

Fifty-ninth
Legislative Assembly
of North Dakota

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

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

6 **54-44.1-11. (Effective through June 30, 2005) Office of management and budget**
7 **to cancel unexpended appropriations - When they may continue.** Except as otherwise
8 provided by law, the office of management and budget, thirty days after the close of each
9 biennial period, shall cancel all unexpended appropriations or balances of appropriations after
10 the expiration of the biennial period during which they became available under the law.
11 Unexpended appropriations for the North Dakota university system are not subject to this
12 section and the North Dakota university system shall report on the amounts and uses of funds
13 carried over from one biennium to the next to subsequent appropriations committees of the
14 legislative assembly. The chairmen of the appropriations committees of the senate and house
15 of representatives of the legislative assembly with the office of the budget may continue
16 appropriations or balances in force for not more than two years after the expiration of the
17 biennial period during which they became available upon recommendation of the director of the
18 budget for:

- 19 1. New construction projects.
- 20 2. Major repair or improvement projects.
- 21 3. Purchases of new equipment costing more than ten thousand dollars per unit if it
22 was ordered during the first twelve months of the biennium in which the funds were
23 appropriated.

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

3 **(Effective after June 30, 2005) Office of management and budget to cancel**
4 **unexpended appropriations - When they may continue.** The office of management and
5 budget, thirty days after the close of each biennial period, shall cancel all unexpended
6 appropriations or balances of appropriations after the expiration of the biennial period during
7 which they became available under the law. Unexpended appropriations for the state historical
8 society are not subject to this section and the state historical society shall report on the
9 amounts and uses of funds carried over from one biennium to the appropriations committees of
10 the next subsequent legislative assembly. The chairmen of the appropriations committees of
11 the senate and house of representatives of the legislative assembly with the office of the
12 budget may continue appropriations or balances in force for not more than two years after the
13 expiration of the biennial period during which they became available upon recommendation of
14 the director of the budget for:

- 15 1. New construction projects.
- 16 2. Major repair or improvement projects.
- 17 3. Purchases of new equipment costing more than ten thousand dollars per unit if it
18 was ordered during the first twelve months of the biennium in which the funds were
19 appropriated.
- 20 4. The purchase of land by the state on a "contract for deed" purchase if the total
21 purchase price is within the authorized appropriation.

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

24 **55-02-09. Historical impact emergency fund - Administration by director of state**
25 **historical society - Emergency commission authorization.** The director of the state
26 historical society shall administer the historical impact emergency fund for the purpose of
27 emergency mitigation of adverse effects on cultural resources and historical buildings,
28 structures, or objects in the state. The director may use the moneys in the historical impact
29 emergency fund only after the emergency commission has authorized the proposed use and
30 expenditure. The historical impact emergency fund may receive moneys from unexpended
31 appropriations for the state historical society, by legislative appropriation, and by gift, grant,

Fifty-ninth
Legislative Assembly

1 devise, or bequest of any money or property to the fund. The historical impact emergency fund
2 may not receive moneys from the state historical society's unexpended appropriations when the
3 fund balance is greater than two hundred fifty thousand dollars. When the historical impact
4 emergency fund balance is greater than two hundred fifty thousand dollars, any unexpended
5 appropriations for the state historical society are canceled. The fund is not subject to section
6 54-44.1-11 and all income and moneys derived from the investment of the fund must be
7 credited to the fund.