

APPROPRIATIONS

CHAPTER 1

HOUSE BILL NO. 1001
(Committee on Appropriations)

ELECTED STATE OFFICIALS

AN ACT making an appropriation for defraying expenses of various departments 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 sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund and from special funds derived from federal funds and/or other income in the state treasury to the various departments and various divisions thereof of the state of North Dakota for the biennium beginning July 1, 1977, and ending June 30, 1979, for defraying expenses of the various divisions thereof of the state of North Dakota for purposes provided by law.

Subdivision 1.

GOVERNOR'S OFFICE

| | |
|----------------------------------|------------------|
| Salaries and wages | \$355,412 |
| Fees and services | 58,993 |
| Supplies and materials | 17,568 |
| Equipment | 5,475 |
| Lieutenant governor contingency | 10,000 |
| Governor's contingent | 5,000 |
| Total general fund appropriation | <u>\$452,448</u> |

Subdivision 2.

OFFICE OF ENERGY MANAGEMENT

| | |
|----------------------------------|---------------|
| Salaries and wages | \$ 29,612 |
| Fees and services | 5,000 |
| Supplies and materials | 2,000 |
| Total general fund appropriation | <u>36,612</u> |

Subdivision 3.

LIEUTENANT GOVERNOR

| | |
|----------------------------------|------------------|
| Salaries and wages | \$ 31,435 |
| Fees and services | 7,500 |
| Supplies and materials | 450 |
| Equipment | 1,000 |
| Total general fund appropriation | <u>\$ 40,385</u> |

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| Subdivision 4. | | |
| | SECRETARY OF STATE | |
| Salaries and wages | | \$ 400,000 |
| Fees and services | | 40,800 |
| Supplies and materials | | 20,000 |
| Equipment | | 6,600 |
| Petition review | | 5,000 |
| Microfilming | | 7,000 |
| Total general fund appropriation | | \$ 479,400 |

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| Subdivision 5. | | |
| | SECRETARY OF STATE - PUBLIC PRINTING | |
| Fees and services | | \$ 7,000 |
| Supplies and materials | | 200,000 |
| Total general fund appropriation | | \$ 207,000 |

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| Subdivision 6. | | |
| | SECRETARY OF STATE - CENTRAL MICROFILM UNIT | |
| Salaries and wages | | \$ 87,799 |
| Fees and services | | 12,500 |
| Supplies and materials | | 25,000 |
| Equipment | | 10,000 |
| Total all funds | | \$ 135,299 |
| Less estimated income - central microfilm unit special fund | | 48,000 |
| Total general fund transfer and appropriation | | \$ 87,299 |

| | | |
|----------------------------------|---------------------|------------|
| *Subdivision 7. | | |
| | ELECTION SUPERVISOR | |
| Salaries and wages | | \$ 70,000 |
| Fees and services | | 37,500 |
| Supplies and materials | | 50,000 |
| Equipment | | 5,000 |
| Total general fund appropriation | | \$ 162,500 |

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|----------------------------------|---------------|-------------|
| Subdivision 8. | | |
| | STATE AUDITOR | |
| Salaries and wages | | \$1,435,176 |
| Fees and services | | 191,629 |
| Data processing | | 8,000 |
| Supplies and materials | | 21,286 |
| Equipment | | 6,820 |
| Total general fund appropriation | | \$1,662,911 |

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|----------------------------------|-----------------|------------|
| Subdivision 9. | | |
| | STATE TREASURER | |
| Salaries and wages | | \$ 282,535 |
| Fees and services | | 26,432 |
| Supplies and materials | | 7,974 |
| Equipment | | 2,224 |
| Data processing | | 21,548 |
| Microfilming | | 7,546 |
| Total general fund appropriation | | \$ 348,259 |

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| Subdivision 10. | | |
| | ATTORNEY GENERAL | |

*NOTE: Subdivision 7 of section 1 was vetoed by the Governor. See chapter 581.

| | |
|----------------------------------|--------------------|
| Salaries and wages | \$1,526,461 |
| Fees and services | 308,949 |
| Supplies and materials | 81,161 |
| Equipment | 72,286 |
| Litigation fees | 50,000 |
| Total general fund appropriation | <u>\$2,038,857</u> |

Subdivision 11.

STATE TAX COMMISSIONER

| | |
|---------------------------------------|--------------------|
| Salaries and wages | \$3,327,134 |
| Fees and services | 590,420 |
| Postage contingency | 25,000 |
| Supplies and materials | 187,764 |
| Equipment | 34,450 |
| Data processing | 700,959 |
| Multistate commission | 48,900 |
| Homestead tax credit - administration | 12,000 |
| Microfilming | 3,000 |
| Total general fund appropriation | <u>\$4,929,627</u> |

Subdivision 12.

DEPARTMENT OF PUBLIC INSTRUCTION

| | |
|---|--------------------|
| Salaries and wages | \$2,943,475 |
| Fees and services | 1,039,229 |
| Supplies and materials | 284,342 |
| Equipment | 60,919 |
| Data processing | 167,318 |
| Microfilming | 3,700 |
| Total all funds | <u>\$4,498,983</u> |
| Less estimated income and federal funds | 3,151,536 |
| Total general fund transfer and appropriation | <u>\$1,347,447</u> |

Subdivision 13.

PUBLIC INSTRUCTION

DIRECTOR OF SURPLUS PROPERTY

| | |
|--|-------------------|
| Salaries and wages | \$ 164,700 |
| Fees and services | 147,300 |
| Data processing | 11,600 |
| Supplies and materials | 9,000 |
| Equipment | 9,500 |
| Contingent fund | 50,000 |
| Total from surplus property special fund | <u>\$ 392,100</u> |

Subdivision 14.

COMMISSIONER OF INSURANCE

| | |
|----------------------------------|-------------------|
| Salaries and wages | \$ 548,498 |
| Fees and services | 48,758 |
| Supplies and materials | 16,200 |
| Equipment | 3,000 |
| Data processing | 26,060 |
| Total general fund appropriation | <u>\$ 642,516</u> |

Subdivision 15.

COMMISSIONER OF LABOR

| | |
|---|------------|
| Salaries and wages | \$ 190,955 |
| Salaries and wages for 1975-77 biennium (The salary of commissioner shall not exceed \$22,500 per year retroactive to January 1, 1977) | 5,527 |
| Fees and services | 70,672 |
| Supplies and materials | 9,000 |
| Equipment | 1,150 |
| Total general fund appropriation | \$ 277,304 |

Subdivision 16.

PUBLIC SERVICE COMMISSION

| | |
|----------------------------------|-------------|
| Salaries and wages | \$1,772,045 |
| Fees and services | 761,836 |
| Supplies and materials | 122,948 |
| Equipment | 61,005 |
| Data processing | 60,522 |
| Microfilming | 5,000 |
| Refunds | 50,000 |
| Total general fund appropriation | \$2,833,356 |

Subdivision 17.

PUBLIC SERVICE COMMISSION
UTILITY VALUATION

| | |
|----------------------------------|-----------|
| Fees and services | \$ 30,000 |
| Total general fund appropriation | \$ 30,000 |

Subdivision 18.

COMMISSIONER OF AGRICULTURE

| | |
|---|------------|
| Salaries and wages | \$ 702,811 |
| Fees and services | 237,819 |
| Supplies and materials | 44,960 |
| Equipment | 13,714 |
| Total all funds | \$ 999,304 |
| Less federal funds | 68,847 |
| Total general fund transfer and appropriation | \$ 930,457 |

Subdivision 19.

STATE OFFICERS' EXPENSE PAYMENTS

In order to properly discharge their official duties the following elected officials shall be paid the sum set forth opposite their respective titles for each of the calendar years of 1977 and 1978. The sums are for expenses and moneys expended in the discharge of official duty, and are to be paid quarterly by the department of accounts and purchases without filing of any itemized voucher or statement. The expense payments provided by this Act shall be retroactive to January 1, 1977.

| | EXPENSE PAYMENT 1977 | EXPENSE PAYMENT 1978 |
|-----------------------------|----------------------------|----------------------------|
| <u>OFFICIAL</u> Governor | \$14,500 | \$14,500 |

| OFFICIAL | EXPENSE PAYMENT 1977 | EXPENSE PAYMENT 1978 |
|---|----------------------------|----------------------------|
| Lieutenant governor | \$ 1,900 | \$ 1,900 |
| Secretary of state | 6,000 | 6,000 |
| Attorney general | 8,500 | 8,500 |
| Superintendent of public instruction | 7,000 | 7,000 |
| Tax commissioner | 7,000 | 7,000 |
| Commissioner of insurance | 6,000 | 6,000 |
| Public service commissioners | 41,000 | 41,000 |
| Commissioner of agriculture | 6,000 | 6,000 |
| State auditor | 6,000 | 6,000 |
| State treasurer | 6,000 | 6,000 |
| Commissioner of labor | 6,000 | 6,000 |
| Total general fund appropriation for biennium for state officers' expense payments | | \$231,800 |

Such sums are for expenses and moneys expended while engaged in the discharge of official duty, and are to be paid quarterly by the department of accounts and purchases without the filing of any itemized voucher or statement. The expense payments provided by this Act shall be retroactive to January 1, 1977.

SECTION 2. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$231,800.00, or so much thereof as may be necessary, to carry out the provisions of subdivision 19 of this Act.

SECTION 3. 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.

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|--|--------------|
| Grand total general fund appropriation | \$16,738,178 |
| Grand total special funds appropriated | \$ 3,660,483 |
| Grand total all funds H.B. 1001 | \$20,398,661 |

SECTION 4. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

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 or cause any specific appropriation for any item or set of items 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.

SECTION 6. APPROPRIATION.) There is hereby appropriated to the governor's office any moneys received from federal sources for the purpose of continuation of the operations of the office of energy management within the governor's office during the biennium beginning July 1, 1977, and ending June 30, 1979.

SECTION 7. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the state auditor, pursuant to the requirements of sections 54-10-13 and 54-10-14, shall charge an amount for the audit which will result in the state recovering a portion of all costs incurred, including supervisory, secretarial, clerical, and other office maintenance costs.

Approved April 22, 1977

CHAPTER 2

HOUSE BILL NO. 1002
(Committee on Appropriations)

DIRECTOR OF ACCOUNTS AND PURCHASES

AN ACT making an appropriation for defraying the expenses of various divisions thereof of the state of North Dakota and which are under the supervision of the director of accounts and purchases.

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

SECTION 1. APPROPRIATION.) The sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund and from special funds derived from federal funds and/or other income in the state treasury to the various departments and various divisions thereof of the state of North Dakota for the biennium beginning July 1, 1977, and ending June 30, 1979, for defraying expenses of the various departments and various divisions thereof of the state of North Dakota for purposes provided by law.

Subdivision 1.

DEPARTMENT OF ACCOUNTS AND PURCHASES

| | |
|----------------------------------|--------------------|
| Salaries and wages | \$ 849,955 |
| Fees and services | 33,500 |
| Supplies and materials | 29,650 |
| Equipment | 6,900 |
| Data processing | 291,366 |
| Microfilming | 3,000 |
| Escaped prisoner contingent | 20,000 |
| Total general fund appropriation | <u>\$1,234,371</u> |

Subdivision 2.

CENTRAL DATA PROCESSING

| | |
|---|--------------------|
| Salaries and wages | \$2,104,272 |
| Fees and services | 2,522,896 |
| Supplies and materials | 310,590 |
| Equipment | 12,900 |
| * REAP | 1,057,505 |
| Contingent fund | 125,000 |
| Total all funds | <u>\$6,133,163</u> |
| Less estimated income | 5,075,658 |
| Total general fund transfer and appropriation | <u>\$1,057,505</u> |

*NOTE: The REAP line item in subdivision 2 of section 1 and section 5 were vetoed by the Governor.
See chapter 582.

Subdivision 3.

CENTRAL PERSONNEL OFFICE

| | | |
|---|----|----------------|
| Salaries and wages | \$ | 391,821 |
| Fees and services | | 168,190 |
| Supplies and materials | | 17,500 |
| Equipment | | 2,500 |
| Total all funds | \$ | <u>580,011</u> |
| Less estimated income | | 337,331 |
| Total general fund transfer and appropriation | \$ | <u>242,680</u> |

Subdivision 4.

STATE PLANNING AGENCY

| | | |
|---|----|------------------|
| Salaries and wages | \$ | 335,957 |
| Fees and services | | 165,249 |
| Supplies and materials | | 28,665 |
| Equipment | | 1,650 |
| Grants, benefits, and claims | | 1,600,000 |
| Data processing | | 25,000 |
| Total all funds | \$ | <u>2,156,521</u> |
| Less estimated income | | <u>1,950,111</u> |
| Total general fund transfer and appropriation | \$ | 206,410 |
| Grand total general fund appropriation | \$ | 2,740,966 |
| Grand total special funds appropriated | \$ | 7,363,100 |
| Grand total all funds H.B. 1002 | | \$10,104,066 |

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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.

SECTION 4. LEGISLATIVE INTENT.) It is the intent of the legislature that the department of accounts and purchases review alternate methods of acquiring data processing equipment. In the event such alternate methods prove cost effective to the state of North Dakota, the department of accounts and purchases is hereby authorized to borrow moneys which are hereby appropriated from the Bank of North Dakota not to exceed three million dollars. It is further intended that before the department of accounts and purchases enter into any such agreements with the Bank of North Dakota, the legislative council committee on the budget must give prior approval for any loan or alternate method of acquiring data processing equipment.

* SECTION 5. CENTRAL DATA PROCESSING.) Expenditures pursuant to the appropriation, contained in subdivision 2 of this Act, to central data processing in the line items: "REAP - \$1,057,505"; and "Total general fund transfer and appropriation - \$1,057,505", shall be made only for such data processing services as may be requested by the resources research committee for REAP. Central data processing shall incur costs relating to REAP in amounts greater than such line items only to the extent that REAP pays for such services. A special limited application computer system shall be acquired by central data processing at the request of the resources research committee for use of REAP. The resources research committee shall, prior to making a request for data processing services, review the proposals submitted by various vendors for the REAP computer system, the Arthur Andersen & Co. study of central data processing, the IBM system analysis and plan report for REAP, and any other computer studies that may have been completed for central data processing or REAP during the 1975-1977 biennium which relate to central data processing computer services for REAP. After the resources research committee has reviewed such reports and studies, it shall request data processing services, which may include a special limited application computer system, necessary for REAP to develop its systems prior to the next legislative assembly, and, upon a finding that any additional costs, which might arise because of such request, if such request includes a special limited application computer, are justified either on a basis of long-term projected cost savings or on the value and necessity of REAP services to the forty-sixth legislative assembly. The mainframe of such special limited application computer system shall be leased or purchased at the option of central data processing. That computer system shall be retained by central data processing only until such time as central data processing has other equivalent computer and software applications and other equivalent data processing services which will meet REAP's operational needs without incurring greater total operating costs than REAP would incur by continuing to use the special limited application computer.

