner for the purpose of reimbursing the homestead tax credit, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Grants, benefits, and claims	\$ 5,341,000
Total general fund appropriation	\$ 5,341,000

Approved March 29, 1983

CHAPTER 48

SENATE BILL NO. 2005
(Committee on Appropriations)

PERSONAL PROPERTY TAX REPLACEMENT

AN ACT making an appropriation for the distribution of funds for the replacement of personal property taxes.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the state tax commissioner for the purpose of replacement of personal property taxes, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Grants, benefits, and claims	\$ 29,377,000
Total general fund appropriation	\$ 29,377,000

SECTION 2. DISTRIBUTION. The distribution of funds appropriated under section 1 of this Act shall be made in accordance with the formula for personal property tax replacement payments as provided for in section 57-58-01. During the year ending June 30, 1984, such payments shall not exceed one-half of the total appropriation provided for in this Act.

SECTION 3. PRORATION. Notwithstanding the provisions of section 57-58-01, which contains the formula for personal property tax replacement payments, the payments shall not exceed the amounts as set forth in this Act. If the appropriation provided for in this Act in any fiscal year is less than the amount determined by applying the formula as contained in section 57-58-01, the director of the office of management and budget shall pay only the amount of funds available under this Act. Under such circumstances, a method of proration shall be used that provides each eligible recipient the same proportion of these funds as the percent of total funds it would have received under the application of the formula provided for in section 57-58-01.

Approved April 25, 1983

CHAPTER 49

SENATE BILL NO. 2006
(Committee on Appropriations)

DIRECTOR OF INSTITUTIONS

AN ACT making an appropriation for defraying the expenses of various divisions under the supervision of the director of institutions of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income to the director of institutions of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Subdivision 1.

DIRECTOR OF INSTITUTIONS

Salaries and wages	\$ 2,892,940
Operating expenses	2,821,466
Institutional medical fees	1,160,400
Equipment	47,480
Capital improvements	75,000
Total	\$ 6,997,286
Less budget adjustment	115,238
Total general fund appropriation	\$ 6,882,048

Subdivision 2.

STATE COMMUNICATIONS

Operating expenses	\$ 5,852,473
Data processing	17,755
Total all funds	\$ 5,870,228
Less budget adjustment	117,404
Less estimated income	2,466,966
Total general fund appropriation	\$ 3,285,858
Grand total general fund appropriation S.B. 2006	\$ 10,167,906
Grand total special funds appropriation S.B. 2006	\$ 2,466,966
Grand total all funds appropriated S.B. 2006	\$ 12,634,872

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 50

SENATE BILL NO. 2007
(Committee on Appropriations)

STATE INDUSTRIAL SCHOOL

AN ACT making an appropriation for defraying the expenses of the state industrial school of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income to the state industrial school under the supervision of the director of institutions of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 3,410,843
Operating expenses	952,888
Data processing	600
Equipment	23,109
Capital improvements	60,500
Total	\$ 4,447,940
Less budget adjustment	87,749
Less estimated income	1,188,398
Total general fund appropriation	\$ 3,171,793

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 51

SENATE BILL NO. 2008
(Committee on Appropriations)

**SCHOOL FOR THE BLIND AND
SCHOOL FOR THE DEAF**

AN ACT making an appropriation for defraying the expenses of the school for the deaf and the school for the blind of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income to the school for the deaf and the school for the blind under the supervision of the director of institutions of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Subdivision 1.

SCHOOL FOR THE DEAF		
Salaries and wages		\$ 2,725,672
Operating expenses		487,048
Equipment		56,600
Capital improvements		221,730
Total		<u>\$ 3,491,050</u>
Less budget adjustment		65,386
Less estimated income		507,988
Total general fund appropriation		<u>\$ 2,917,676</u>

Subdivision 2.

SCHOOL FOR THE BLIND		
Salaries and wages		\$ 1,512,548
Operating expenses		378,265
Data processing		250
Equipment		35,219
Capital improvements		<u>33,000</u>

Total	\$ 1,959,282
Less budget adjustment	38,526
Less estimated income	<u>381,073</u>
Total general fund appropriation	\$ 1,539,683
Grand total general fund appropriation S.B. 2008	\$ 4,457,359
Grand total special funds appropriated S.B. 2008	\$ 889,061
Grand total all funds appropriated S.B. 2008	\$ 5,346,420

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 52

SENATE BILL NO. 2009
(Committee on Appropriations)

GRAFTON STATE SCHOOL
AND SAN HAVEN

AN ACT making an appropriation for defraying the expenses of the Grafton state school, Grafton - deinstitutionalization, and San Haven of the state of North Dakota; and providing for a transfer of oil extraction tax funds; and declaring an emergency.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income to the Grafton state school and San Haven under the supervision of the director of institutions of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Subdivision 1.

GRAFTON STATE SCHOOL		
Salaries and wages		\$ 30,509,016
Operating expenses		5,673,955
Data processing		51,075
Equipment		413,152
Capital improvements		<u>7,722,662</u>
Total all funds		\$ 44,369,860
Less budget adjustment		109,566
Less estimated income		<u>27,240,740</u>
Total general fund appropriation		\$ 17,019,554

Subdivision 2.

GRAFTON - DEINSTITUTIONALIZATION		
Grafton - deinstitutionalization		\$ 4,281,172
Total general fund appropriation		\$ 4,281,172

Subdivision 3.

SAN HAVEN

Salaries and wages	\$ 9,591,497
Operating expenses	2,445,880
Data processing	5,000
Equipment	242,595
Capital improvements	893,000
Total	<u>\$ 13,177,972</u>
Less budget adjustment	40,434
Less estimated income	5,380,278
Total general fund appropriation	<u>\$ 7,757,260</u>
Grand total general fund appropriation S.B. 2009	\$ 29,057,986
Grand total special funds appropriated S.B. 2009	\$ 32,621,018
Grand total all funds appropriated S.B. 2009	\$ 61,679,004

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget that newly anticipated employees are actually in the employ of the state.

