

Fifty-ninth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1177

Introduced by

Representatives N. Johnson, Ekstrom

Senator Wardner

1 A BILL for an Act to amend and reenact sections 54-44.1-11 and 55-02-09 of the North Dakota
2 Century Code, relating to the use of unexpended appropriations for the state historical society;
3 and to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 54-44.1-11 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **54-44.1-11. (Effective through June 30, 2005) Office of management and budget to**
8 **cancel unexpended appropriations - When they may continue.** Except as otherwise
9 provided by law, the office of management and budget, thirty days after the close of each
10 biennial period, shall cancel all unexpended appropriations or balances of appropriations after
11 the expiration of the biennial period during which they became available under the law.
12 Unexpended appropriations for the North Dakota university system are not subject to this
13 section and the North Dakota university system shall report on the amounts and uses of funds
14 carried over from one biennium to the next to subsequent appropriations committees of the
15 legislative assembly. Unexpended appropriations for the state historical society are not subject
16 to this section and the state historical society shall report on the amounts and uses of funds
17 carried over from one biennium to the appropriations committees of the next subsequent
18 legislative assembly. The chairmen of the appropriations committees of the senate and house
19 of representatives of the legislative assembly with the office of the budget may continue
20 appropriations or balances in force for not more than two years after the expiration of the
21 biennial period during which they became available upon recommendation of the director of the
22 budget for:

- 23 1. New construction projects.
24 2. Major repair or improvement projects.

3. Purchases of new equipment costing more than ten thousand dollars per unit if it was ordered during the first twelve months of the biennium in which the funds were appropriated.

4. The purchase of land by the state on a "contract for deed" purchase if the total purchase price is within the authorized appropriation.

(Effective after June 30, 2005) Office of management and budget to cancel

unexpended appropriations - When they may continue. The office of management and budget, thirty days after the close of each biennial period, shall cancel all unexpended appropriations or balances of appropriations after the expiration of the biennial period during which they became available under the law. Unexpended appropriations for the state historical society are not subject to this section and the state historical society shall report on the amounts and uses of funds carried over from one biennium to the appropriations committees of the next subsequent legislative assembly. The chairmen of the appropriations committees of the senate and house of representatives of the legislative assembly with the office of the budget may continue appropriations or balances in force for not more than two years after the expiration of the biennial period during which they became available upon recommendation of the director of the budget for:

1. New construction projects.

2. Major repair or improvement projects.

3. Purchases of new equipment costing more than ten thousand dollars per unit if it was ordered during the first twelve months of the biennium in which the funds were appropriated.

4. The purchase of land by the state on a "contract for deed" purchase if the total purchase price is within the authorized appropriation.

SECTION 2. AMENDMENT. Section 55-02-09 of the North Dakota Century Code is amended and reenacted as follows:

55-02-09. Historical impact emergency fund - Administration by director of state historical society - Emergency commission authorization. The director of the state historical society shall administer the historical impact emergency fund for the purpose of emergency mitigation of adverse effects on cultural resources and historical buildings, structures, or objects in the state. The director may use the moneys in the historical impact

1 emergency fund only after the emergency commission has authorized the proposed use and
2 expenditure. The historical impact emergency fund may receive moneys from unexpended
3 appropriations for the state historical society, by legislative appropriation, and by gift, grant,
4 devise, or bequest of any money or property to the fund. The fund is not subject to section
5 54-44.1-11 and all income and moneys derived from the investment of the fund must be
6 credited to the fund.

7 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.