*NOTE: The REAP line item in subdivision of section 1 and section 5 were vetoed by the Governor. See chapter 582.

Approved April 22, 1977

CHAPTER 3

HOUSE BILL NO. 1003
(Committee on Appropriations)

JUDICIAL BRANCH

AN ACT making an appropriation for defraying 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 sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund and from special funds derived from federal funds and/or other income in the state treasury to the various departments and various divisions thereof of the state of North Dakota for the biennium beginning July 1, 1977, and ending June 30, 1979, for defraying expenses of the judicial departments of the state of North Dakota for purposes provided by law.

Subdivision 1.

SUPREME COURT

| | |
|---|--------------------|
| Salaries and wages | \$1,558,681 |
| Fees and services | 295,000 |
| Data processing | 32,500 |
| Supplies and materials | 134,000 |
| Equipment | 13,000 |
| Total all funds | <u>\$2,033,181</u> |
| Less estimated income | 160,143 |
| Total general fund transfer and appropriation | <u>\$1,873,038</u> |

Subdivision 2.

JUDGES OF DISTRICT COURT

| | |
|---|--------------------|
| Salaries and wages | \$1,561,728 |
| Judges' retirement | 262,954 |
| Fees and services | 314,300 |
| Total all funds | <u>\$2,138,982</u> |
| Less estimated income | 100,000 |
| Total general fund transfer and appropriation | <u>\$2,038,982</u> |

Subdivision 3.

JUDICIAL QUALIFICATIONS COMMITTEE

| | |
|---|------------------|
| Salaries and wages | \$ 58,854 |
| Fees and services | 38,800 |
| Supplies and materials | 1,000 |
| Equipment | 500 |
| Total all funds | <u>\$ 99,154</u> |
| Less estimated income | 50,195 |
| Total general fund transfer and appropriation | <u>\$ 48,959</u> |

| | |
|--|-------------|
| Grand total general fund appropriation | \$3,960,979 |
| Grand total special funds appropriated | \$ 310,338 |
| Grand total all funds H.B. 1003 | \$4,271,317 |

SECTION 2. TRANSFERS.) The director of accounts and purchases and the state treasurer shall make such transfer of funds between lined 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 in properly carrying on the functions of the judicial branch of government.

SECTION 3. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that space for the operations of the supreme court be included in the state office building proposed in Senate Bill No. 2022 being considered by the forty-fifth legislative assembly.

Approved April 20, 1977

CHAPTER 4

HOUSE BILL NO. 1004
(Committee on Appropriations)

PERSONAL PROPERTY TAX REPLACEMENT AND HOMESTEAD TAX CREDIT

AN ACT to provide an appropriation for the replacement of personal property taxes and homestead tax credit, and the distribution of such moneys.

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 \$24,300,000.00, or so much thereof as may be necessary, for the replacement of personal property taxes, in accordance with the formula for personal property tax replacement payments as provided for in section 57-58-01, during the biennium beginning July 1, 1977, and ending June 30, 1979. During the year ending June 30, 1978, such payment shall not exceed one-half of the total appropriation provided for in this Act.

SECTION 2. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$2,900,000.00, or so much thereof as may be necessary, for the homestead tax credit, during the biennium beginning July 1, 1977, and ending June 30, 1979.

SECTION 3. CONTINGENT.) 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 department of accounts and purchases 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 19, 1977

CHAPTER 5

HOUSE BILL NO. 1005
(Committee on Appropriations)

BOARD OF HIGHER EDUCATION

AN ACT making an appropriation for defraying expenses of various departments 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 sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund and from special funds derived from federal funds and/or other income in the state treasury to the various departments and various divisions thereof of the state of North Dakota for the biennium beginning July 1, 1977, and ending June 30, 1979, for defraying expenses of the various departments and various divisions thereof of the state of North Dakota for purposes provided by law.

Subdivision 1.

STATE BOARD OF HIGHER EDUCATION

| | |
|---|------------|
| Salaries and wages | \$ 508,527 |
| Fees and services | 66,184 |
| Supplies and materials | 10,060 |
| Equipment | 2,910 |
| Board of compensation and expense (for remainder of the 1975-77 biennium) | 7,425 |
| Equity adjustments colleges and universities | 228,776 |
| Consultation board | 7,762 |
| Total general fund appropriation | \$ 831,644 |

Subdivision 2.

STATE AID TO JUNIOR COLLEGES

| | |
|----------------------------------|-------------|
| Bismarck junior college | \$2,100,112 |
| Lake region junior college | 866,554 |
| UND-Williston | 669,575 |
| Total general fund appropriation | \$3,636,241 |

Subdivision 3.

FEDERAL STUDENT LOAN PROGRAM

| | |
|----------------------------------|-------------------|
| Grants, benefits, and claims | \$ 150,000 |
| Total general fund appropriation | <u>\$ 150,000</u> |

Subdivision 4.

RECIPROCAL AGREEMENTS

| | |
|----------------------------------|--------------------|
| Grants, benefits, and claims | \$2,172,000 |
| Total general fund appropriation | <u>\$2,172,000</u> |

Subdivision 5.

GEOLOGICAL SURVEY

| | |
|----------------------------------|--------------------|
| Salaries and wages | \$1,099,083 |
| Fees and services | 145,311 |
| Supplies and materials | 124,654 |
| Equipment | 50,920 |
| Total general fund appropriation | <u>\$1,419,968</u> |

Subdivision 6.

STUDENT FINANCIAL ASSISTANCE PROGRAM

| | |
|---|--------------------|
| Salaries and wages | \$ 51,974 |
| Fees and services | 7,399 |
| Supplies and materials | 2,750 |
| Equipment | 550 |
| Data processing | 12,500 |
| Grants, benefits, and claims | 635,000 |
| Total all funds | <u>\$ 710,173</u> |
| Less federal funds | 300,000 |
| Total general fund transfer and appropriation | <u>\$ 410,173</u> |
| Grand total general fund appropriation | \$8,620,026 |
| Grand total special funds appropriated | \$ 300,000 |
| Grand total all funds appropriated H.B. 1005 | <u>\$8,920,026</u> |

SECTION 2. APPROPRIATION.) The moneys appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation or any item or set of items 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.

SECTION 4.) It is the intent of the legislature that the board of higher education establish equity in salaries between faculty at the institutions under their control. It is further intended that the board does not arbitrarily establish the present differential rate that exists without first submitting documentation to the budget office that this will in fact establish equity.

SECTION 5. EMERGENCY.) The line item for board compensation and expense in subdivision 1 of 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.

SECTION 6. INTENT.) It is the intent of the Legislative Assembly that payments for state aid to junior colleges be made in accordance with provisions of section 15-18-07 of the North Dakota Century Code relating to pro rata distribution of state aid to junior colleges and which states: "If the funds appropriated for the purpose of carrying out the provisions of this section should prove to be insufficient based on the number of students in attendance at a junior college or educational center as provided in this section, the amounts to be paid to such junior colleges or educational center shall be reduced in such a manner so that the payments for each student in attendance at a junior college or educational center will be made on a pro rata basis.

Approved April 20, 1977

CHAPTER 6

HOUSE BILL NO. 1006
(Committee on Appropriations)

MISCELLANEOUS FUNDS AND ORGANIZATIONS

AN ACT making an appropriation for defraying expenses of the various departments 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 sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury to the various departments and various divisions thereof, of the state of North Dakota, for defraying expenses for purposes provided by law for the biennium beginning July 1, 1977, and ending June 30, 1979.

Subdivision 1.

| | |
|----------------------------------|------------------|
| BOYS AND GIRLS CLUBWORK | |
| Grants, benefits, and claims | \$ 32,400 |
| Total general fund appropriation | <u>\$ 32,400</u> |

Subdivision 2.

| | |
|---|------------------|
| COUNCIL OF STATE GOVERNMENTS FOR SUPPORT OF HEADQUARTERS AND REGIONAL OFFICE | |
| Fees and services | \$ 37,640 |
| Total general fund appropriation | <u>\$ 37,640</u> |

Subdivision 3.

| | |
|-------------------------------------|------------------|
| CAPITOL GROUNDS PLANNING COMMISSION | |
| Fees and services | \$ 24,000 |
| Total general fund appropriation | <u>\$ 24,000</u> |

Subdivision 4.

| | |
|------------------------------------|------------------|
| NORTH DAKOTA FIREMEN'S ASSOCIATION | |
| Grants, benefits, and claims | \$ 20,000 |
| Total general fund appropriation | <u>\$ 20,000</u> |

Subdivision 5.

| | |
|----------------------------------|------------------|
| EMERGENCY COMMISSION | |
| State contingent fund | \$500,000 |
| Total general fund appropriation | <u>\$500,000</u> |

| | | |
|--|--|-------------|
| Subdivision 6. | | |
| THEODORE ROOSEVELT ROUGH RIDER AWARD | | |
| Grants, benefits, and claims | | \$ 3,000 |
| Total general fund appropriation | | \$ 3,000 |
| Subdivision 7. | | |
| MISCELLANEOUS REFUNDS | | |
| Grants, benefits, and claims | | \$ 60,000 |
| Total general fund appropriation | | \$ 60,000 |
| Subdivision 8. | | |
| NURSES SCHOLARSHIPS | | |
| Fees and services | | \$ 2,700 |
| Supplies and materials | | 500 |
| Scholarships granted | | 85,000 |
| Total general fund appropriation | | \$ 88,200 |
| Subdivision 9. | | |
| COMMISSION ON UNIFORM STATE LAWS | | |
| Fees and services | | \$ 11,800 |
| Total general fund appropriation | | \$ 11,800 |
| Subdivision 10. | | |
| EDUCATION COMMISSION OF THE STATES | | |
| Fees and services | | \$ 27,300 |
| Total general fund appropriation | | \$ 27,300 |
| Subdivision 11. | | |
| OLD WEST REGIONAL COMMISSION | | |
| Fees and services | | \$ 70,000 |
| Total general fund appropriation | | \$ 70,000 |
| Subdivision 12. | | |
| ARREST AND RETURN FUGITIVES FROM JUSTICE | | |
| Fees and services | | \$ 16,000 |
| Supplies and materials | | 300 |
| Total general fund appropriation | | \$ 16,300 |
| Subdivision 13. | | |
| NORTH DAKOTA EDUCATIONAL BROADCASTING COUNCIL | | |
| Salaries and wages | | \$ 65,183 |
| Fees and services | | 404,453 |
| Supplies and materials | | 3,426 |
| Equipment | | 1,675 |
| Land, structures, and major improvements | | 3,125,263 |
| Total general fund appropriation | | \$3,600,000 |
| Subdivision 14. | | |
| NATIONAL GOVERNORS' CONFERENCE | | |
| National governors' conference | | \$ 14,500 |
| National association of state budget officers | | 2,290 |
| Council of state planning agencies | | 1,030 |
| Total general fund appropriation | | \$ 17,820 |

Subdivision 15.

ADVISORY COMMISSION ON
INTERGOVERNMENTAL RELATIONS

| | |
|----------------------------------|----------|
| Fees and services | \$ 2,000 |
| Total general fund appropriation | \$ 2,000 |

Subdivision 16.

UNEMPLOYMENT INSURANCE

| | |
|----------------------------------|-------------|
| Total unemployment insurance | \$1,295,121 |
| Less estimated income | 353,190 |
| Total general fund appropriation | \$ 941,931 |

| | |
|--|-------------|
| Grand total general fund appropriation | \$5,702,391 |
| Grand total special funds appropriated | \$ 353,190 |
| Grand total all funds appropriated H.B. 1006 | \$6,055,581 |

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 or cause any specific appropriation for any item or set of items 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.

SECTION 3. PAYMENT OF UNEMPLOYMENT COMPENSATION CLAIMS.) The department of accounts and purchases from the appropriation made in subdivision 16 of this Act shall quarterly reimburse the state unemployment compensation division for the amount of actual unemployment compensation claims paid by the unemployment compensation division to eligible recipients previously employed by state agencies and institutions. Beginning October 1, 1978, agencies, except for the institutions of higher education and the state hospital, with federal or other special funds available to pay unemployment compensation claims shall pay to the department of accounts and purchases one percent of the first six thousand dollars of each employee's earnings paid with federal or special funds. Beginning July 1, 1977, the state hospital and institutions of higher education with federal or other special funds available to pay unemployment compensation claims, shall pay to the department of accounts and purchases one percent of the first six thousand dollars of each employee's annual earnings. In addition, the institutions of higher education shall reimburse the department of accounts and purchases for any unemployment compensation claims paid, which were incurred prior to July 1, 1977, by persons previously employed and paid from federal or special funds.

SECTION 4. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$250,000.00, or so much thereof as may be necessary, to the emergency commission for the purpose of providing funds for litigation costs related to the Garrison diversion project during the biennium beginning July 1, 1977, and ending June 30, 1979. The funds herein appropriated shall be

transferred and spent by the attorney general only after the emergency commission has approved a request from his office for such funds for the purpose herein stated. That portion of section 54-16-01 which states "The aggregate total of transfers from the state contingency fund, within the limits of legislative appropriations, can exceed five hundred thousand dollars only to the extent that requests for transfers from the state contingency fund have been approved by the budget section of the legislative council." shall not apply to the appropriation contained in this section.

SECTION 5. EDUCATIONAL BROADCASTING COUNCIL.) The funds herein appropriated to the North Dakota educational broadcasting council in the line item entitled "Salaries and wages" shall be used by the educational broadcasting council to employ such personnel as it deems necessary to implement the educational broadcasting system within the amount of funds herein appropriated during the biennium beginning July 1, 1977, and ending June 30, 1979.

SECTION 6. EMERGENCY.) The appropriations made in subdivisions 7 and 16 of section 1 of this Act are hereby declared to be emergency measures and shall be in full force and effect from and after their passage and approval.

Approved April 20, 1977

CHAPTER 7

HOUSE BILL NO. 1007
(Committee on Appropriations)

DIRECTOR OF INSTITUTIONS

AN ACT making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota and which are under the supervision of the director of institutions; and declaring an emergency.

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

SECTION 1. APPROPRIATION.) The sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund and from special funds derived from federal funds and/or other income in the state treasury to the various departments and various divisions thereof of the state of North Dakota for the biennium beginning July 1, 1977, and ending June 30, 1979, for defraying expenses of the various departments and various divisions thereof of the state of North Dakota for purposes provided by law.

Subdivision 1.

DIRECTOR OF INSTITUTIONS

| | |
|--|--------------------|
| Salaries and wages | \$1,474,888 |
| Fees and services | 585,084 |
| Institutional medical fees | 238,750 |
| Postage revolving fund | 10,000 |
| Supplies and materials | 104,623 |
| Equipment | 19,000 |
| Land, structures, and major improvements | 366,100 |
| Total general fund appropriation | <u>\$2,798,445</u> |

Subdivision 2.