SECTION 3. APPROPRIATION - TRANSFER. There is hereby transferred to the Grafton state school the sum of \$11,722,662 from the resources trust fund created by subdivision 2 of section 57-51.1-07 of the 1981 Supplement to the North Dakota Century Code for the purpose of defraying the expenses of the Grafton state school, including \$7,722,622 of capital improvements. The transfers shall be made only at such times that funds are needed for disbursement by the Grafton state school.

SECTION 4. LEGISLATIVE INTENT. It is the intent of the legislative assembly that the forty-ninth legislative assembly return during the 1985-87 biennium to the resources trust fund the additional \$4 million transferred in section 3 of this bill to the Grafton state school.

SECTION 5. INTENT. The appropriation in subdivision 2 of section 1 of this Act is to be used for phasing in up to one hundred ninety-one new positions at either Grafton state school or within the department of human services. These funds shall be allocated to the Grafton state school or human services department upon approval of the governor. The funds made available to the department of human services shall be used to aid in making community placements of developmentally disabled persons, depending upon the progress of deinstitutionalization.

SECTION 6. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 7. EMERGENCY. The line items entitled "Capital improvements" in subdivision 1 and subdivision 3 of section 1 of this Act are hereby declared an emergency measure and shall be in full force and effect upon its passage and approval.

Approved April 28, 1983

CHAPTER 53

SENATE BILL NO. 2010
(Committee on Appropriations)

RADIO COMMUNICATIONS DEPARTMENT

AN ACT making an appropriation for defraying the expenses of the radio communications department of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state radio communications department under the supervision of the director of institutions of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 1,267,736
Operating expenses	290,401
Data processing	121,035
Equipment	24,985
Total	\$ 1,704,157
Less budget adjustment	34,083
Total general fund appropriation	\$ 1,670,074

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 54

SENATE BILL NO. 2011
(Committee on Appropriations)

STATE PENITENTIARY

AN ACT making an appropriation for defraying the expenses of the state penitentiary and various divisions thereof of the state of North Dakota; and declaring an emergency.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income to the state penitentiary and the roughrider industries under the supervision of the director of institutions of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Subdivision 1.

STATE PENITENTIARY		
Salaries and wages		\$ 5,744,679
Operating expenses		3,892,547
Equipment		177,005
Capital improvements		1,000,000
Total		\$ 10,814,231
Less budget adjustment		196,285
Less estimated income		217,609
Total general fund appropriation		\$ 10,400,337

Subdivision 2.

ROUGH RIDER INDUSTRIES		
Salaries and wages		\$ 850,348
Operating expenses		4,328,170
Equipment		336,780
Capital improvements		708,000
Total		\$ 6,223,298

Less budget adjustment	110,306
Total special fund appropriation	\$ 6,112,992
Grand total general fund appropriation S.B. 2011	\$ 10,400,337
Grand total special funds appropriated S.B. 2011	\$ 6,330,601
Grand total all funds appropriated S.B. 2011	\$ 16,730,938

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget that newly anticipated employees are actually in the employ of the state.

SECTION 3. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 4. INTENT - CAPITAL IMPROVEMENTS FUNDING. It is the intent of the legislative assembly that the \$708,000 included for capital improvements in subdivision 2 of section 1 of this Act may be financed through a third party agreement with the Bank of North Dakota.

SECTION 5. EMERGENCY. The line item entitled "Capital improvements" in subdivision 2 of section 1 of this Act is hereby declared an emergency measure and shall be in full force and effect upon its passage and approval.

Approved April 28, 1983

CHAPTER 55

SENATE BILL NO. 2012
(Committee on Appropriations)

STATE LIBRARY

AN ACT making an appropriation for defraying the expenses of the state library of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state library under the supervision of the director of institutions of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 875,903
Operating expenses	650,642
Data processing	16,000
Equipment	2,990
Grants, benefits, and claims	<u>1,150,000</u>
Total all funds	\$ 2,695,535
Less budget adjustment	30,911
Less estimated income	<u>790,919</u>
Total general fund appropriation	\$ 1,873,705

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purpose provided for herein.

SECTION 3. APPROPRIATION. The line item entitled "Grants, benefits, and claims" in section 1 of this Act includes \$1,100,000 for aid to public libraries of which no more than one-half is to be expended during the fiscal year ending June 30, 1984.

Approved April 28, 1983

CHAPTER 56

SENATE BILL NO. 2013
(Committee on Appropriations)

STATE HOSPITAL

AN ACT making an appropriation for defraying the expenses of the state hospital of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state hospital under the supervision of the director of the department of human services of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 32,148,183
Operating expenses	6,041,461
Data processing	719,826
Equipment	427,809
Capital improvements	1,942,140
Total	\$ 41,279,419
Less budget adjustment	786,745
Less estimated income	11,103,903
Total general fund transfer and appropriation	\$ 29,388,771

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purpose provided for herein.

SECTION 3. TRANSFER - AUTHORIZATION. An amount not to exceed one million dollars included in section 1 of this Act is to be available to the state hospital for ongoing operations or to the department of human services for the purpose of establishing and operating facilities for the chronically mentally ill. The funds shall be allocated to the state hospital or the department of human services upon approval of the governor. Upon such approval, the office of management and budget is authorized to transfer positions from the state hospital to the department of human services.

