

**SENATE BILL NO. 2090  
with Conference Committee Amendments**

Sixtieth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2090**

Introduced by

Government and Veterans Affairs Committee

(At the request of the Office of Management and Budget)

1 A BILL for an Act to create and enact a new subsection to section 23-12-10 of the North Dakota  
2 Century Code, relating to an outdoor smoking policy for certain areas on the state capitol  
3 grounds; and to amend and reenact section 48-10-02 of the North Dakota Century Code,  
4 relating to use of and expenditures from the capitol building fund.

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

6 **SECTION 1.** A new subsection to section 23-12-10 of the North Dakota Century Code  
7 is created and enacted as follows:

8 Before October 1, 2007, the office of management and budget shall develop and  
9 implement a uniform policy regarding smoking restrictions with respect to the  
10 outdoor areas near the public entrances of all buildings on the state capitol  
11 grounds.

12 **SECTION 2. AMENDMENT.** Section 48-10-02 of the North Dakota Century Code is  
13 amended and reenacted as follows:

14 **48-10-02. Capitol building fund to be administered by the capitol grounds**  
15 **planning commission - Continuing appropriation - Procedure for expenditure of certain**  
16 **funds.** The capitol grounds planning commission shall have general powers to superintend the  
17 administration of the capitol building fund, its interest and income fund, and its investments and  
18 properties. It may cause any lands now held in such funds to be sold at market value, direct  
19 the conversion of any securities now held by such funds to cash, approve expenditures from  
20 such funds subject to law and legislative appropriations, and to do all other things necessary to  
21 carry out the intent and purposes of this section. The board of university and school lands or its  
22 designee, on the commission's behalf, shall see to the investment and management of the  
23 capitol building fund and its interest and income fund and shall account to the commission  
24 concerning these funds at the commission's request.

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1            Provided further, all moneys and other property in the capitol building fund, except as  
2 otherwise appropriated, are hereby dedicated and reserved to the exclusive purpose of the  
3 construction of an addition to the legislative wing of the state capitol building, and the capitol  
4 grounds planning commission shall take necessary steps to accumulate and conserve the  
5 money and property in the capitol building fund for such purpose.

6            The commission may, during any biennium, expend from the interest and income fund  
7 of the capitol building fund a sum not to exceed fifty percent of the unencumbered balance on  
8 the first day of any biennium, and such amount is hereby appropriated to the capitol grounds  
9 planning commission. The expenditure may be made, after consideration of the capitol  
10 grounds master plan, for projects or planning but shall not exceed ~~fifty~~ one hundred thousand  
11 dollars per biennium. The expenditure may only be made upon approval by two-thirds of the  
12 total membership of the commission. The expenditure must be made upon a voucher, or  
13 vouchers, prepared by the office of management and budget at the direction of the commission.