STATEWIDE COMMUNICATIONS

| | |
|---|--------------------|
| Fees and services | \$2,427,040 |
| Contingency | 303,612 |
| Total all funds | <u>\$2,730,652</u> |
| Less estimated income | 1,121,940 |
| Total general fund transfer and appropriation | <u>\$1,608,712</u> |

Subdivision 3.

EDUCATING DEAF-BLIND CHILDREN

| | |
|---|------------|
| Salaries and wages | \$ 249,524 |
| Fees and services | 27,300 |
| Supplies and materials | 19,000 |
| Equipment | 1,500 |
| Total all funds | \$ 297,324 |
| Less federal funds | 100,000 |
| Total general fund transfer and appropriation | \$ 197,324 |

Subdivision 4.

STATE LIBRARY COMMISSION

| | |
|---|-------------|
| Salaries and wages | \$ 541,401 |
| Fees and services | 361,160 |
| Supplies and materials | 269,160 |
| Equipment | 15,000 |
| Data processing | 50,000 |
| Microfilming | 4,000 |
| Grants, benefits, and claims | 50,000 |
| Total all funds | \$1,290,721 |
| Less estimated income | 805,000 |
| Total general fund transfer and appropriation | \$ 485,721 |

Subdivision 5.

RADIO COMMUNICATIONS

| | |
|---|-------------|
| Salaries and wages | \$ 675,664 |
| Fees and services | 240,027 |
| Supplies and materials | 55,082 |
| Equipment | 100,238 |
| Data processing | 163,505 |
| Total all funds | \$1,234,516 |
| Less federal funds | 61,670 |
| Total general fund transfer and appropriation | \$1,172,846 |

Subdivision 6.

STATE INDUSTRIAL SCHOOL

| | |
|---|-------------|
| Salaries and wages | \$1,941,159 |
| Fees and services | 341,020 |
| Supplies and materials | 364,588 |
| Equipment | 85,590 |
| Land, structures, and major improvements | 50,500 |
| Data processing | 1,500 |
| Microfilming | 100 |
| Total all funds | \$2,784,457 |
| Less estimated income | 506,049 |
| Total general fund transfer and appropriation | \$2,278,408 |

Subdivision 7.

SCHOOL FOR THE BLIND

| | |
|---|------------|
| Salaries and wages | \$ 586,104 |
| Fees and services | 81,447 |
| Supplies and materials | 71,883 |
| Equipment | 31,850 |
| Land, structures, and major improvements | 104,100 |
| Total all funds | \$ 875,384 |
| Less estimated income | 155,400 |
| Total general fund transfer and appropriation | \$ 719,984 |

Subdivision 8.

SCHOOL FOR THE DEAF

| | |
|---|--------------|
| Salaries and wages | \$ 1,570,544 |
| Fees and services | 151,144 |
| Supplies and materials | 143,480 |
| Equipment | 56,602 |
| Land, structures, and major improvements | 116,000 |
| Total all funds | \$ 2,037,770 |
| Less estimated income | 328,398 |
| Total general fund transfer and appropriation | \$ 1,709,372 |

Subdivision 9.

GRAFTON STATE SCHOOL

| | |
|---|--------------|
| Salaries and wages | \$12,935,498 |
| Fees and services | 843,375 |
| Supplies and materials | 1,835,047 |
| Equipment | 190,655 |
| Data processing | 6,100 |
| Land, structures, and major improvements | 878,022 |
| Total all funds | \$16,688,697 |
| Less estimated income | 2,402,981 |
| Total general fund transfer and appropriation | \$14,285,716 |

Subdivision 10.

STATE PENITENTIARY

| | |
|---|--------------|
| Salaries and wages | \$ 2,782,817 |
| Fees and services | 564,160 |
| Supplies and materials | 855,141 |
| Staff training | 21,900 |
| Equipment | 75,771 |
| Land, structures, and major improvements | 92,550 |
| Microfilming | 8,625 |
| Total all funds | \$ 4,400,964 |
| Less estimated income, federal funds | 499,636 |
| Total general fund transfer and appropriation | \$ 3,901,328 |

Subdivision 11.

PENITENTIARY INDUSTRIES

| | |
|---|--------------|
| Salaries and wages | \$ 239,003 |
| Fees and services | 251,613 |
| Supplies and materials | 1,451,150 |
| Equipment | 141,980 |
| Land, structures, and major improvements | 116,690 |
| Total all funds | \$ 2,200,436 |
| Less estimated income | 2,023,596 |
| Total general fund transfer and appropriation | \$ 176,840 |

Subdivision 12.

SAN HAVEN STATE HOSPITAL

| | |
|---|--------------|
| Salaries and wages | \$ 4,623,076 |
| Fees and services | 111,219 |
| Supplies and materials | 899,883 |
| Equipment | 44,793 |
| Data processing | 1,400 |
| Land, structures, and major improvements | 702,950 |
| Total all funds | \$ 6,383,321 |
| Less estimated income | 392,188 |
| Total general fund transfer and appropriation | \$ 5,991,133 |

(The above line item entitled "land, structures, and major improvements" in subdivision 12 of 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.)

| | |
|--|--------------|
| Grand total general fund appropriation | \$35,325,829 |
| Grand total special funds appropriated | \$ 8,396,858 |
| Grand total all funds H.B. 1007 | \$43,722,687 |

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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.

SECTION 4.) The state library commission is hereby authorized to accept federal funds which are hereby appropriated for the biennium beginning July 1, 1977, and ending June 30, 1979, and it is the intent of the legislature that in the event that federal library funds are not available, that general fund moneys be made available for the operation of the state library commission, excluding grants, benefits, and claims.

SECTION 5.) The director of institutions is hereby authorized to make payments during the 1977-79 biennium from the institutional medical fees line item for outside-of-institution hospital and related physician care for penitentiary inmates, Grafton state school and San Haven state hospital residents, and state industrial school students.

SECTION 6.) The director of institutions is hereby authorized to negotiate long-term contracts for two-tier pricing for the state telecommunications network.

SECTION 7. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the \$535,500.00 increase in Grafton state school salaries and wages and the increase of \$158,230.00 in the San Haven state hospital salaries and wages be for the purpose of increasing primary care personnel salaries and wages. It is the intent of the legislative assembly that the average of the salaries in each of the classifications relating to primary care be near the midpoint after the increases referred to in this section

are given. It is not the intent of the legislative assembly that everyone within each classification receive the same salary. It is the intent of the legislative assembly that the institutions work closely with representatives of the central personnel division so that any salary increases given to primary care personnel will be compatible with the central personnel division pay grades for such classifications at the institutions referred to in this section and the state hospital.

SECTION 8. 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 on such items as are designated to be made available immediately on passage and approval.

Approved April 20, 1977

CHAPTER 8

HOUSE BILL NO. 1008
(Committee on Appropriations)

**FUNDS UNDER SUPERVISION OF COMMISSIONER
OF INSURANCE**

AN ACT making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota, and which are under the supervision of the commissioner of insurance.

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

SECTION 1. APPROPRIATIONS.) The sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of special funds in the state treasury for the biennium beginning July 1, 1977, and ending June 30, 1979, to the various departments and various subdivisions thereof, and which are under the supervision of the commissioner of insurance for defraying expenses for purposes provided by law.

Subdivision 1.

BONDING FUND

| | | |
|---|----|---------------|
| Salaries and wages | \$ | 22,300 |
| Fees and services | | 6,960 |
| Supplies and materials | | 900 |
| Equipment | | 990 |
| Data processing | | 1,800 |
| Contingent fund | | 5,000 |
| Total appropriation from state bonding fund | | <u>37,950</u> |

Subdivision 2.

FIRE AND TORNADO FUND

| | | |
|--|----|----------------|
| Salaries and wages | \$ | 90,257 |
| Fees and services | | 38,192 |
| Supplies and materials | | 1,750 |
| Equipment | | 1,000 |
| Data processing | | 6,855 |
| Contingent fund | | 5,000 |
| Total appropriation from state fire and tornado fund | | <u>143,054</u> |

Subdivision 3.

UNSATISFIED JUDGMENT FUND

| | |
|--|-----------|
| Salaries and wages | \$ 20,261 |
| Fees and services | 47,500 |
| Supplies and materials | 1,200 |
| Equipment | 1,000 |
| Total appropriation from unsatisfied judgment fund | \$ 69,961 |

Subdivision 4.

| | |
|---|-------------|
| INSURANCE TAX TO FIRE DEPARTMENTS | |
| Grants, benefits, and claims | \$1,300,000 |
| Total general fund transfer and appropriation | \$1,300,000 |
| Grand total general fund appropriation | \$1,300,000 |
| Grand total special funds appropriated | \$ 250,965 |
| Grand total all funds appropriated H.B. 1008 | \$1,550,965 |

SECTION 2. APROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 6, 1977

CHAPTER 9

HOUSE BILL NO. 1009
(Committee on Appropriations)

AGRICULTURAL BOARDS AND DIVISIONS

AN ACT making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota and which are under the supervision of the commissioner of agriculture.

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

SECTION 1. APPROPRIATION.) The sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury and from special funds derived from federal funds and/or other income to the various departments and various divisions thereof of the state of North Dakota and which are under the supervision of the commissioner of agriculture for defraying expenses for purposes provided by law for the biennium beginning July 1, 1977, and ending June 30, 1979, as follows:

Subdivision 1.

ANIMAL DAMAGE CONTROL

| | |
|----------------------------------|------------|
| Salaries and wages | \$ 243,964 |
| Fees and services | 126,464 |
| Supplies and materials | 200 |
| Total general fund appropriation | \$ 370,628 |

Subdivision 2.

TURKEY PROMOTION FUND

| | |
|-----------------------------|-----------|
| Fees and services | \$ 19,350 |
| Supplies and materials | 5,250 |
| Total turkey promotion fund | \$ 24,600 |

Subdivision 3.

STATE POTATO COUNCIL

| | |
|------------------------------------|------------|
| Fees and services | \$ 556,088 |
| Total appropriation from spud fund | \$ 556,088 |

Subdivision 4.

STATE SEED DEPARTMENT

| | |
|------------------------|-------------|
| Salaries and wages | \$1,168,824 |
| Fees and services | 352,742 |
| Supplies and materials | 104,039 |
| Equipment | 17,979 |
| Seed testing | 55,200 |
| Fee tags or stamps | 115,000 |

| | |
|--|--------------------|
| Contingent fund | \$ 75,000 |
| Land, structures, and major improvements | 9,100 |
| Total from seed department fund | <u>\$1,897,884</u> |
| Grand total general fund appropriation | \$ 370,628 |
| Grand total special funds appropriated | \$2,478,572 |
| Grand total all funds H.B. 1009 | \$2,849,200 |

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added or 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 or cause any specific appropriation for any item or set of items 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 19, 1977

CHAPTER 10

HOUSE BILL NO. 1010
 (Committee on Appropriations)

ARTS AND HISTORICAL BOARDS AND COMMISSIONS

AN ACT making an appropriation for defraying expenses of various departments 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 sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund and from special funds derived from federal funds and/or other income in the state treasury to the various departments and various divisions thereof of the state of North Dakota, for the biennium beginning July 1, 1977, and ending June 30, 1979, for defraying expenses of the various departments and various divisions thereof of the state of North Dakota for purposes provided by law.

Subdivision 1.

STATE HISTORICAL BOARD

| | |
|--|-------------|
| Salaries and wages | \$ 951,712 |
| Fees and services | 75,065 |
| Supplies and materials | 89,929 |
| Equipment | 118,173 |
| Land, structures, and major improvements | 385,000 |
| Grants, benefits, and claims | 1,010,000 |
| Data processing | 12,420 |
| Microfilming | 14,404 |
| Total all funds | \$2,656,703 |
| Less estimated income | 1,345,864 |
| Total general fund appropriation | \$1,310,839 |

INTERNATIONAL PEACE GARDEN

| | |
|---|------------|
| Water treatment and distribution system | \$ 267,100 |
| Grants, benefits, and claims | 200,000 |
| Total all funds | \$ 467,100 |
| Less estimated income | 200,000 |
| Total general fund appropriation | \$ 267,100 |

Subdivision 2.

COUNCIL ON ARTS AND HUMANITIES

| | |
|---|--------------------|
| Salaries and wages | \$ 77,825 |
| Fees and services | 30,120 |
| Supplies and materials | 3,569 |
| Equipment | 1,245 |
| Grants, benefits, and claims | 1,158,800 |
| Total all funds | <u>\$1,271,559</u> |
| Less estimated income | 1,158,800 |
| Total general fund transfer and appropriation | <u>\$ 112,759</u> |

Subdivision 3.

HERITAGE COMMISSION

| | |
|----------------------------------|-------------------|
| Salaries and wages | \$ 76,859 |
| Fees and services | 21,890 |
| Supplies and materials | 5,321 |
| Total special fund appropriation | <u>\$ 104,070</u> |

| | |
|--|-------------|
| Grand total general fund appropriation | \$1,690,698 |
| Grand total special funds appropriated | \$2,808,734 |
| Grand total all funds H.B. 1010 | \$4,499,432 |

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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.

SECTION 4. APPROPRIATION.) Any federal or other funds

that may be available in addition to the appropriation in subdivision 2 of this Act for the line item entitled "Water treatment and distribution system" are hereby appropriated to the state historical board for construction of a water treatment and distribution system at the international peace garden during the period beginning January 1, 1977, and ending June 30, 1979.

SECTION 5. EMERGENCY.) The line item in subdivision 1 of

this Act entitled "Water treatment and distribution system" and all of section 4 of this Act are hereby declared to be emergency measures and shall be in full force and effect from and after passage and approval.

SECTION 6. INTENT.) It is the intent of the legislative assembly that the state historical board and the governor's office make every effort to impress upon the proper federal agency or agencies the importance of restoration of Fort Totten historic site as a means of preserving its national historical value. The legislative assembly considers federal funding to be of utmost importance in the restoration of this site.

SECTION 7. HERITAGE COMMISSION APPROPRIATION - INTENT.) The special fund appropriation in subdivision 3 of section 1 of this Act is to be derived from the interest on heritage commission funds on deposit with the Bank of North Dakota.

Approved April 20, 1977

CHAPTER 11

HOUSE BILL NO. 1011
(Committee on Appropriations)

EMPLOYEE BENEFIT AND RETIREMENT FUNDS

AN ACT making an appropriation for defraying expenses of various departments 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 sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated from special funds derived from federal funds and/or other income in the state treasury to the various departments and various divisions thereof of the state of North Dakota for the biennium beginning July 1, 1977, and ending June 30, 1979, for defraying expenses of the various departments and various divisions thereof of the state of North Dakota for purposes provided by law, as follows:

Subdivision 1.