Approved April 28, 1983

CHAPTER 57

SENATE BILL NO. 2014
(Committee on Appropriations)

SOLDIERS' HOME

AN ACT making an appropriation for defraying the expenses of the soldiers' home of the state of North Dakota; and providing for a transfer of earnings from the veterans' postwar trust fund.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the soldiers' home of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 1,362,216
Operating expenses	625,203
Equipment	30,717
Capital improvements	<u>183,264</u>
Total all funds	\$ 2,201,400
Less budget adjustment	40,363
Less estimated income	<u>2,078,025</u>
Total general fund appropriation	\$ 83,012

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 3. APPROPRIATION - TRANSFER. The amount appropriated in section 1 of this Act for the line item entitled "Less estimated income" includes \$1,100,000 which is hereby appropriated and shall be transferred to the soldiers' home operating fund from the veterans' postwar trust fund pursuant to section 37-14-14 of the 1981 Supplement to the North Dakota Century Code.

Approved April 28, 1983

CHAPTER 58

SENATE BILL NO. 2015
(Committee on Appropriations)

MISCELLANEOUS FUNDS AND ORGANIZATIONS

AN ACT to create and enact a new section to chapter 11-15 of the North Dakota Century Code, relating to expenses incurred to return escapees from a state facility; and making an appropriation for defraying expenses of various commissions, departments, and divisions thereof of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from income to the various stated commissions, departments, and divisions of the state of North Dakota for defraying the expenses for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Subdivision 1.

ARREST AND RETURN OF FUGITIVES - TRANSPORT OF
ESCAPEES AND PROBATION VIOLATORS

Operating expenses	\$ 36,000
Total general fund appropriation	<u>\$ 36,000</u>

Subdivision 2.

BOYS AND GIRLS CLUBWORK

Grants, benefits, and claims	\$ 53,000
Total general fund appropriation	<u>\$ 53,000</u>

Subdivision 3.

CAPITOL GROUNDS PLANNING COMMISSION

Operating expenses	\$ 10,000
Total capitol building fund appropriation	<u>\$ 10,000</u>

Subdivision 4.

	PRESIDENTIAL ELECTORS	
Lump sum		\$ 800
Total general fund appropriation		<u>\$ 800</u>

Subdivision 5.

	FIREMEN'S ASSOCIATION	
Grants, benefits, and claims		\$ 30,000
Total general fund appropriation		<u>\$ 30,000</u>

Subdivision 6.

	MISCELLANEOUS REFUNDS	
Grants, benefits, and claims		\$ 140,000
Total general fund appropriation		<u>\$ 140,000</u>

Subdivision 7.

	NURSES' SCHOLARSHIPS	
Operating expenses		\$ 4,500
Grants, benefits, and claims		107,500
Total all funds		<u>\$ 112,000</u>
Less estimated income		40,000
Total general fund appropriation		<u>\$ 72,000</u>

Subdivision 8.

	THEODORE ROOSEVELT ROUGH RIDER AWARD	
Grants, benefits, and claims		\$ 5,000
Total general fund appropriation		<u>\$ 5,000</u>

Subdivision 9.

	COUNCIL OF STATE GOVERNMENTS	
Operating expenses		\$ 58,600
Total general fund appropriation		<u>\$ 58,600</u>

Subdivision 10.

	COMMISSION ON UNIFORM STATE LAWS	
Operating expenses		\$ 25,000
Total general fund appropriation		<u>\$ 25,000</u>

Subdivision 11.

	EDUCATION COMMISSION OF THE STATES	
Operating expenses		<u>\$ 35,000</u>
Total general fund appropriation		\$ 35,000
Grand total general fund appropriation S.B. 2015		\$ 455,400
Grand total special funds appropriated S.B. 2015		\$ 50,000
Grand total all funds S.B. 2015		<u>\$ 505,400</u>

SECTION 2. A new section to chapter 11-15 of the North Dakota Century Code is hereby created and enacted to read as follows:

Fees for transporting persons who have escaped or violated probation. A sheriff or a sheriff's deputy shall receive the expenses incurred in the return of any person who has escaped from a state facility. Those expenses must be paid in amounts as provided by law for state officials, except that the mileage paid must be that regularly paid to the sheriff and the sheriff's deputies. If the person to be returned is a prisoner of a state facility or is ordered returned by a district court judge, the mileage and expenses must be paid by the state.

SECTION 3. EXEMPTION. The funds herein appropriated for subdivisions 1, 3, 4, 9, 10, and 11 of this Act shall not be subject to the provisions of sections 54-27-10 and 54-27-11 of the North Dakota Century Code, relating to the time during which appropriations become available.

SECTION 4. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 5. APPROPRIATION. There is hereby appropriated in addition to the appropriation provided in subdivision 7 of section 1 of this Act for nurses' scholarships, all funds as may be on deposit in the nurses' scholarship loan fund as provided for in North Dakota Century Code section 43-12-35.

Approved April 28, 1983

CHAPTER 59

SENATE HOUSE BILL NO. 2016
(Committee on Appropriations)

EDUCATIONAL BROADCASTING COUNCIL

AN ACT making an appropriation for defraying the expenses of the educational broadcasting council of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the educational broadcasting council of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 15,293
Operating expenses	25,288
Grants	<u>500,000</u>
Total	\$540,581
Less budget adjustment	812
Total general fund appropriation	<u>\$539,769</u>

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holdings shall not affect or be construed to apply to the remaining items of appropriation herein or purpose provided for herein.

Approved April 28, 1983

CHAPTER 60

SENATE BILL NO. 2017
(Committee on Appropriations)

UNEMPLOYMENT INSURANCE

AN ACT making an appropriation for defraying the expenses of unemployment insurance for the various departments and institutions of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated from special funds derived from federal funds and other income, to the office of management and budget for the purpose of administration and making payments for unemployment insurance claims, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Grants, benefits, and claims	<u>\$ 1,500,000</u>
Total special funds appropriation	<u>\$ 1,500,000</u>

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 3. INTENT. It is the intent of the legislative assembly that the office of management and budget may use the funds appropriated in section 1 of this Act to administer the unemployment claims process and promote efficient administration of claims.

