

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2121

Introduced by

Appropriations Committee

(At the request of the Department of Transportation)

1 A BILL for an Act to amend and reenact section 54-44.1-11 of the North Dakota Century Code,
2 relating to unexpended appropriations for roadway maintenance operations; and to declare an
3 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**
8 **to 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. The chairmen of the appropriations committees of the senate and house
16 of representatives of the legislative assembly with the office of the budget may continue
17 appropriations or balances in force for not more than two years after the expiration of the
18 biennial period during which they became available upon recommendation of the director of the
19 budget for:

- 20 1. New construction projects.
- 21 2. Major repair or improvement projects.
- 22 3. Purchases of new equipment costing more than ten thousand dollars per unit if it
23 was ordered during the first twelve months of the biennium in which the funds were
24 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 5. Purchases by the department of transportation of roadway maintenance equipment
4 costing more than ten thousand dollars per unit if the equipment was ordered
5 during the first twenty-one months of the biennium in which the funds were
6 appropriated.

7 **(Effective after June 30, 2005) Office of management and budget to cancel**
8 **unexpended appropriations - When they may continue.** The office of management and
9 budget, thirty days after the close of each biennial period, shall cancel all unexpended
10 appropriations or balances of appropriations after the expiration of the biennial period during
11 which they became available under the law. The chairmen of the appropriations committees of
12 the senate and house of representatives of the legislative assembly with the office of the
13 budget may continue appropriations or balances in force for not more than two years after the
14 expiration of the biennial period during which they became available upon recommendation of
15 the director of the budget for:

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

27 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.