TEACHERS' INSURANCE AND RETIREMENT FUND

| | |
|--|---------------|
| Salaries and wages | \$152,615 |
| Fees and services | 104,041 |
| Supplies and materials | 16,318 |
| Equipment | 2,831 |
| Data processing | 34,599 |
| Contingent fund | <u>51,386</u> |
| Total appropriation from teachers' insurance and retirement fund | \$361,790 |

Subdivision 2.

PUBLIC EMPLOYEES RETIREMENT SYSTEM

| | |
|------------------------|---------------|
| Salaries and wages | \$237,352 |
| Fees and services | 524,832 |
| Supplies and materials | 32,000 |
| Equipment | 6,160 |
| Data processing | 83,161 |
| Microfilming | 4,000 |
| Contingent fund | <u>75,000</u> |

| | |
|--|-----------|
| Total appropriation from state employees' retirement system fund | \$962,505 |
|--|-----------|

Subdivision 3.

PUBLIC EMPLOYEES' GROUP INSURANCE

| | |
|---|------------------|
| Salaries and wages | \$ 18,997 |
| Fees and services | 10,140 |
| Supplies and materials | 500 |
| Data processing | 12,000 |
| Microfilming | 400 |
| Contingent fund | 10,000 |
| Total appropriation from group insurance fund | <u>\$ 52,037</u> |

Subdivision 4.

EMPLOYMENT SECURITY BUREAU -
NORTH DAKOTA OASIS AND SOCIAL SECURITY

| | |
|--|------------------|
| Salaries and wages | \$146,005 |
| Fees and services | 22,698 |
| Supplies and materials | 3,000 |
| Equipment | 1,625 |
| Total from social security contribution fund | <u>\$173,328</u> |

Subdivision 5.

EMPLOYMENT SECURITY BUREAU

| | |
|----------------------------------|---------------------|
| Salaries and wages | \$12,871,562 |
| Fees and services | 2,439,881 |
| Supplies and materials | 368,414 |
| Equipment | 75,000 |
| Grants, benefits, and claims | 641,636 |
| Total special funds appropriated | <u>\$16,396,493</u> |

Subdivision 6.

WORKMEN'S COMPENSATION BUREAU

| | |
|--|--------------------|
| Salaries and wages (Including total salaries of members of the bureau, not to exceed \$44,000 each for the biennium; and the chairman of the bureau not to exceed \$46,000) | \$1,666,522 |
| Fees and services | 436,728 |
| Supplies and materials | 105,100 |
| Equipment | 31,500 |
| Data processing | 127,614 |
| Microfilming | 20,726 |
| Contingent fund | 20,000 |
| Total appropriation from workmen's compensation fund | <u>\$2,408,190</u> |

Subdivision 7.

WORKMEN'S COMPENSATION BUREAU
VICTIMS OF CRIMES

| | |
|----------------------------------|------------------|
| Salaries and wages | \$ 32,154 |
| Fees and services | 6,183 |
| Supplies and materials | 2,500 |
| Grants, benefits, and claims | 160,000 |
| Total general fund appropriation | <u>\$200,837</u> |

| | |
|--|--------------|
| Grand total general fund appropriation | \$ 200,837 |
| Grand total special funds appropriated | \$20,354,343 |
| Grand total all funds appropriated H.B. 1011 | \$20,555,180 |

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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.

SECTION 4. EMERGENCY.) Subdivisions 1 and 2 of section 1 of this Act are hereby declared to be an emergency measure and shall be in effect from and after their passage and approval.

Approved April 6, 1977

CHAPTER 12

HOUSE BILL NO. 1012
(Committee on Appropriations)

PARDON BOARD AND PAROLE OFFICE

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

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

SECTION 1. APPROPRIATION.) The sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury to the pardon board and parole office for defraying expenses for purposes provided by law, for the biennium beginning July 1, 1977, and ending June 30, 1979.

Subdivision 1.

PARDON BOARD

Table with 2 columns: Description and Amount. Rows include Fees and services (\$ 1,200) and Total general fund appropriation (\$ 1,200).

Subdivision 2.

PAROLE OFFICE

Table with 2 columns: Description and Amount. Rows include Salaries and wages (\$626,515), Fees and services (73,300), Supplies and materials (16,000), Equipment (28,200), Parolee adjustment (25,000), Total all funds (\$769,015), Less estimated income (20,500), and Total general fund appropriation (\$748,515).

Summary table with 2 columns: Description and Amount. Rows include Grand total general fund appropriation (\$749,715), Grand total special funds appropriated (\$ 20,500), and Grand total all funds H.B. 1012 (\$770,215).

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

Approved April 14, 1977

CHAPTER 13

HOUSE BILL NO. 1013
(Committee on Appropriations)

ADJUTANT GENERAL

AN ACT making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the office of the adjutant general; and declaring an emergency.

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

SECTION 1. APPROPRIATION.) The sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury and from special funds derived from federal funds and/or other income to the various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the office of the adjutant general for defraying expenses for the purposes provided by law for the biennium beginning July 1, 1977, and ending June 30, 1979, as follows:

Subdivision 1.

ADJUTANT GENERAL AND NATIONAL GUARD

| | |
|---|-------------|
| Salaries and wages | \$ 430,163 |
| Fees and services | 974,743 |
| Supplies and materials | 59,700 |
| Equipment | 21,000 |
| Recruiting | 150,000 |
| Flags | 2,500 |
| Inauguration | 2,500 |
| Land, structures, and major improvements | 496,000 |
| Total all funds | \$2,136,606 |
| Less estimated income | 712,000 |
| Total general fund transfer and appropriation | \$1,424,606 |

Subdivision 2.

DISASTER EMERGENCY SERVICES

| | |
|---|------------|
| Salaries and wages | \$ 624,536 |
| Fees and services | 150,440 |
| Supplies and materials | 46,303 |
| Equipment | 23,300 |
| Total all funds | \$ 844,579 |
| Less estimated income | 642,638 |
| Total general fund transfer and appropriation | \$ 201,941 |

Subdivision 3.

VIETNAM COMPENSATION ACT

| | |
|---|------------------|
| Salaries and wages | \$ 9,425 |
| Fees and services | 5,250 |
| Supplies and materials | 250 |
| Total from Vietnam veterans' adjusted compensation fund | <u>\$ 14,925</u> |
| Grand total general fund appropriation | \$1,626,547 |
| Grand total special funds appropriated | \$1,369,563 |
| Grand total all funds | \$2,996,110 |

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

SECTION 3. APPROPRIATION.) There is hereby reappropriated to the North Dakota national guard the sum of \$14,679.00, or such balance as may remain unexpended upon the effective date of this Act, from the appropriation previously made in section 3 of chapter 49 of the 1965 Session Laws of the state of North Dakota. Such balance shall be expended for the construction and maintenance of armories in amounts and in the manner prescribed in chapter 60 of the 1955 Session Laws of the state of North Dakota, and subdivision 21 of section 3 of chapter 46 of the 1961 Session Laws of the state of North Dakota.

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 or cause any specific appropriation for any item or set of items 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.

SECTION 5. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval, insofar as it pertains to the line item "fees and services" in subdivision 1.

Approved April 20, 1977

CHAPTER 14

HOUSE BILL NO. 1014
(Committee on Appropriations)

NATURAL RESOURCES AND RECREATION

AN ACT to appropriate money for defraying expenses of various departments 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 sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund and from special funds derived from federal funds and/or other income in the state treasury to the various departments and various divisions thereof of the state of North Dakota for the biennium beginning July 1, 1977, and ending June 30, 1979, for defraying expenses of the various departments and various divisions thereof of the state of North Dakota for purposes provided by law.

Subdivision 1.

SOIL CONSERVATION COMMITTEE AND DISTRICTS

| | |
|----------------------------------|------------|
| Salaries and wages | \$ 114,266 |
| Fees and services | 96,750 |
| Supplies and materials | 10,194 |
| Equipment | 750 |
| Data processing | 1,000 |
| Grants, benefits, and claims | 10,000 |
| Soil survey program | 100,000 |
| Total general fund appropriation | \$ 332,960 |

Subdivision 2.

SOIL CONSERVATION COMMITTEE
OLD WEST REGIONAL COMMISSION GRANT

| | |
|------------------------------|------------|
| Salaries and wages | \$ 49,174 |
| Fees and services | 50,815 |
| Grants, benefits, and claims | 18,715 |
| Total special funds | \$ 118,704 |

Subdivision 3.

GAME AND FISH DEPARTMENT

| | |
|---|-------------|
| Salaries and wages (Including salary of commissioner not to exceed \$46,000 for the biennium) | \$3,039,981 |
| Fees and services | 642,738 |
| Supplies and materials | 728,946 |

| | |
|---|--------------------|
| Equipment | 530,907 |
| In lieu of taxes | 170,000 |
| Land, structures, and major improvements | 990,000 |
| Grants, benefits, and claims | 128,000 |
| Data processing | 61,000 |
| Microfilming | 3,000 |
| Contingent fund | 80,000 |
| Total appropriation from game and fish fund | <u>\$6,374,572</u> |

Subdivision 4.

WATER CONSERVATION COMMISSION

| | |
|---|--------------------|
| Salaries and wages | \$1,891,701 |
| Fees and services | 222,500 |
| Supplies and materials | 246,993 |
| Equipment | 127,260 |
| Data processing | 9,000 |
| Microfilming | 5,000 |
| Upper Mississippi River basin commission - | |
| Souris Red Rainy | 37,960 |
| Devils Lake - Channel A or McHugh Slough | 600,000 |
| Missouri River basin commission | 48,290 |
| Apple Creek unit study | 150,000 |
| Contracts | <u>1,865,750</u> |
| Total all funds | <u>\$5,204,454</u> |
| Less estimated income | 525,000 |
| Total general fund transfer and appropriation | <u>\$4,679,454</u> |

Subdivision 5.

NORTH DAKOTA PARKS AND RECREATION DEPARTMENT

| | |
|---|---------------------|
| Salaries and wages | \$1,606,970 |
| Fees and services | 342,783 |
| Supplies and materials | 294,892 |
| Equipment | 278,988 |
| Data processing | 700 |
| Land, structures, and major improvements | 478,300 |
| Grants, benefits, and claims | <u>8,317,725</u> |
| Total all funds | <u>\$11,320,358</u> |
| Less estimated income | 7,903,000 |
| Total general fund transfer and appropriation | <u>\$ 3,417,358</u> |

Subdivision 6.

COAL DEVELOPMENT IMPACT OFFICE

| | |
|------------------------------|---------------------|
| Salaries and wages | \$ 96,788 |
| Fees and services | 6,080 |
| Supplies and materials | 1,000 |
| Equipment | 250 |
| Grants, benefits, and claims | <u>6,684,580</u> |
| Total special funds | <u>\$ 6,788,698</u> |

Subdivision 7.

NATURAL RESOURCES COUNCIL

| | |
|------------------------|------------|
| Salaries and wages | \$ 275,695 |
| Fees and services | 107,490 |
| Supplies and materials | 8,719 |
| Equipment | 6,650 |

| | |
|---|--------------|
| Grants, benefits, and claims | \$ 74,000 |
| Total all funds | \$ 472,554 |
| Less estimated income | 380,686 |
| Total general fund transfer and appropriation | \$ 91,868 |
| | |
| Grand total general fund appropriation | \$ 8,521,640 |
| Grand total special funds appropriated | \$22,090,660 |
| Grand total all funds H.B. 1014 | \$30,612,300 |

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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.

SECTION 4. DEVILS LAKE BASIN HYDROLOGIC MODEL.) The state water commission is hereby authorized to accept federal funds which may become available for the Devils Lake basin hydrologic model project. Such federal funds are hereby appropriated for the biennium beginning July 1, 1977, and ending June 30, 1979. It is the intent of the legislative assembly that if federal funds become available for this project, the general fund appropriation included in the contracts line item for the model project shall be reduced by the amount of such federal funds.

SECTION 5. EMERGENCY.) The line item entitled "grants, benefits, and claims" in the appropriation to the coal development impact office in subdivision 6 of section 1 of 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 April 20, 1977

CHAPTER 15

HOUSE BILL NO. 1017
(Committee on Appropriations)

DEFICIENCY APPROPRIATIONS

AN ACT making an appropriation for defraying expenses of the various departments of the government 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. DEFICIENCY APPROPRIATIONS.) The sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund and from special funds derived from federal funds and/or other income in the state treasury to the various departments and various divisions thereof of the state of North Dakota for the period beginning January 1, 1977, and ending June 30, 1977, for defraying expenses of the various departments of the state of North Dakota for the purposes provided by law.

Subdivision 1.

STATE PENITENTIARY

| | |
|---|------------------|
| Fees and services | \$ 17,975 |
| Supplies and materials | 24,053 |
| Land, structures, and major improvements | 115,000 |
| Total all funds | <u>\$157,028</u> |
| Less estimated income | 42,028 |
| Total general fund transfer and appropriation | <u>\$115,000</u> |

Subdivision 2.

PENITENTIARY INDUSTRIES

| | |
|----------------------------------|------------------|
| Supplies and materials | \$245,307 |
| Total special fund appropriation | <u>\$245,307</u> |

Subdivision 3.

JAMESTOWN STATE HOSPITAL

| | |
|--|------------------|
| Supplies and materials | \$109,826 |
| Total special fund appropriation | <u>\$109,826</u> |
| Grand total general fund appropriation | \$115,000 |
| Grand total special funds appropriated | \$397,161 |
| Grand total all funds appropriated H.B. 1017 | \$512,161 |

SECTION 2. 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 March 5, 1977

CHAPTER 16

HOUSE BILL NO. 1124
(Committee on Appropriations)

TRANSFER FROM BANK OF NORTH DAKOTA

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

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

SECTION 1. TRANSFER.) There is hereby transferred to the general fund of the state the sum of sixteen million dollars from the accumulated and undivided profits of the Bank of North Dakota. Such moneys shall be transferred during the 1977-79 biennium upon order of the industrial commission.

Approved March 31, 1977

CHAPTER 17

HOUSE BILL NO. 1135
(Committee on Appropriations)

TRANSFER FROM MILL AND ELEVATOR

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.

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

SECTION 1. TRANSFER.) There is hereby transferred to the general fund of the state the sum of six million dollars from the accumulated and undivided profits of the North Dakota mill and elevator association. Such moneys shall be transferred during the 1977-79 biennium upon order of the industrial commission.

Approved March 31, 1977

CHAPTER 18

HOUSE BILL NO. 1173

(Winkjer, Mushik, Wagner, Peterson, Mertens)

STATE AID FOR LOCAL HEALTH DEPARTMENTS

AN ACT to provide an appropriation to the North Dakota state department of health for the purpose of supplementing all local health services' resources, and the distribution of such moneys.