Approved February 9, 1983

CHAPTER 61

SENATE BILL NO. 2018
(Committee on Appropriations)

EMERGENCY COMMISSION

AN ACT making an appropriation for defraying the unforeseen expenses of the various agencies and institutions of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the emergency commission for the purpose of defraying the unforeseen expenses of the various agencies and institutions of the state of North Dakota, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

State contingencies	\$ 1,000,000
Total general fund appropriation	<u>\$ 1,000,000</u>

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 3. DISASTER EXPENSES. The funds appropriated in section 1 of this Act shall also be available to defray the costs of state agencies and institutions which arise as a result of natural disasters and to match federal disaster relief funds.

Approved April 28, 1983

CHAPTER 62

SENATE BILL NO. 2020
 (Committee on Appropriations)

HUMAN SERVICES DEPARTMENT

AN ACT making an appropriation for defraying the expenses of the human services department; authorizing a developmentally disabled facility loan fund program for the establishment by nonprofit corporations of facilities for developmentally disabled, chronically mentally ill, and physically disabled persons; and authorizing the board of university and school lands to invest in a developmentally disabled facility loan fund program.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the human services department and the various divisions thereof for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Subdivision 1.

DEPARTMENT OF HUMAN SERVICES

Salaries and wages	\$ 34,789,370
Operating expenses	17,024,243
Data processing	4,075,432
Equipment	407,358
Hospital, intermediate care, and skilled nursing facilities grants	136,116,656
Other grants, benefits, and claims	<u>190,873,070</u>
Total	\$383,286,129
Less budget adjustment	495,000
Less estimated income	<u>253,752,368</u>
Total general fund appropriation	\$129,038,761

Subdivision 2.

COUNCIL ON HUMAN RESOURCES

Salaries and wages	\$ 209,016
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Operating expenses	287,505
Grants, benefits, and claims	325,000
Total	\$ 821,521
Less budget adjustment	9,930
Less estimated income	593,116
Total general fund appropriation	\$ 218,475
Grand total general fund appropriation S.B. 2020	\$129,257,236
Grand total special fund appropriation S.B. 2020	\$256,434,034
Grand total all funds appropriated S.B. 2020	\$385,691,270

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget that newly anticipated employees are actually in the employ of the state.

SECTION 3. DEVELOPMENTALLY DISABLED FACILITY LOAN FUND PROGRAM NO. 2. There is hereby created a developmentally disabled facility loan fund program no. 2 for the purpose of making loans to nonprofit corporations, organized in the localities in which facilities are proposed to be located, for project costs, including the cost of real estate, construction, reconstruction, acquisition, furnishings, and equipment, and administrative costs related to the establishment thereof, of facilities for developmentally disabled, chronically mentally ill, and physically disabled persons. The loan fund may borrow an amount not to exceed five million dollars from the common school trust fund to finance the program. The loan shall be repaid from any moneys in the lands and minerals trust fund not otherwise appropriated. Any interest earned by the loan fund before loans are made shall be credited by the Bank to the lands and minerals trust fund. The loan fund program shall be administered by the Bank of North Dakota in the same manner the Bank administers the program established by chapter 6-09.6, except that all payments of principal and interest shall be credited by the Bank to the lands and minerals trust fund after the Bank has deducted a service fee for administering the program equivalent to an annual fee of one-half of one percent of the principal balance of the outstanding loans.

SECTION 4. LOAN AUTHORITY. The board of university and school lands is hereby authorized to invest an amount not to exceed five million dollars from the common school trust fund in the developmentally disabled facility loan fund program no. 2. The term of this investment shall not exceed twenty-five years and the rate of interest shall not exceed ten and one-half percent. The common school trust fund shall have a security interest in the properties of the lands and minerals trust fund in the amount of the loan.

SECTION 5. APPROPRIATION. There is hereby appropriated out of any moneys in the lands and minerals trust fund, not otherwise appropriated, the sum of \$1,144,300, or so much thereof as may be necessary, for the purpose of making payments of principal and interest to the common school trust fund on any loans made from it

pursuant to section 3, for the biennium beginning July 1, 1983, and ending June 30, 1985.

SECTION 6. PSYCHIATRIC RESIDENCY PROGRAM. It is the intent of the legislative assembly that the department of human services be permitted to continue the psychiatric residency program in cooperation with the university of North Dakota within the limits of available appropriations.

SECTION 7. FACILITY STAFF TRAINING. It is the intent of the legislative assembly that the department of human services design and implement a facility staff training system in cooperation with the director of institutions and the board of higher education to assure adequate and appropriate staff development and training for the providers of community-based care on behalf of developmentally disabled persons.

SECTION 8. COMPREHENSIVE COMMUNITY RESIDENTIAL PROGRAM. It is the intent of the legislative assembly that the department of human services implement a comprehensive community residential program for developmentally disabled children, including the use of intermediate care facilities and other such foster home and group home resources as deemed appropriate.

SECTION 9. LEGISLATIVE INTENT - REIMBURSEMENT BY THE DEPARTMENT OF HUMAN SERVICES FOR SPECIAL EDUCATION BOARDING CARE COSTS. It is the intent of the legislative assembly that the department of human services, within the limits of appropriations provided therefor, make reimbursements to local school districts toward defraying the costs of room and board paid on behalf of handicapped children placed in facilities outside their school district of residence for special education services not available within their school district of residence. It is the intent of the legislative assembly that reimbursements shall be made regardless of whether the child has been placed in a facility within the state or outside the state. Any special education room and board costs in excess of those payments made by the department of human services are the responsibility of the local school district. The placement of handicapped children in public or private facilities will be made by school districts. Placement in congregate care will be made in facilities designated by the department of human services.

SECTION 10. APPROPRIATION. There is hereby appropriated \$944,250, or so much thereof as may be necessary, from estimated collections resulting from the requirements of Senate Bill No. 2373, relating to the penalty and punishments resulting from operating a motor vehicle while under the influence, to the human services department for the purpose of defraying the expenses including twenty-four additional personnel to provide chemical dependency evaluations and treatments for the biennium beginning July 1, 1983, and ending June 30, 1985.