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 \$600,000.00, or so much thereof as may be necessary, to the state department of health for the biennium beginning July 1, 1977, and ending June 30, 1979. The moneys herein appropriated shall be distributed by the state department of health for the purpose of supplementing local health departments' monetary resources to augment existing public health programs, or to institute public health programs beneficial to the general welfare of North Dakota citizens. Local health departments shall include county, municipal, or organized district health units.

SECTION 2. MATCHING FEDERAL FUNDS.) The state department of health may disburse all or any part of the moneys herein appropriated directly, and may use the money appropriated to match any federal funds available to local health units for such purposes.

SECTION 3. DISTRIBUTION.) Any county, municipal, or district health unit providing evidence to the state department of health of having an existing generalized service, or are able to institute a generalized service, including but not limited to services of a health officer, public health nursing, and environmental sanitation services shall be eligible to receive a basic payment of \$6,000.00 per county, plus \$.45 per capita for the biennium; however, no county, municipal, or district health unit shall be eligible for such payment unless it is contributing an amount for local health services equivalent to an amount that would be raised by the maximum mill levy authorized by section 23-14-11 for local health districts. Population shall be determined using

the bureau of census figures published in the most recent decennial census. In counties not in an organized district health unit having separate municipal local health units, the moneys available shall be prorated on the basis of urban-rural population.

SECTION 4. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that \$600,000.00 appropriated for augmenting local health services be expended only for such purposes; and that the general welfare and well-being of the people of this state be enhanced through the acquisition of such preventive services.

SECTION 5. DEPARTMENT TO PROMULGATE RULES AND REGULATIONS.) The state health council is hereby empowered to promulgate rules and regulations and to determine the eligibility of the local health departments under this appropriation.

Approved April 20, 1977

CHAPTER 19

HOUSE BILL NO. 1230
(Committee on Appropriations)
(At the request of the Disaster Emergency Services)

DISASTER GRANT PROGRAM REIMBURSEMENT

AN ACT to provide funds to reimburse the federal government for the state's twenty-five percent share of three individual and family grant programs that were conducted in North Dakota following the spring flood of 1975, the severe storm and summer floods of 1975, and the spring flood of 1976.

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

SECTION 1. FUNDS.) The sum of \$76,821.97 is hereby appropriated to the division of disaster emergency services to close out the three individual and family grant programs that the division administered following the three major presidential disaster declarations of 1975 and 1976.

SECTION 2. ADMINISTRATION.) The division of disaster emergency services is hereby authorized to reimburse the federal government (the president's disaster fund) for the state's share of the individual and family grant programs.

SECTION 3. REPORTS.) The division of disaster emergency services will prepare a complete financial report of the individual and family grant program. The report will be presented to the legislative council budget committees and department of accounts and purchases. All unencumbered funds will be transferred to the general fund when the reimbursement is completed.

Approved March 12, 1977

CHAPTER 20

HOUSE BILL NO. 1253
(Horgan, Winge)

TURKEY LOSS INDEMNIFICATION

AN ACT to provide an appropriation to the national guard to indemnify E. P. Price for the loss of turkeys and property due to activities of the North Dakota national guard.

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 \$1,207.00, or so much thereof as may be necessary, to the national guard for the purpose of indemnifying E. P. Price in the amount of \$1,048.54, plus interest at nine percent, for his claim for relief of loss of turkeys and other property due to activities of the North Dakota national guard. The claim for indemnification shall be submitted to the office of the budget for payment in accordance with chapter 54-14.

Approved March 17, 1977

CHAPTER 21

HOUSE BILL NO. 1280

(Peterson, L. Hausauer, Unhjem, Kelly, Kuchera)

CAPITAL CONSTRUCTION PROJECTS

AN ACT to provide an appropriation for the construction, additions to, remodeling, and equipping of buildings at state agencies, departments, and institutions; and to repeal sections 1 and 4 of chapter 23 of the 1975 Sessions Laws of the state of North Dakota.

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 the sum of \$18,443,000.00, or so much thereof as may be necessary, to the state agencies, departments, and institutions listed herein for the construction or addition to, remodeling, and equipping of buildings and facilities within the limitations hereafter stated in this section during the biennium beginning July 1, 1977, and ending June 30, 1979:

| <u>Name of agency, department, or institution</u> | <u>Type of facility</u> | <u>State funds</u> |
|---|---|--------------------|
| North Dakota heritage commission | Heritage center building | \$5,500,000 |
| North Dakota state university | Library facility | 2,500,000 |
| University of North Dakota | Office facilities and class laboratory | 3,500,000 |
| Minot state college | Physical education activities center | 3,500,000 |
| Dickinson state college | Multipurpose arena | 312,500 |
| State hospital | Maximum security unit | 1,250,000 |
| School for the deaf | Instructional media center | 325,000 |

| <u>Name of agency, department, or institution</u> | <u>Type of facility</u> | <u>State funds</u> |
|---|--|---------------------|
| State school of science | Swimming pool | \$ 350,000 |
| School for the blind | Therapeutic swimming pool | 325,500 |
| Main experiment station | Dairy expansion unit | 380,000 |
| North Dakota state fair | Agricultural exhibi- tion buildings | <u>500,000</u> |
| | | <u>\$18,443,000</u> |

In addition to the appropriations and authorizations set forth in this Act, there is hereby appropriated to the state agencies, departments, and institutions listed herein, any moneys available from private, federal, or other sources to construct or remodel facilities set forth in this Act. In no event shall any facility listed in this section, except the heritage center and the state hospital maximum security unit, exceed the cost indicated in the column "State funds" except to the extent funds may be received from federal and private sources.

SECTION 2. APPROPRIATION.) There is hereby appropriated to the North Dakota heritage commission the sum of \$2,000,000.00, or such greater amounts arising from legislative appropriations, private and other sources, and interest thereon as may be on deposit with the heritage commission, toward the construction of a heritage center on the state capitol grounds. The appropriations in this Act are in lieu of the appropriations contained in chapter 44 of the 1975 Session Laws of the state of North Dakota.

SECTION 3. AVAILABILITY OF FUNDS.) The heritage commission may invest amounts received pursuant to the appropriation from the general fund in certificates of deposit in the Bank of North Dakota. Such amounts and interest earned on such amounts shall not become available for construction of the heritage center unless the heritage commission has certified that not less than \$1,500,000.00 in contributions, donations, federal grants, or other sources, not received through appropriations from the state general fund, is available.

SECTION 4.) The appropriations for facilities in this Act are in lieu of appropriations for those facilities, contained in chapter 23 of the 1975 Session Laws of the state of North Dakota, for which funds for their construction would have been transferred to the state capitol construction fund on July 1, 1977, and July 1, 1978.

SECTION 5. APPROPRIATION.) In addition to the other appropriations and authorizations in this Act, there is hereby appropriated any federal, private, or other funds, that may be available, to North Dakota state university for the purpose of constructing a music building during the biennium beginning July 1, 1977, and ending June 30, 1979.

SECTION 6.) The state hospital and the health department are hereby authorized to conduct a study of the feasibility of entering into a joint project with Stutsman County and the city of Jamestown for the construction of a security unit to be used by the state hospital, Stutsman County, and the city of Jamestown. The funds herein appropriated to the state hospital for the state share of construction costs of a maximum security unit may be expended together with funds from other sources for constructing a maximum security unit for use of the state hospital.

SECTION 7. REPEAL.) Sections 1 and 4 of chapter 23 of the 1975 Session Laws of the state of North Dakota are hereby repealed.

Approved April 22, 1977

CHAPTER 22

HOUSE BILL NO. 1405
(Maixner, Nordby)

COAL VEIN FIRE EXTINGUISHMENT

AN ACT making an appropriation for the extinguishing of coal vein fires that were ignited by prairie fires in western North Dakota during the fall of 1976; 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, the sum of \$10,000.00, or so much thereof as may be necessary, to the governor for the purpose of procuring the extinguishment of coal vein fires ignited by prairie fires during the fall of 1976 in western North Dakota for the biennium beginning July 1, 1977, and ending June 30, 1979. It is the intent of the legislative assembly that the money provided by this Act be used to extinguish coal vein fires on public and private land, and that it be used to finance only the balance of the cost where the federal government finances the major part of the extinguishment effort.

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

Approved April 9, 1977

CHAPTER 23

HOUSE BILL NO. 1601
(Committee on Delayed Bills)
(At the request of Representatives Backes, Strinden)

GARRISON DIVERSION OVERVIEW COMMITTEE

AN ACT to provide an appropriation to the legislative council for the expenses of the Garrison diversion overview committee.

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 \$60,000.00, or so much thereof as may be necessary, to the legislative council to defray the expenses of the Garrison diversion overview committee created by House Concurrent Resolution No. 3032 as approved by the forty-fifth legislative assembly, during the period from the effective date of this Act through June 30, 1979. The Garrison diversion overview committee shall submit its report and recommendations to the forty-sixth legislative assembly.

Approved April 20, 1977

CHAPTER 24

SENATE BILL NO. 2001
(Committee on Appropriations)

INSTITUTIONS OF HIGHER EDUCATION

AN ACT making an appropriation for defraying expenses of the state institutions of higher learning of the state of North Dakota.

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

SECTION 1. APPROPRIATIONS.) There is hereby appropriated the sums herein specified, derived from institutional income and institutional collections, and derived from rent, interest, or income from land, money, or property donated or granted by the United States and allocated to the institutions of higher learning under the terms of the Enabling Act and the state constitution, and such additional unappropriated funds as specified, are hereby appropriated out of the general fund in the state treasury as may be necessary to pay the operation, maintenance, plant improvements, and general expenses of each of the institutions hereinafter named in the sums set forth as follows for the biennium beginning July 1, 1977, and ending June 30, 1979, unless specifically stated otherwise.

UNIVERSITY OF NORTH DAKOTA

| | |
|--|---------------|
| Salaries and wages | \$ 32,783,634 |
| Fees and services | 3,748,152 |
| Supplies and materials | 4,470,579 |
| Computer network | 264,208 |
| Equipment | 1,405,481 |
| Total operating budget | \$ 42,672,054 |
| Less estimated income | 10,326,893 |
| Net operating budget | \$ 32,345,161 |
| Land, structures, and major improvements | 2,213,000 |
| Total general fund appropriation | \$ 34,558,161 |

UNIVERSITY OF NORTH DAKOTA MEDICAL CENTER

| | |
|----------------------------------|---------------|
| Salaries and wages | \$ 7,115,786 |
| Fees and services | 1,842,159 |
| Supplies and materials | 366,395 |
| Equipment | 155,364 |
| Residency program | 2,240,000 |
| Total operating budget | \$ 11,719,704 |
| Less estimated income | 2,589,000 |
| Total general fund appropriation | \$ 9,130,704 |

NORTH DAKOTA STATE UNIVERSITY
OF AGRICULTURE AND APPLIED SCIENCE

| | |
|--|---------------------|
| Salaries and wages | \$27,070,735 |
| Fees and services | 3,497,144 |
| Supplies and materials | 4,105,582 |
| Computer network | 247,352 |
| Equipment | 1,207,856 |
| Total operating budget | <u>\$36,128,669</u> |
| Less estimated income | 7,963,849 |
| Net operating budget | <u>\$28,164,820</u> |
| Land, structures, and major improvements | 1,671,900 |
| Total general fund appropriation | <u>\$29,836,720</u> |

STATE SCHOOL OF FORESTRY - BOTTINEAU

| | |
|---|---------------------|
| Junior college division: | |
| Salaries and wages | \$ 1,436,951 |
| Fees and services | 101,522 |
| Supplies and materials | 270,379 |
| Computer network | 5,430 |
| Equipment | 96,765 |
| Total operating budget | <u>\$ 1,911,047</u> |
| Less estimated income | 516,090 |
| Net operating budget for junior college | <u>\$ 1,394,957</u> |
| Land, structures, and major improvements | 70,042 |
| Total general fund appropriation for junior college | <u>\$ 1,464,999</u> |

North Dakota forest service:

| | |
|--|---------------------|
| Salaries and wages | \$ 620,249 |
| Fees and services | 92,164 |
| Supplies and materials | 104,751 |
| Equipment | 121,846 |
| Total operating budget | <u>\$ 939,010</u> |
| Less estimated income | 361,876 |
| Net operating budget for forest service | <u>\$ 577,134</u> |
| Land, structures, and major improvements | 49,100 |
| Total general fund appropriation for forest service | <u>\$ 626,234</u> |
| Total general fund appropriation school of forestry | <u>\$ 2,091,233</u> |
| Total special funds appropriation school of forestry | <u>\$ 877,966</u> |

STATE SCHOOL OF SCIENCE - WAHPETON

| | |
|--|---------------------|
| Salaries and wages | \$10,649,013 |
| Fees and services | 1,161,208 |
| Supplies and materials | 1,821,439 |
| Equipment | 581,798 |
| Total operating budget | <u>\$14,213,458</u> |
| Less estimated income | 2,778,420 |
| Net operating budget | <u>\$11,435,038</u> |
| Land, structures, and major improvements | 537,995 |
| Total general fund appropriation | <u>\$11,973,033</u> |

DICKINSON STATE COLLEGE

| | |
|--|--------------|
| Salaries and wages | \$ 4,144,627 |
| Fees and services | 844,878 |
| Supplies and materials | 329,882 |
| Equipment | 200,246 |
| Computer network | 108,248 |
| Total operating budget | \$ 5,627,881 |
| Less estimated income | 935,000 |
| Net operating budget | \$ 4,692,881 |
| Land, structures, and major improvements | 232,200 |
| Total general fund appropriation | \$ 4,925,081 |

MINOT STATE COLLEGE

| | |
|--|--------------|
| Salaries and wages | \$ 8,218,888 |
| Fees and services | 1,031,518 |
| Supplies and materials | 450,988 |
| Computer network | 176,634 |
| Equipment | 247,845 |
| Total operating budget | \$10,125,873 |
| Less estimated income | 1,986,657 |
| Net operating budget | \$ 8,139,216 |
| Land, structures, and major improvements | 681,000 |
| Total general fund appropriation | \$ 8,820,216 |

MAYVILLE STATE COLLEGE

| | |
|--|--------------|
| Salaries and wages | \$ 3,003,000 |
| Fees and services | 440,491 |
| Supplies and materials | 550,687 |
| Equipment | 115,892 |
| Computer network | 108,248 |
| Total operating budget | \$ 4,218,318 |
| Less estimated income | 708,102 |
| Net operating budget | \$ 3,510,216 |
| Land, structures, and major improvements | 188,871 |
| Total general fund appropriation | \$ 3,699,087 |

VALLEY CITY STATE COLLEGE

| | |
|--|--------------|
| Salaries and wages | \$ 4,089,966 |
| Fees and services | 628,773 |
| Supplies and materials | 319,879 |
| Equipment | 162,583 |
| Computer network | 108,248 |
| Total operating budget | \$ 5,309,449 |
| Less estimated income | 764,964 |
| Net operating budget | \$ 4,544,485 |
| Land, structures, and major improvements | 216,500 |
| Total general fund appropriation | \$ 4,760,985 |

MEDICAL CENTER REHABILITATION HOSPITAL

There is hereby appropriated out of any moneys not otherwise appropriated, derived from gifts, grants, contracts, sales, services, and other income from the university of North Dakota medical center rehabilitation hospital, or so much thereof as may be necessary, to pay the general expenses, operation, maintenance, and equipment for the biennium beginning July 1, 1977, and ending June 30, 1979, as follows:

| | |
|----------------------------------|--------------|
| Salaries and wages | \$ 6,747,183 |
| Fees and services | 1,872,735 |
| Supplies and materials | 1,140,525 |
| Equipment | 102,325 |
| Total special fund appropriation | \$ 9,862,768 |

NDSU - TOXICOLOGY LABORATORY

| | |
|----------------------------------|------------|
| Salaries and wages | \$ 241,000 |
| Fees and services | 28,900 |
| Supplies and materials | 31,000 |
| Equipment | 11,000 |
| Total all funds | \$ 311,900 |
| Less estimated income | 163,000 |
| Total general fund appropriation | \$ 148,900 |

| | |
|--|---------------|
| Grand total general fund appropriation | \$116,186,200 |
| Grand total special funds appropriated | \$ 39,506,619 |
| Grand total all funds appropriated S.B. 2001 | \$155,692,819 |

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 legislature 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.