SECTION 11. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby

repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 63

SENATE BILL NO. 2021
(Committee on Appropriations)

PARDON BOARD AND PAROLE OFFICE

AN ACT making an appropriation for defraying the expenses of the pardon board and the parole and probation office of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the pardon board and the parole and probation office of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Subdivision 1.

PARDON BOARD

Operating expenses	\$ 1,080
Total general fund appropriation	\$ 1,080

Subdivision 2.

PAROLE AND PROBATION OFFICE

Salaries and wages	\$ 1,283,614
Operating expenses	184,115
Data processing	8,000
Equipment	27,292
Total	<u>\$ 1,503,021</u>
Less budget adjustment	30,060
Total general fund appropriation	\$ 1,472,961
Grand total general fund appropriation S.B. 2021	\$ 1,474,041

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purpose provided for herein.

Approved April 28, 1983

CHAPTER 64

SENATE BILL NO. 2023
(Committee on Appropriations)

ADJUTANT GENERAL

AN ACT making an appropriation for defraying the expenses of the adjutant general of the state of North Dakota; and providing for an appropriation and transfer of funds from the Vietnam bonus sinking fund and national guard tuition trust fund.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds or other income, to the adjutant general's office for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 839,867
Operating expenses	1,185,552
Equipment	34,200
Capital improvements	476,000
Inauguration	3,600
Recruiting and retention	180,000
Army guard service contract	1,226,946
Training site contract	922,710
Tuition fees	980,000
Air guard contract	1,980,343
Total all funds	\$ 7,829,218
Less budget adjustment	41,192
Less estimated income	5,690,135
Total general fund appropriation	\$ 2,097,891

SECTION 2. APPROPRIATION - TRANSFER. The amount of \$476,000, or so much thereof as is necessary, for the line item entitled "Capital improvements" and included in the estimated income line item in section 1 of this Act is hereby appropriated and shall be transferred to the adjutant general from the sinking fund for the state of North Dakota general obligation bonds, Vietnam conflict

adjusted compensation series for the biennium beginning July 1, 1983, and ending June 30, 1985.

SECTION 3. APPROPRIATION - TRANSFER. The amount of \$1,050,000, or so much thereof as is necessary, included in the estimated income line item in section 1 of this Act is hereby appropriated and shall be transferred to the adjutant general from the sinking fund for the state of North Dakota general obligation bonds, Vietnam conflict adjusted compensation series for the purpose of matching federal funds for the army and air guard service contracts for the biennium beginning July 1, 1983, and ending June 30, 1985.

SECTION 4. APPROPRIATION - TRANSFER. The amount of \$850,000, or so much thereof as is available from all accrued interest of the national guard tuition trust fund, included in the estimated income line item in section 1 of this Act is hereby appropriated and shall be transferred from the accumulated earnings of the national guard tuition trust fund to the adjutant general for the tuition programs provided for in chapters 37-07.1 and 37-07.2 of the North Dakota Century Code and for a work-study program as provided by national guard regulations for the biennium beginning July 1, 1983, and ending June 30, 1985.

SECTION 5. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 6. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget that newly anticipated employees are actually in the employ of the state.

Approved April 28, 1983

CHAPTER 65

SENATE BILL NO. 2024
(Committee on Appropriations)

DISASTER EMERGENCY SERVICES

AN ACT making an appropriation for defraying the expenses of the division of disaster emergency services of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the division of disaster emergency services under the supervision of the adjutant general of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 936,476
Operating expenses	458,120
Data processing	1,200
Equipment	<u>31,876</u>
Total all funds	\$1,427,672
Less budget adjustment	28,554
Less estimated income	<u>1,057,387</u>
Total general fund appropriation	\$ 341,731

SECTION 2. APPROPRIATIONS. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget that newly anticipated employees are actually in the employ of the state.

SECTION 3. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 4. INTENT. It is the intent of the legislative assembly that additional federal funds as may become available may be accepted and expended by disaster emergency services upon authorization of the emergency commission.

Approved April 28, 1983

CHAPTER 66

SENATE BILL NO. 2025
(Committee on Appropriations)

CIVIL AIR PATROL

AN ACT making an appropriation for defraying the expenses of the civil air patrol of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the civil air patrol of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 25,075
Operating expenses	74,570
Equipment	5,040
Total	\$ 104,685
Less budget adjustment	2,094
Total general fund appropriation	\$ 102,591

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 67

SENATE BILL NO. 2027
(Committee on Appropriations)

STATE HISTORICAL BOARD AND INTERNATIONAL PEACE GARDEN

AN ACT making an appropriation for defraying the expenses of the state historical board and international peace garden of the state of North Dakota; and to declare an emergency.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state historical board and the international peace garden of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Subdivision 1.

STATE HISTORICAL BOARD

Salaries and wages	\$ 2,103,375
Operating expenses	796,407
Data processing	36,402
Equipment	127,202
Capital improvements	150,301
Grants, benefits, and claims	400,000
Total	<u>\$ 3,613,687</u>
Less budget adjustment	61,268
Less estimated income	400,000
Total general fund appropriation	<u>\$ 3,152,419</u>

Subdivision 2.

INTERNATIONAL PEACE GARDEN

Capital improvements	\$ 157,000
Grants, benefits, and claims	342,000
Total general fund appropriation	<u>\$ 499,000</u>
Grand total general fund appropriation S.B. 2027	\$ 3,651,419
Grand total special fund appropriation S.B. 2027	<u>\$ 400,000</u>
Grand total all funds appropriated S.B. 2027	<u>\$ 4,051,419</u>

SECTION 2. APPROPRIATION. There is hereby appropriated, upon the approval of the emergency commission, from special funds derived from federal funds and other income, such moneys as become available during the biennium beginning July 1, 1983, and ending June 30, 1985, to the state historical board of the state of North Dakota, for the purpose of continuing the positions of architectural historian and historical assistant within the archaeology and historic preservation division, and the position of volunteer program coordinator within the administration division.