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 or cause any specific appropriation for any item or set of items should be held by the court or 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 herein.

SECTION 3.) 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, 1977, and ending June 30, 1979.

SECTION 4. LEGISLATIVE INTENT.) The forty-fifth legislative assembly hereby expresses its intent that residency programs developed and established in North Dakota in support of the 2-1-1 or any other medical education plan implemented by the state board of higher education or the university of North Dakota medical school be financed in conjunction with the private sector. The legislature considers the private sector as including, but not being limited to,

area health education centers, private clinics and hospitals, federal health care facilities, grants, individual physicians and surgeons, and other health care and allied health care institutions.

SECTION 5. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the colleges and universities pay special assessments from their plant improvement moneys. Notwithstanding the provisions of section 40-23-22, no funds shall be expended to pay special assessments on projects that do not directly serve a state institution and are not located on or contiguous to a state institution, wherever located in the state.

SECTION 6. LEGISLATIVE INTENT.) The legislative assembly recognizes the need for flexibility in coordination of the use of appropriated funds and nonappropriated funds for the development of the medical school; however, it is the intent of the legislative assembly that any proposed departure from the priorities established for development of the medical school residency program be approved by the budget section of the legislative council prior to implementation.

SECTION 7. APPROPRIATION.) Any federal funds which can be used for the purpose of providing equal opportunities in programs as mandated by Title IX that may become available to the institutions of higher education under the control of the board of higher education during the biennium beginning July 1, 1977, and ending June 30, 1979, are hereby appropriated.

SECTION 8. BOARD OF HIGHER EDUCATION - BOND ISSUANCE - PURPOSES.) The state board of higher education is hereby authorized to issue and sell in accordance with chapter 15-55, self-liquidating, tax-exempt bonds in an amount not to exceed five hundred fifty thousand dollars for the purpose of renovating and remodeling pioneer hall at Minot state college, Minot, North Dakota. Bonds issued under the provisions of this Act shall not become a general obligation of the state of North Dakota.

SECTION 9. APPROPRIATION - USE OF PROCEEDS.) The proceeds resulting from the sale of bonds authorized in section 8, or so much thereof as may be necessary, are hereby appropriated for renovating and remodeling pioneer hall at Minot state college as authorized in section 8. Any unexpended balances from the sale of bonds shall be placed in a sinking fund for the retirement of the bonds authorized in section 8.

SECTION 10. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that if the department of vocational education has funds available to fund the admission counselor II position at the state school of forestry on a fifty percent ratio basis with the state, upon receiving such funds from the department of vocational education, the state school of forestry shall return to the general fund fifty percent of the general fund appropriation

included in its budget to fund the admission counselor's position.

SECTION 11. LEGISLATIVE INTENT.) The forty-fifth legislative assembly hereby expresses its intent that the board of higher education take such actions and direct expenditures to coordinate and correlate the work in the different institutions under its control and direction to prevent wasteful duplication and to develop cooperation among the institutions in the exchange of instructors and students as required by subsection 9 of section 15-10-17 of the North Dakota Century Code. The board of higher education shall prepare a report which sets forth the method and procedure by which unnecessary duplication within the colleges and universities under the board's control will be eliminated. This report shall be submitted to the forty-sixth legislative assembly.

SECTION 12. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the board of higher education study and determine whether the number of educational institutions under its control and direction exceeds the needs of higher education in this state. It is the intent of the legislative assembly that the board of higher education prepare a report which sets forth their findings and submit the report to the forty-sixth legislative assembly.

SECTION 13. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$6,242,080.00, or so much thereof as may be necessary, to the state board of higher education for the purpose of installing power plant emission control systems at the university of North Dakota, North Dakota state university, North Dakota state school of science, and Valley City state college during the biennium beginning July 1, 1977, and ending June 30, 1979.

Approved April 19, 1977

CHAPTER 25

SENATE BILL NO. 2002
(Committee on Appropriations)

EXTENSION DIVISION AND EXPERIMENT STATIONS

AN ACT making an appropriation for defraying expenses of the extension division and the experiment stations of the North Dakota state university of agriculture and applied science.

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

SECTION 1. APPROPRIATION.) There is hereby appropriated the sums hereafter specified, derived from income and such additional appropriated funds as specified out of the general fund in the state treasury to defray the expenses of the extension division and the experiment stations of the North Dakota state university of agriculture and applied science for the purposes provided by law for the biennium beginning July 1, 1977, and ending June 30, 1979.

EXTENSION DIVISION

| | |
|----------------------------------|--------------|
| Salaries and wages | \$ 9,332,942 |
| Fees and services | 1,389,633 |
| Supplies and materials | 472,811 |
| Equipment | 159,233 |
| Total operating budget | \$11,354,619 |
| Less estimated income | 7,759,401 |
| Total general fund appropriation | \$ 3,595,218 |

EXTENSION DIVISION
SPECIAL PROGRAM - NUTRITION

| | |
|----------------------------------|------------|
| Salaries and wages | \$ 578,598 |
| Fees and services | 60,436 |
| Supplies and materials | 6,576 |
| Equipment | 1,500 |
| Total special fund appropriation | \$ 647,110 |

EXPERIMENT STATION - MAIN STATION

| | |
|----------------------------------|--------------|
| Salaries and wages | \$12,483,219 |
| Fees and services | 1,788,799 |
| Supplies and materials | 1,332,726 |
| Turkey barn renovation | 15,000 |
| Equipment | 930,924 |
| Total operating budget | \$16,550,668 |
| Less estimated income | 6,732,127 |
| Total general fund appropriation | \$ 9,818,541 |

DICKINSON EXPERIMENT STATION

| | |
|----------------------------------|------------|
| Salaries and wages | \$ 356,809 |
| Fees and services | 56,287 |
| Supplies and materials | 134,531 |
| Equipment | 83,139 |
| Special assessments | 8,458 |
| Total operating budget | \$ 639,224 |
| Less estimated income | 150,000 |
| Total general fund appropriation | \$ 489,224 |

HETTINGER EXPERIMENT STATION

| | |
|--|------------|
| Salaries and wages | \$ 104,781 |
| Fees and services | 22,470 |
| Supplies and materials | 39,282 |
| Equipment | 34,668 |
| Total operating budget | \$ 201,201 |
| Less estimated income | 65,000 |
| Net operating budget | \$ 136,201 |
| Land, structures, and major improvements | 18,000 |
| Total general fund appropriation | \$ 154,201 |

LANGDON EXPERIMENT STATION

| | |
|----------------------------------|------------|
| Salaries and wages | \$ 130,851 |
| Fees and services | 17,111 |
| Supplies and materials | 24,473 |
| Equipment | 28,034 |
| Total operating budget | \$ 200,469 |
| Less estimated income | 40,000 |
| Total general fund appropriation | \$ 160,469 |

NORTH CENTRAL EXPERIMENT STATION

| | |
|----------------------------------|------------|
| Salaries and wages | \$ 181,662 |
| Fees and services | 33,473 |
| Supplies and materials | 81,902 |
| Equipment | 42,693 |
| Total operating budget | \$ 339,730 |
| Less estimated income | 240,000 |
| Total general fund appropriation | \$ 99,730 |

WILLISTON EXPERIMENT STATION

| | |
|----------------------------------|------------|
| Salaries and wages | \$ 206,179 |
| Fees and services | 35,400 |
| Supplies and materials | 40,100 |
| Equipment | 52,500 |
| Total operating budget | \$ 334,179 |
| Less estimated income | 70,000 |
| Total general fund appropriation | \$ 264,179 |

CARRINGTON EXPERIMENT STATION

| | |
|--|------------|
| Salaries and wages | \$ 316,068 |
| Fees and services | 71,139 |
| Supplies and materials | 107,500 |
| Equipment | 72,332 |
| Total operating budget | \$ 567,039 |
| Less estimated income | 220,000 |
| Net operating budget | \$ 347,039 |
| Land, structures, and major improvements | 26,900 |
| Total general fund appropriation | \$ 373,939 |

AGRONOMY SEED FARM

| | |
|--|--------------|
| Salaries and wages | \$ 111,704 |
| Fees and services | 26,863 |
| Supplies and materials | 175,428 |
| Equipment | 64,000 |
| Total operating budget | \$ 377,995 |
| Land, structures, and major improvements | 20,000 |
| Total appropriation from agronomy seed farm fund | \$ 397,995 |
| Grand total general fund appropriation | \$14,955,501 |
| Grand total special funds appropriated | \$16,321,633 |
| Grand total all funds S.B. 2002 | \$31,277,134 |

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 subcommittee on budget of the legislative council. 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 a specific legislative appropriation or an authorization from the subcommittee on budget of the legislative council, 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 encumbered balance in the operating fund on June 30, 1977, exceeds the estimated income for the biennium ending June 30, 1979. The state board of higher education is authorized to approve transfer of funds between categories of expenditures, and will notify the director of the department of accounts and purchases of any such transfers within ten days following such authorization.

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 or cause any specific appropriation for any item or set of items should be held by the court or 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 herein.

SECTION 3. PLANT IMPROVEMENTS.) Minor structures for agricultural research may be authorized for construction by the state board of higher education when such structures do not exceed \$20,000.00 in cost.

SECTION 4. INTENT.) It is the intent of the legislative assembly that \$40,000.00 of the appropriation to the extension division in section 1 of this Act for a resource agent be derived from moneys deposited in such fund as may be designated by the legislative assembly to provide grants to impacted areas affected by coal development.

SECTION 5. INTENT.) It is the intent of the legislative assembly that \$481,966.00 of the appropriation to the main experiment station in section 1 of this Act for coal reclamation research be derived from moneys deposited in such fund as may be designated by the legislative assembly to provide grants to impacted areas affected by coal development.

Approved April 19, 1977

CHAPTER 26

SENATE BILL NO. 2003
 (Committee on Appropriations)

DEPARTMENTS AND COMMISSIONS

AN ACT making an appropriation for defraying expenses of various departments 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 sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury and from special funds derived from federal funds and/or other income in the state treasury to the various departments and various divisions thereof for defraying expenses for purposes provided by law for the biennium beginning July 1, 1977, and ending June 30, 1979.

Subdivision 1.

INDIAN AFFAIRS COMMISSION

| | |
|----------------------------------|------------------|
| Salaries and wages | \$ 83,894 |
| Fees and services | 14,181 |
| Supplies and materials | 1,000 |
| Equipment | 600 |
| Scholarships | 85,000 |
| Indian development | 25,000 |
| Total general fund appropriation | <u>\$209,675</u> |

Subdivision 2.

DEPARTMENT OF VETERANS' AFFAIRS

| | |
|----------------------------------|------------------|
| Salaries and wages | \$180,979 |
| Fees and services | 35,675 |
| Supplies and materials | 7,153 |
| Equipment | 1,924 |
| Total general fund appropriation | <u>\$225,731</u> |

Subdivision 3.

COUNCIL ON HUMAN RESOURCES

| | |
|----------------------------------|------------------|
| Salaries and wages | \$ 61,048 |
| Fees and services | 77,469 |
| Supplies and materials | 8,624 |
| Microfilming | 190 |
| Equipment | 1,768 |
| Total general fund appropriation | <u>\$149,099</u> |

Subdivision 4.

NORTH DAKOTA SOLDIERS' HOME

| | |
|---|------------|
| Salaries and wages | \$ 637,094 |
| Fees and services | 62,774 |
| Supplies and materials | 234,607 |
| Microfilming | 450 |
| Equipment | 23,393 |
| Land, structures, and major improvements | 18,000 |
| Total all funds | \$ 976,318 |
| Less estimated income | 555,575 |
| Total general fund transfer and appropriation | \$ 420,743 |

Subdivision 5.

OFFICE OF ECONOMIC OPPORTUNITY

| | |
|---|-------------|
| Salaries and wages | \$ 290,319 |
| Fees and services | 128,021 |
| Supplies and materials | 16,700 |
| Equipment | 2,600 |
| Grants, benefits, and claims | 2,672,880 |
| Total all funds | \$3,110,520 |
| Less federal funds | 2,976,520 |
| Total general fund transfer and appropriation | \$ 134,000 |

| | |
|--|-------------|
| Grand total general fund appropriation | \$1,139,248 |
| Grand total special funds appropriated | \$3,532,095 |
| Grand total all funds S.B. 2003 | \$4,671,343 |

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 purpose provided for herein.

SECTION 4. COUNCIL ON HUMAN RESOURCES.)

The appropriation in section 1 of this Act to the council on human resources for fees and services and supplies and materials shall be allocated as follows to the committee on aging, committee on children and youth, committee on employment of the handicapped, and the commission on the status of women:

| | Fees and Services | Supplies and Materials |
|---|----------------------|---------------------------|
| Committee on aging | \$17,297 | \$2,000 |
| Committee on children and youth | 19,131 | 3,224 |
| Committee on employment of the handicapped | 27,455 | 1,900 |
| Commission on the status of women | 13,586 | 1,500 |
| Total | \$77,469 | \$8,624 |

CHAPTER 27

SENATE BILL NO. 2004
 (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 DEPARTMENT OF STATE GOVERNMENT.) There are hereby appropriated out of the general fund and special funds in the state treasury to the legislative branch of the state government, not otherwise appropriated for the purpose specified, such sums as set forth in the following sections of this bill.