SECTION 3. APPROPRIATION. The superintendent of the North Dakota state historical board shall be authorized to offer up to \$50,000 of the operating expenses line item appropriated in subdivision 1 of section 1 of this Act to the North Dakota humanities council, inc., in expectation of return of the appropriation and match from the national endowment for the humanities. Any such funds that may be received by the superintendent are hereby appropriated to the state historical board for the development of the exhibits at the heritage center.

SECTION 4. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 5. EMERGENCY. The capital improvement funds in the amount of \$157,000 as appropriated in subdivision 2 of section 1 of this Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval.

Approved April 28, 1983

CHAPTER 68

SENATE BILL NO. 2029
(Committee on Appropriations)

SOIL CONSERVATION COMMITTEE AND DISTRICTS

AN ACT making an appropriation for defraying the expenses of the soil conservation committee and soil conservation districts of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the soil conservation committee and districts of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 412,528
Operating expenses	295,350
Data processing	200
Equipment	750
Grants, benefits, and claims	430,000
Total	\$1,138,828
Less budget adjustment	14,177
Total general fund appropriation	\$1,124,651

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the court or courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 69

SENATE BILL NO. 2030
(Committee on Appropriations)

GEOLOGICAL SURVEY

AN ACT making an appropriation for defraying the expenses of the geological survey of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the lands and minerals trust fund in the state treasury as provided for in section 15-08.1-08 of the North Dakota Century Code, not otherwise appropriated, to the geological survey under the supervision of the board of higher education of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 1,411,938
Operating expenses	285,633
Equipment	<u>137,417</u>
Total	\$ 1,834,988
Less budget adjustment	<u>36,700</u>
Total appropriation from lands and minerals trust fund	\$ 1,798,288

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 70

SENATE BILL NO. 2031
(Committee on Appropriations)

STATE WATER COMMISSION

AN ACT making an appropriation for defraying the expenses of the water commission of the state of North Dakota; and providing for a transfer from the resources trust fund.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state water commission of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 3,882,441
Operating expenses	974,710
Data processing	180,750
Equipment	111,260
Contracts	2,316,000
Total	\$ 7,465,161
Less budget adjustment	102,983
Less estimated income	1,409,982
Total general fund appropriation	\$ 5,952,196

SECTION 2. APPROPRIATION - TRANSFER. The amount appropriated in section 1 of this Act to the state water commission for the line item entitled "Contracts" includes \$1,000,000 which shall be transferred to the state water commission operating fund from the resources trust fund created by subsection 2 of section 57-51.1-07 of the 1981 Supplement to the North Dakota Century Code.

SECTION 3. LEGISLATIVE INTENT FOR CONTRACT FUND. It is the intent of the legislative assembly that the state water commission shall give water retention projects in the Red River watershed high

priority in the allocation of funds from the contract fund, in accordance with the policies of the state water commission.

SECTION 4. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 71

SENATE BILL NO. 2032
(Committee on Appropriations)

SOUTHWEST WATER PIPELINE PROJECT

AN ACT making an appropriation for defraying the expenses of the southwest water pipeline project of the state of North Dakota; and providing for residential preferences.

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

SECTION 1. APPROPRIATION. There is hereby appropriated out of any moneys in the resources trust fund in the state treasury, not otherwise appropriated, the sum of \$6,000,000, or so much thereof as may be necessary, to the state water commission for purposes of the southwest water pipeline for the biennium beginning July 1, 1983, and ending June 30, 1985. These funds are appropriated to contract for final designs, plans, and specifications, to acquire necessary rights of way and other necessary easements and fee title for the southwest pipeline project, to apply for and obtain necessary regulatory permits for the southwest pipeline project, and to do such other things as may be necessary to prepare for and leading up to construction of the southwest pipeline project, as authorized by the forty-eighth legislative assembly.

SECTION 2. INTENT. The state water commission may use all or any part of the moneys herein appropriated to match any federal funds available for such purposes.

SECTION 3. ENGINEERING - ARCHITECTURE. The state shall select engineering expertise from private engineering or architectural firms on the basis of qualifications and so that at least forty percent of the fees expended for the developing of the final design, plans and specifications, and appurtenant work are paid to qualified engineering or architectural firms that have maintained their permanent office or main office in this state for at least two continuous years.

SECTION 4. PREFERENCE REQUIRED FOR RESIDENTS. A resident is entitled to preference over a nonresident for the award of any contracts under this Act to the extent the nonresident's home jurisdiction grants a preference to bidders who are residents of that jurisdiction over bidders who are not residents of that jurisdiction. If a nonresident bidder can be considered a resident of more than one jurisdiction, the home jurisdiction to be used for comparison is the one that gives its residents the most preference.

Approved April 13, 1983

CHAPTER 72

SENATE BILL NO. 2033
 (Committee on Appropriations)

PARKS AND RECREATION DEPARTMENT

AN ACT making an appropriation for defraying the expenses of the parks and recreation department of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the parks and recreation department of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 2,386,543
Operating expenses	1,449,755
Data processing	44,152
Equipment	431,005
Capital improvements	626,800
Grants, benefits, and claims	<u>2,565,027</u>
Total all funds	\$ 7,503,282
Less budget adjustment	86,229
Less estimated income	<u>2,608,780</u>
Total general fund transfer and appropriation	\$ 4,808,273

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 3. CAPITAL IMPROVEMENTS AND GRANTS, BENEFITS, AND CLAIMS. It is intended that the appropriation for capital improvements in section 1 of this Act be expended at the discretion of the parks and recreation department, except that the purchase of land may be only for land adjoining existing land holdings of the department as of June 30, 1983, and that the appropriation for grants, benefits, and claims in section 1 of this Act be expended at the discretion of the parks and recreation department and the state outdoor recreation interagency council.