SECTION 2. THE PERIOD DURING WHICH APPROPRIATIONS MADE HEREIN SHALL BE AVAILABLE.) Unless otherwise specifically stated, the appropriations herein made shall be available for the expenses to be incurred in and about several purposes herein set out, during the fiscal period beginning with the effective date of this Act and ending June 30, 1979, to wit:

SECTION 3. APPROPRIATION.)

Subdivision 1.

FORTY-FIFTH AND FORTY-SIXTH LEGISLATIVE ASSEMBLIES AND BIENNIUM

| | |
|--|-------------|
| Salaries and wages | \$ 597,326 |
| Fees and services | 1,573,441 |
| Additional unvouchered expense allowance for expenses of the lieutenant governor to be paid at the rate of \$60.00 per day for each calendar day during each organizational, regular, or special session and for one day immediately prior to and immediately following such sessions, such unvouchered expense allowance to be in lieu of the expenses provided for in section 44-08-04 | 5,460 |
| National conference of state legislatures | 29,610 |
| Supplies and materials | 265,998 |
| Equipment | 5,500 |
| Total | \$2,477,335 |

Subdivision 2.

LEGISLATIVE ORGANIZATIONAL SESSION

| | |
|------------------------|------------------|
| Salaries and wages | \$ 9,805 |
| Fees and services | 58,545 |
| Supplies and materials | 2,750 |
| Total | <u>\$ 71,100</u> |

Subdivision 3.

LEGISLATIVE COUNCIL

| | |
|------------------------|--------------------|
| Salaries and wages | \$ 962,668 |
| Fees and services | 726,624 |
| Supplies and materials | 51,645 |
| Equipment | 8,500 |
| Total | <u>\$1,749,437</u> |
| Total general fund | \$4,297,872 |

SECTION 4. APPROPRIATION - INTENT - RESOURCES RESEARCH COMMITTEE - DATA - REPORTS.)

1. There is hereby appropriated out of any moneys in the general fund, not otherwise appropriated, to the legislative council, the sum of \$2,000,000.00, or so much thereof as may be necessary, and such other public and private funds as may be available and deposited in the special coal research fund for the continued development and operation of the North Dakota regional environmental assessment program. Section 54-44.1-11 shall not apply to the appropriation provided by this section.
2. It is the intent of the legislative assembly that priority shall be given to studies in regard to North Dakota's resources and development of the necessary information and analytical systems. These studies shall be for the purpose of assisting in the development of new laws, policies, and governmental actions, and providing facts and information to the citizens of the state in any use and development of resources. The studies, and resulting systems, shall be designed to aid the citizens of this state, officials of the executive branch of government and local government, and the legislative assembly, in knowing the results and impacts of any use or development of resources, to assure that there shall not be material detrimental deterioration of the environment or quality of life in North Dakota, but that any such use shall enhance the quality of life of the citizens of this state.
3. The legislative council shall appoint a committee known as the resources research committee consisting of members of the legislative assembly, officials of the executive branch of government as approved by the governor, a representative from each of North Dakota's universities, and if it shall determine it to be beneficial, one or more representatives of the

citizens of the state. The committee in accordance with the laws, rules, and procedures of the legislative council shall be charged with the development and implementation of the program necessary to carry out this section. The committee shall have the authority to prescribe rules of procedure applicable to the regional environmental assessment program. The regular staff of the legislative council shall assist the committee in the same manner as other committees of the council, and the committee may procure such additional staff and technical assistance as may be necessary.

4. Data obtained by the regional environmental assessment program from other governmental agencies which is not normally made public or, if it is made public, is not made public in the form the regional environmental assessment program will be using it, shall be subject to the source agency's policy on dissemination of the information consistent with state and federal laws.
5. All state departments, agencies, institutions, and local governments shall provide such aid, information, and assistance as the committee may deem necessary. The committee, through the legislative council, shall make periodic reports to the legislative assembly, the governor, and the citizens of the state.

SECTION 5. TRANSFERS.) All net income from charges and fees to private sources for services provided by the North Dakota regional environmental assessment program shall be placed in the special trust fund from the coal severance tax, until the sum of \$2,000,000.00 has been placed in such fund from such charges and fees. Income from charges for materials supplied by the regional environmental assessment program to all sources, and income from services and materials provided to governmental agencies, shall be placed in the special coal research fund. The emergency commission shall have the authority to approve transfers of funds between the regional environmental assessment program and state agencies as may be necessary to support agency-program contracts where agencies cooperate and assist in providing and obtaining necessary data and analyses.

SECTION 6. TRANSFERS.) The director of accounts and purchases and the state treasurer shall make such transfers of funds between lined items of appropriation for the legislative council as may be requested by the chairman of such council upon a finding by such chairman that the nature of studies and duties assigned to the council requires such transfers in properly carrying on the council's functions and duties. The director of accounts and purchases and the state treasurer shall

similarly make transfers of funds between the lined items for the forty-fifth and forty-sixth legislative assemblies, upon request of the chairman of the legislative council upon a finding by him that such transfers are required for the legislative assembly to carry on its functions and duties.

SECTION 7. EMERGENCY.) This measure is hereby declared to be an emergency measure and shall be in full force and effect immediately upon its passage and approval.

Approved April 22, 1977

CHAPTER 28

SENATE BILL NO. 2005
(Committee on Appropriations)

FOUNDATION PROGRAM, VOCATIONAL EDUCATION, AND LAND DEPARTMENT

AN ACT making an appropriation to the board of public school education for defraying expenses of various departments, 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 sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury and from special funds derived from federal funds and/or other income for defraying expenses of various departments, and various divisions thereof, of the state of North Dakota for purposes provided by law for the biennium beginning July 1, 1977, and ending June 30, 1979.

Subdivision 1.

ELEMENTARY AND SECONDARY GRANTS

| | |
|---|---------------|
| Special education | \$ 10,750,000 |
| Foundation payments | 186,752,000 |
| School food services | 1,150,358 |
| Federal grant and aid programs | 24,294,619 |
| Factfinding commission | 6,000 |
| Teachers' professional practices commission | 25,000 |
| Total all funds | \$222,977,977 |
| Less federal funds | 35,294,619 |
| Total general fund transfer and appropriation | \$187,683,358 |

Subdivision 2.

DIVISION OF INDEPENDENT STUDY

| | |
|---|--------------|
| Salaries and wages | \$ 758,987 |
| Fees and services | 262,319 |
| Supplies and materials | 125,603 |
| Equipment | 228,972 |
| Land, structures, and major improvements | 13,379 |
| Total all funds | \$ 1,389,260 |
| Less estimated income | 650,250 |
| Total general fund transfer and appropriation | \$ 739,010 |

Subdivision 3.

VOCATIONAL EDUCATION

| | |
|---|---------------|
| Salaries and wages | \$ 1,291,520 |
| Fees and services | 376,759 |
| Supplies and materials | 85,900 |
| Equipment | 7,810 |
| Data processing | 8,000 |
| Grants, benefits, and claims | 15,500,000 |
| State advisory council for vocational education | 170,000 |
| Total all funds | \$ 17,439,989 |
| Less estimated income | 7,483,545 |
| Total general fund transfer and appropriation | \$ 9,956,444 |

Subdivision 4.

COMMISSIONER OF UNIVERSITY
AND SCHOOL LANDS

| | |
|---|---------------|
| Salaries and wages | \$ 485,083 |
| (The salary of the commissioner shall not exceed \$54,000 for the biennium) | |
| Fees and services | 125,273 |
| Supplies and materials | 8,000 |
| Equipment | 3,500 |
| Contingent fund | 25,000 |
| Total appropriation from state lands maintenance fund | \$ 646,856 |
| Grand total general fund appropriation | \$198,378,812 |
| Grand total special funds appropriated | \$ 44,075,270 |
| Grand total all funds appropriated S.B. 2005 | \$242,454,082 |

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 purpose provided for herein.

SECTION 4. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the educational support per pupil for foundation payments shall be seven hundred seventy-five dollars for the first year of the 1977-1979 biennium and eight hundred fifty dollars for the second year of the 1977-1979 biennium, and that transportation payments shall be seventeen cents per mile for school buses having a capacity of sixteen or fewer pupils and thirty-four cents per mile for school buses having a capacity of seventeen or more pupils.

CHAPTER 29

SENATE BILL NO. 2006
 (Committee on Appropriations)

REGULATORY AGENCIES

AN ACT making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota; directing a legislative council study of weather modification activities; to create and enact a new section to chapter 54-45 of the North Dakota Century Code, relating to workmen's compensation coverage for civil air patrol members; to create and enact a new chapter to title 65 of the North Dakota Century Code, relating to a definition of "civil air patrol member", workmen's compensation coverage and benefits determination, and state reimbursement for liability in excess of collected premiums; and declaring an emergency.

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

SECTION 1. APPROPRIATIONS.) The sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund and from special funds derived from federal funds and/or other income in the state treasury to the various departments and various divisions thereof of the state of North Dakota, for the biennium beginning July 1, 1977, and ending June 30, 1979, for defraying expenses of the various departments and various divisions thereof of the state of North Dakota for purposes provided by law.

Subdivision 1.

AERONAUTICS COMMISSION

| | |
|---|------------|
| Salaries and wages | \$ 152,670 |
| Fees and services | 58,448 |
| Supplies and materials | 16,907 |
| Equipment | 3,400 |
| Land, structures, contracts, major improvements, and maintenance | 595,000 |
| Total all funds | \$ 826,425 |
| Less estimated income | 657,692 |
| Total general fund transfer and appropriation | \$ 168,733 |

Subdivision 2.

WEATHER MODIFICATION BOARD

| | |
|---|--------------------|
| Salaries and wages | \$ 320,276 |
| Fees and services | 696,665 |
| Data processing | 30,000 |
| Supplies and materials | 123,570 |
| Equipment | 7,100 |
| Total all funds | <u>\$1,177,611</u> |
| Less estimated income | 431,648 |
| Total general fund transfer and appropriation | <u>\$ 745,963</u> |

(This subdivision shall be for the period beginning with the date of passage and approval of this Act through June 30, 1979.)

Subdivision 3.

DEPARTMENT OF BANKING
AND FINANCIAL INSTITUTIONS

| | |
|---|-------------------|
| Salaries and wages | \$ 723,808 |
| (Includes salary of commissioner not to exceed \$51,000 for the biennium) | |
| Fees and services | 182,830 |
| Supplies and materials | 7,200 |
| Equipment | 5,000 |
| Total general fund appropriation | <u>\$ 918,838</u> |

Subdivision 4.

STATE SECURITIES COMMISSION

| | |
|--|-------------------|
| Salaries and wages | \$ 220,853 |
| (Including salary of commissioner not to exceed \$51,000 for the biennium) | |
| Fees and services | 39,443 |
| Data processing | 200 |
| Supplies and materials | 11,000 |
| Microfilming | 2,000 |
| Equipment | 2,500 |
| Total general fund appropriation | <u>\$ 275,996</u> |

Subdivision 5.

CIVIL AIR PATROL

| | |
|----------------------------------|------------------|
| Fees and services | \$ 30,200 |
| Supplies and materials | 20,000 |
| Equipment | 6,500 |
| Total general fund appropriation | <u>\$ 56,700</u> |

| | |
|--|-------------|
| Grand total general fund appropriation | \$2,166,230 |
| Grand total special funds appropriated | \$1,089,340 |
| Grand total all funds appropriated S.B. 2006 | \$3,255,570 |

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

SECTION 3. WEATHER MODIFICATION STUDY.) The legislative council is hereby directed to carry out a comprehensive review and evaluation of weather modification and related activities in North Dakota. The legislative council may request necessary information and assistance from the weather modification board and other interested governmental agencies. There is hereby appropriated to the legislative council any federal and private funds which may become available during the biennium beginning July 1, 1977, and ending June 30, 1979, to help defray the expenses incurred in carrying out this study.

SECTION 4.) A new section to chapter 54-45 of the North Dakota Century Code is hereby created and enacted to read as follows:

WORKMEN'S COMPENSATION COVERAGE AUTHORIZED.) Workmen's compensation coverage of civil air patrol members engaged in official state activities authorized under this chapter may be obtained with moneys appropriated to the department.

SECTION 5.) A new chapter to title 65 of the North Dakota Century Code is hereby created and enacted to read as follows:

"CIVIL AIR PATROL MEMBER" DEFINED.) "Civil air patrol member" means a volunteer civilian member of the department of civil air patrol engaged in official state activities authorized under chapter 54-45.

CIVIL AIR PATROL MEMBERS DECLARED EMPLOYEES - COVERED BY WORKMEN'S COMPENSATION.) Civil air patrol members shall be deemed employees of the department of civil air patrol and eligible for coverage under title 65 when engaged in official state activities authorized under chapter 54-45.

COMPENSATION BENEFITS - HOW DETERMINED.) The basis for compensation and benefits for civil air patrol members under this Act shall be determined under section 65-05-09, except that the claimant's weekly wage shall be determined through computation of income derived from the claimant's business or employment.

STATE REIMBURSEMENT FOR LIABILITY IN EXCESS OF COLLECTED PREMIUMS.) Whenever claim liability against the fund credited to the classification of civil air patrol members exceeds the amount of premiums paid into such fund, such excess liabilities shall be a general obligation of the state of North Dakota and shall be reimbursed to the workmen's compensation bureau for credit to that fund through legislative appropriation.

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 or cause any specific appropriation or any item or set of items 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.

SECTION 7. EMERGENCY.) Subdivision 2 of 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 April 20, 1977

CHAPTER 30

SENATE BILL NO. 2007
(Committee on Appropriations)

HIGHWAY PATROL AND MOTOR VEHICLE DEPARTMENT

AN ACT making an appropriation for defraying expenses of the state highway patrol and the law enforcement center.

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

SECTION 1. APPROPRIATION.) There is hereby appropriated out of any unappropriated moneys in the general fund in the state treasury and the motor registration fund in the state treasury the sums hereinafter named only, or so much thereof as may be necessary, for defraying expenses of the state highway patrol, the law enforcement center, and the motor vehicle department for purposes provided by law for the biennium beginning July 1, 1977, and ending June 30, 1979, as follows:

Subdivision 1.

HIGHWAY PATROL

| | |
|--|--------------------|
| Salaries and wages (Including salary of superintendent not to exceed \$50,000 for the biennium) | \$3,893,707 |
| Fees and services | 393,632 |
| Supplies and materials | 424,671 |
| Equipment | 392,076 |
| Data processing | 30,000 |
| Land, structures, and major improvements | 60,000 |
| Total all funds | <u>\$5,194,086</u> |
| Less federal funds | 7,353 |
| Total general fund transfer and appropriation | <u>\$5,186,733</u> |

Subdivision 2.