Approved April 28, 1983

CHAPTER 73

SENATE BILL NO. 2034
(Committee on Appropriations)

BONDING FUND AND THE FIRE AND TORNADO FUND

AN ACT making an appropriation for defraying the expenses of the bonding fund and the fire and tornado fund of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in special funds in the state treasury, not otherwise appropriated, derived from federal funds and other income, to the bonding fund and the fire and tornado fund under the supervision of the commissioner of insurance of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Subdivision 1.		
	BONDING FUND	
Salaries and wages		\$ 36,244
Operating expenses		18,823
Data processing		750
Total		\$ 55,817
Less budget adjustment		1,116
Total appropriation from state bonding fund		\$ 54,701
Subdivision 2.		
	FIRE AND TORNADO FUND	
Salaries and wages		\$ 139,002
Operating expenses		71,451
Data processing		9,500
Equipment		220
Contingency		1,500
Total		\$ 221,673
Less budget adjustment		4,403
Total appropriation from state fire and tornado fund		\$ 217,270
Grand total special funds appropriated S.B. 2034		\$ 271,971

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purpose provided for herein.

Approved April 28, 1983

CHAPTER 74

SENATE BILL NO. 2035
 (Committee on Appropriations)

UNSATISFIED JUDGMENT FUND

AN ACT making an appropriation for defraying the administrative expenses of the unsatisfied judgment fund of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the unsatisfied judgment fund in the state treasury, not otherwise appropriated, to the unsatisfied judgment fund, which is under the supervision of the commissioner of insurance, for the purpose of defraying the administrative expenses of the fund, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 38,089
Operating expenses	7,001
Equipment	550
Total	<u>\$ 45,640</u>
Less budget adjustment	913
Total appropriation from unsatisfied judgment fund	<u>\$ 44,727</u>

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 28, 1983

CHAPTER 75

SENATE BILL NO. 2036
(Committee on Appropriations)

DEINSTITUTIONALIZATION MONITOR

AN ACT making an appropriation to the director of institutions to defray the expenses of the court-ordered monitor assigned to review the state's deinstitutionalization efforts.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the director of institutions for the purpose of defraying the expenses of the court-ordered monitor assigned to review the state's deinstitutionalization efforts, for the period beginning January 1, 1983, and ending June 30, 1985, as follows:

Operating expenses	\$ 157,376
Total general fund appropriation	<u>\$ 157,376</u>

SECTION 2. BILLINGS. All billings for the court-ordered monitor's fees shall be submitted in accordance with policies of the office of management and budget.

Approved April 28, 1983

CHAPTER 76

SENATE BILL NO. 2037
(Committee on Appropriations)

STATE REVENUE SHARING

AN ACT making an appropriation for the distribution of state general fund revenue to local political subdivisions of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the state treasurer of the state of North Dakota for the purpose of distributing general fund revenue to local political subdivisions, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Grants, benefits, and claims	\$ 22,000,000
Total general fund transfer and appropriation	\$ 22,000,000

SECTION 2. DISTRIBUTION. The distribution of revenue sharing funds for the fiscal year ending June 30, 1984, shall not exceed one-half of the total appropriation contained in section 1 of this Act.

Approved April 25, 1983

CHAPTER 77

SENATE BILL NO. 2038
(Committee on Appropriations)

JUDICIAL BRANCH

AN ACT making an appropriation for defraying the expenses of the judicial branch of the government of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income to the judicial branch of government of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Subdivision 1.		
	SUPREME COURT	
Salaries and wages		\$ 2,824,184
Operating expenses		694,286
Data processing		70,000
Equipment		43,700
Judges retirement		<u>166,464</u>
Total all funds		\$ 3,798,634
Less federal funds		<u>20,000</u>
Total general fund appropriation		<u>\$ 3,778,634</u>
Subdivision 2.		
	DISTRICT COURTS	
Salaries and wages		\$ 8,763,385
Operating expenses		3,610,519
Data processing		20,000
Equipment		128,915
Judges retirement		<u>505,634</u>
Total		\$13,028,453
Less budget adjustment		<u>250,000</u>
Total general fund appropriation		<u>\$12,778,453</u>

Subdivision 3.

JUDICIAL QUALIFICATIONS COMMISSION

Salaries and wages	\$ 110,276
Operating expenses	90,450
Equipment	10,800
Total all funds	<u>\$ 211,526</u>
Less other funds	<u>75,000</u>
Total general fund appropriation	\$ 136,526
Grand total general fund appropriation S.B. 2038	\$16,693,613
Grand total special funds appropriation S.B. 2038	\$ 95,000
Grand total all funds appropriated S.B. 2038	\$16,788,613

SECTION 2. TRANSFERS. The director of the office of management and budget and the state treasurer shall make such transfers of funds between line items of appropriation for the judicial branch of government as may be requested by the supreme court upon a finding by the court that the nature of the duties of the court and its staff require such transfers to properly carry on the functions of the judicial branch of government.

Approved April 28, 1983

CHAPTER 78

SENATE BILL NO. 2039
(Committee on Appropriations)

ENERGY DEVELOPMENT IMPACT OFFICE

AN ACT making an appropriation for defraying the expenses of the energy development impact office of the state of North Dakota; and to amend and reenact subsection 1 of section 57-62-02 of the North Dakota Century Code, relating to allocation of moneys in the coal development fund.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the coal development impact fund, the lands and minerals trust fund, and the general fund in the state treasury, not otherwise appropriated, to the energy development impact office of the state of North Dakota, for the purpose of defraying the expense of that office, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 217,118
Operating expenses	53,500
Data processing	3,000
Equipment	2,530
Grants, benefits, and claims	<u>19,874,395</u>
Total	\$ 20,150,543
Less budget adjustment	4,342
Less estimated income	<u>20,010,298</u>
Total general fund appropriation	\$ 135,903

SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 3. GRANTS, BENEFITS, AND CLAIMS. Section 54-44.1-11 of the North Dakota Century Code shall not apply to

appropriations made for grants, benefits, and claims in section 1 of this Act nor to the grants, benefits, and claims line item in chapter 37 of the 1981 Session Laws.

SECTION 4. APPROPRIATION - TRANSFER. There is hereby transferred to the energy development impact office the sum of \$20,010,298; \$15,010,298 from the coal development impact fund and \$5,000,000 from the lands and minerals trust fund, or so much thereof as may be necessary, for the purpose of defraying the expenses of the energy development impact office. The transfers from such funds shall be made only at such times that funds are needed for disbursement by the energy development impact office.

SECTION 5. AMENDMENT. Subsection 1 of section 57-62-02 of the 1981 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. Thirty-five percent shall be credited to a special fund in the state treasury for distribution through grants by the energy development impact office to coal impacted cities, counties, school districts, and other taxing districts, subject to appropriation by the legislative assembly. During the 1983-85 biennium, the first one million five hundred thousand dollars in excess of fourteen million dollars allocated under this subsection shall be credited to the state general fund.

SECTION 6. LEGISLATIVE INTENT. It is the intent of the legislative assembly that the forty-ninth legislative assembly return during the 1985-87 biennium to the special fund for coal impact grants the one million five hundred thousand dollars transferred to the general fund in section 5 of this bill.

Approved April 28, 1983

CHAPTER 79

SENATE BILL NO. 2040
(Committee on Appropriations)

GAME AND FISH DEPARTMENT

AN ACT making an appropriation for defraying the expenses of the game and fish department of the state of North Dakota; and declaring an emergency.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the game and fish fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income to the game and fish department of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 5,420,707
Operating expenses	2,855,812
Data processing	332,377
Equipment	710,337
Capital improvements	2,027,780
Grants, benefits, and claims	478,000
Noxious weed control	99,000
In lieu of taxes	350,000
Total	\$ 12,274,013
Less budget adjustment	186,385
Total appropriation from game and fish fund	\$ 12,087,628

SECTION 2. HABITAT RESTORATION - APPROPRIATION. There is hereby appropriated the sum of \$500,000, or such lesser amounts as may be available from the habitat restoration fund from the collection of the habitat restoration stamp fee, to the game and fish department to lease privately owned lands for wildlife habitat to reestablish wildlife population for the biennium beginning July 1, 1983, and ending June 30, 1985. These funds shall be spent only for purposes and utilizing guidelines as outlined in section 20.1-03-12.1 of the North Dakota Century Code.

SECTION 3. PRIVATE HABITAT AND DEER DEPREDATION - APPROPRIATION. There is hereby appropriated the sum of \$1,000,000 or such lesser amount available from the private land habitat improvement fund, to the game and fish department, to improve wildlife habitat on private land and to alleviate depredation as provided in section 20.1-02-05 of the North Dakota Century Code for the biennium beginning July 1, 1983, and ending June 30, 1985.

Total all funds appropriated S.B. 2040 \$ 13,587,628

SECTION 4. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 5. EMERGENCY. The line item entitled "Capital improvements" in section 1 of this Act is hereby declared an emergency measure and shall be in full force and effect upon its passage and approval.

Approved April 28, 1983

CHAPTER 80

SENATE BILL NO. 2162
(Committee on Appropriations)
(At the request of the Workmen's Compensation Bureau)

CIVIL AIR PATROL

AN ACT making an appropriation to defray expenses for claim payments to civil air patrol members.

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

SECTION 1. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$115,201.28, or so much thereof as may be necessary, to the workmen's compensation bureau for the purpose of reimbursing costs of claim payments in excess of premiums paid for civil air patrol members in accordance with North Dakota Century Code section 65-06.1-04 for the period beginning May 31, 1981, and ending June 30, 1985.

Approved March 17, 1983

CHAPTER 81

SENATE BILL NO. 2225
(Senators Nething, Nelson)
(Representatives Strinden, Knudson)

LANDS AND MINERALS TRUST DISTRIBUTION

AN ACT making a transfer from the lands and minerals trust for distribution to school districts and providing limitations; and declaring an emergency.

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

SECTION 1. TRANSFER FROM LANDS AND MINERALS TRUST. There is hereby transferred out of any moneys in the lands and minerals trust not otherwise transferred or appropriated, the sum of \$25,000,000, or so much thereof as may be necessary, to the superintendent of public instruction for distribution to school districts through the state school aid program for the remainder of the 1981-83 biennium.

SECTION 2. DISTRIBUTION OF FUNDS TRANSFERRED.

1. If the effective date of this Act is on or before February 1, 1983, the funds transferred pursuant to section 1 of this Act shall be distributed as follows:
 - a. The funds shall be distributed with the March 1, 1983, foundation program payments by the superintendent of public instruction pursuant to section 15-40.1-11.
 - b. Any funds remaining after the distribution pursuant to subdivision a shall be distributed with the final foundation program payment for the 1982-83 school year by the superintendent of public instruction pursuant to section 15-40.1-11.
 - c. Any funds remaining after the distributions pursuant to subdivisions a and b shall be redeposited in the lands and minerals trust.
2. If the effective date of this Act is after February 1, 1983, the funds transferred pursuant to section 1 of this Act shall be distributed with the final

foundation program payment for the 1982-83 school year by the superintendent of public instruction pursuant to section 15-40.1-11. Any funds transferred pursuant to section 1 of this Act remaining after the distribution pursuant to this subsection shall be redeposited in the lands and minerals trust.

SECTION 3. LIMITATION ON DISTRIBUTION. No school district may receive more funds for the 1981-83 biennium than the amount the school district would have received if all the funds appropriated by the forty-seventh legislative assembly had been available for distribution by the superintendent of public instruction.

SECTION 4. EMERGENCY. This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved January 21, 1983