LAW ENFORCEMENT TRAINING CENTER

| | |
|---|-------------------|
| Salaries and wages | \$ 110,263 |
| Fees and services | 61,183 |
| Supplies and materials | 62,000 |
| Equipment | 5,500 |
| Total all funds | <u>\$ 238,946</u> |
| Less estimated income | 179,927 |
| Total general fund transfer and appropriation | <u>\$ 59,019</u> |

Subdivision 3.

MOTOR VEHICLE DEPARTMENT

| | |
|--|--------------------|
| Salaries and wages (Including salary of registrar not to exceed \$40,000 for the biennium) | \$ 960,869 |
| Fees and services | 984,292 |
| Data processing | 520,258 |
| Microfilming | 25,400 |
| Supplies and materials | 580,509 |
| Equipment | 27,235 |
| Refunds | 25,000 |
| Contingent fund | 125,000 |
| Total from motor registration fund | <u>\$3,248,563</u> |
| No refunds of registration fees shall be made, except where the vehicle has been improperly registered, or where the motor vehicle has been destroyed. | |
| Grand total general fund appropriation | \$5,245,752 |
| Grand total special funds appropriated | \$3,435,843 |
| Grand total all funds appropriated S.B. 2007 | \$8,681,595 |

SECTION 2. APPROPRIATION.) Each member of the state highway patrol shall receive from the line item "fees and services" above, a sum not to exceed seventy-five dollars per month in lieu of expenses and reimbursement for meals while in travel status within the state of North Dakota or while at their respective home stations. Such sum 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 workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

SECTION 4. RANDOM INSPECTION PROGRAM.) The random motor vehicle maintenance program required by chapter 39-21.1 of the North Dakota Century Code shall not be continued beyond July 1, 1977, unless the secretary of transportation of the United States shall require an inspection program as a condition of receiving federal highway funds. If the secretary of transportation requires such program the superintendent of the highway patrol shall apply to the emergency commission for funds to conduct such program and shall implement the provisions of chapter 39-21.1 relative to such inspection.

Approved April 20, 1977

CHAPTER 31

SENATE BILL NO. 2008
(Committee on Appropriations)

HIGHWAY DEPARTMENT

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

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

SECTION 1. APPROPRIATION.) There is hereby appropriated out of any unappropriated funds in the state highway fund in the state treasury, the sum of \$222,619,750.00, or so much thereof as may be necessary, for defraying the expenses of the state highway department for purposes provided by law for the biennium beginning July 1, 1977, and ending June 30, 1979, as follows:

| | |
|--|----------------------|
| Salaries and wages (Including salary of commissioner not to exceed \$66,000 for the biennium) | \$ 38,902,995 |
| Fees and services | 7,858,234 |
| Supplies and materials | 16,428,541 |
| Equipment | 5,437,970 |
| Contracts | 140,215,000 |
| Data processing | 893,046 |
| Land, structures, and major improvements | 10,201,000 |
| Grants, benefits, and claims | 2,482,964 |
| Legal drain openings | 100,000 |
| Railroad crossing protection | 100,000 |
| Total highway fund appropriation | <u>\$222,619,750</u> |

Approved April 20, 1977

CHAPTER 32

SENATE BILL NO. 2009
(Committee on Appropriations)

PUBLIC SAFETY

AN ACT making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota, and which are under the supervision of the attorney general's office.

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

SECTION 1. APPROPRIATION.) The sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury and from special funds derived from federal funds and/or other income to the various departments and various divisions thereof of the state of North Dakota which are under the supervision of the office of the attorney general for defraying expenses for the purposes provided by law for the biennium beginning July 1, 1977, and ending June 30, 1979, as follows:

Subdivision 1.

COMBINED LAW ENFORCEMENT COUNCIL

| | |
|---|------------|
| Salaries and wages | \$ 666,000 |
| Fees and services | 201,683 |
| Supplies and materials | 20,371 |
| Equipment | 2,500 |
| Data processing | 9,600 |
| Microfilming | 2,000 |
| Grants, benefits, and claims | 5,604,452 |
| Total all funds | 6,506,606 |
| Less estimated income | 6,150,000 |
| Total general fund transfer and appropriation | \$ 356,606 |

Subdivision 2.

STATE FIRE MARSHAL

| | |
|--------------------|------------|
| Salaries and wages | \$ 179,535 |
|--------------------|------------|

| | |
|--|-------------|
| Fees and services | \$ 47,386 |
| Supplies and materials | 6,840 |
| Equipment | 1,800 |
| Total all funds | \$ 235,561 |
| Less federal funds | 89,959 |
| Total general fund appropriation | \$ 145,602 |
| Grand total general fund appropriation | \$ 502,208 |
| Grand total special funds appropriated | \$6,239,959 |
| Grand total all funds appropriated S.B. 2009 | \$6,742,167 |

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 20, 1977

CHAPTER 33

SENATE BILL NO. 2010
(Committee on Appropriations)

PUBLIC HEALTH

AN ACT making an appropriation for defraying expenses of various departments 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 sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund and from special funds derived from federal funds and/or other income in the state treasury to the various departments and various divisions thereof, of the state of North Dakota for defraying expenses as provided by law for the biennium beginning July 1, 1977, and ending June 30, 1979.

Subdivision 1.

PUBLIC HEALTH DEPARTMENT

| | |
|---|--------------|
| Salaries and wages | \$ 6,322,220 |
| Fees and services | 1,520,277 |
| Supplies and materials | 1,588,121 |
| Equipment | 483,279 |
| Data processing | 212,952 |
| Microfilming | 1,000 |
| Grants to local health programs | 3,833,189 |
| Total all funds | \$13,961,038 |
| Less estimated income | 10,582,403 |
| Total general fund appropriation and transfer | \$ 3,378,635 |

Subdivision 2.

ABANDONED MOTOR VEHICLES

| | |
|--|------------|
| Grants, benefits, and claims | \$ 400,000 |
| Total appropriation from abandoned motor vehicle disposal fund | \$ 400,000 |

Subdivision 3.

STATE HOSPITAL - JAMESTOWN

| | |
|--|--------------|
| Salaries and wages | \$17,452,414 |
| Fees and services | 1,103,140 |
| Supplies and materials | 1,985,093 |
| Equipment | 289,071 |
| Land, structures, and major improvements | 1,564,000 |

| | |
|---|---------------------|
| Data processing | 15,455 |
| Microfilming | <u>690</u> |
| Total all funds | \$22,409,863 |
| Less estimated income | <u>6,949,719</u> |
| Total general fund transfer and appropriation | <u>\$15,460,144</u> |

Subdivision 4.

SOUTH CENTRAL MENTAL HEALTH CENTER

| | |
|----------------------------------|---------------------|
| Salaries and wages | \$ 1,137,732 |
| Fees and services | 108,500 |
| Supplies and materials | 95,893 |
| Equipment | 2,000 |
| Data processing | <u>2,400</u> |
| Total special fund appropriation | <u>\$ 1,346,525</u> |

| | |
|--|--------------|
| Grand total general fund appropriation including section 2 | \$21,219,684 |
| Grand total special funds appropriated | \$19,528,647 |
| Grand total all funds appropriated S.B. 2010 | \$40,748,331 |

SECTION 2. APPROPRIATION.) There is hereby appropriated to the state health department out of any unappropriated funds in the general fund in the state treasury the sum of \$2,380,905.00 and such additional funds as may become available from federal or other sources to the centers referred to in this section, or so much thereof as may be necessary for the purpose of providing financial assistance in establishing and maintaining during the biennium beginning July 1, 1977, and ending June 30, 1979, the mental health and retardation units, including the south central mental health center, and human service centers created in accordance with law. The amounts to be allocated to the units and centers shall be as follows:

| | |
|---------------------------------------|--------------------|
| Human service centers | \$ 704,980 |
| Mental health and retardation centers | <u>1,675,925</u> |
| Total | <u>\$2,380,905</u> |

The funds shall be allocated to the mental health and retardation centers and human service centers according to distribution formulas developed by the division of mental health and retardation of the state health department for the mental health and retardation centers and jointly by the division of mental health and retardation and the division of community services of the state social service board for the human service centers.

Funds appropriated in the section may be spent only upon approval of the allocation formulas for the distribution of such funds by the budget section of the legislative council.

At the end of the first year of the 1977-1979 biennium, any funds allocated for that year but not spent by each unit or center shall be reallocated by the division of mental health and retardation of the state health department for the second year of the biennium according to distribution formulas developed for the

allocation of such funds, except that funds allocated to human service centers shall not be reallocated to mental health centers if such funds are requested by the human service centers. The reallocation after the first year shall be made only upon approval of such allocation by the budget section of the legislative council.

The division of mental health and retardation of the state health department, the mental health and retardation centers, and the central personnel division shall determine the changes that would take place in salary levels of center employees should such centers be included under the supervision of the central personnel division.

The division of mental health and retardation in cooperation with the central personnel division shall prepare a report for presentation to the forty-sixth legislative assembly indicating the effect that bringing such centers under the supervision of the central personnel division would have and contain such information as may be necessary for the legislative assembly to bring such centers under the supervision of the central personnel division.

SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

SECTION 4. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION.) All Acts and part of Acts that may be in conflict herewith are hereby repealed and if for any reason or cause any specific appropriation for any item or set of items 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 purpose provided for herein.

SECTION 5. INTERAGENCY COORDINATION.) The health department is hereby directed to coordinate the services provided in the area mental health centers with the services provided in the social services centers under the director of the state social services board to eliminate all unnecessary duplications of programs and staff.

SECTION 6. HUMAN SERVICE CENTERS AND MENTAL HEALTH AND RETARDATION CENTERS.) Moneys shall be transferred to human service centers and mental health and retardation centers pursuant to the provisions of this Act, only after the state health department has been furnished reports by such centers indicating that funds from local sources have, except for necessary operating funds, first been expended for the operation of such centers. Copies of reports from human service centers shall also be filed with the social service board.

SECTION 7. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the \$406,613.00 increase in state hospital salaries and wages be for the purpose of increasing primary care personnel salaries and wages. It is the intent of the legislative assembly that the average of the salaries in each of the classifications relating to primary care be near the midpoint after the increases referred to in this section are given. It is not the intent of the legislative assembly that everyone within each classification receive the same salary. It is the intent of the legislative assembly that the state hospital work closely with representatives of the central personnel division so that any salary increases given to primary care personnel will be compatible with the central personnel division pay grades for such classifications at the state hospital, Grafton state school, and San Haven state hospital.

SECTION 8. APPROPRIATION.) There is hereby appropriated out of state hospital estimated income, for the biennium beginning July 1, 1977, and ending June 30, 1979, the sum of \$250,000.00 to the state hospital, as a supplemental appropriation to the appropriation contained in House Bill No. 1280 for the purpose of constructing a maximum security unit. Expenditures pursuant to this appropriation shall be made only to the extent that estimated income at the state hospital exceeds \$6,949,719.00, or to the extent that state hospital estimated expenditures are less than the \$22,409,863.00 appropriation provided in this Act.

Approved April 20, 1977

CHAPTER 34

SENATE BILL NO. 2011
(Committee on Appropriations)

**PROMOTIONAL AND AGRICULTURAL
DEVELOPMENT**

AN ACT making an appropriation for defraying expenses of various departments 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 sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund and from special funds derived from federal funds and/or other income in the state treasury to the various departments and various divisions thereof of the state of North Dakota for the biennium beginning July 1, 1977, and ending June 30, 1979, for defraying expenses of the various departments and various divisions thereof of the state of North Dakota for purposes provided by law.

Subdivision 1.

BUSINESS AND INDUSTRIAL
DEVELOPMENT DEPARTMENT

| | |
|----------------------------------|------------|
| Salaries and wages | \$ 332,869 |
| Fees and services | 161,800 |
| Supplies and materials | 67,468 |
| Equipment | 14,850 |
| Flax research | 75,000 |
| Total all funds | \$ 651,987 |
| Less flax research fund income | 75,000 |
| Total general fund appropriation | \$ 576,987 |

Subdivision 2.

WHEAT COMMISSION

| | |
|---|-------------|
| Salaries and wages | \$ 291,538 |
| Fees and services | 337,548 |
| Supplies and materials | 56,183 |
| Equipment | 4,000 |
| Market promotion | 391,396 |
| Market study and producer information | 82,440 |
| Transportation research | 154,480 |
| Grants, benefits, and claims | 62,600 |
| Contingent fund | 5,000 |
| Total appropriation state wheat commission fund | \$1,385,185 |

Subdivision 3.

STATE FAIR ASSOCIATION

| | |
|---|---------------------|
| Salaries and wages | \$ 367,958 |
| Fees and services | 725,680 |
| Supplies and materials | 159,300 |
| Equipment | 43,200 |
| Premiums | 145,000 |
| Land, structures, and major improvements | 100,000 |
| Total all funds | <u>\$ 1,541,138</u> |
| Less estimated income | 1,296,138 |
| Total general fund transfer and appropriation | <u>\$ 245,000</u> |

Subdivision 4.

UPPER GREAT PLAINS
TRANSPORTATION INSTITUTE

| | |
|---|-------------------|
| Salaries and wages | \$ 245,278 |
| Fees and services | 98,700 |
| Supplies and materials | 18,913 |
| Equipment | 3,900 |
| Total all funds | <u>\$ 366,791</u> |
| Less estimated income | 191,450 |
| Total general fund transfer and appropriation | <u>\$ 175,341</u> |

If estimated income exceeds the amount of \$191,450, the general fund will be reduced dollar for dollar.

| | |
|--|--------------|
| Grand total general fund appropriation | \$ 997,328 |
| Grand total special funds appropriated | \$ 2,947,773 |
| Grand total all funds S. B. 2011 | \$ 3,945,101 |

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

SECTION 3. APPROPRIATION.) In addition to the appropriation to the upper great plains transportation institute contained in section 1, subdivision 4, of this Act, there is hereby appropriated any additional income from federal funds or private sources received by the upper great plains transportation institute during the biennium beginning July 1, 1977, and ending June 30, 1979.

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 or cause any specific appropriation for any item or set of items 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.

SECTION 5. EMERGENCY.) The line item entitled "land, structures, and major improvements" in subdivision 3 of section 1 of 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 April 20, 1977

CHAPTER 35

SENATE BILL NO. 2012
(Committee on Appropriations)

SOCIAL SERVICE BOARD

AN ACT making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota and which are under the supervision of the social service board.

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

SECTION 1. APPROPRIATION.) The sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund and from special funds derived from federal funds and/or other income in the state treasury to the various departments and various divisions thereof of the state of North Dakota for the biennium beginning July 1, 1977, and ending June 30, 1979, for defraying expenses of the various departments and various divisions thereof of the state of North Dakota for purposes provided by law.

Subdivision 1.

SOCIAL SERVICE BOARD

| | |
|----------------------------|---------------|
| Administration: | |
| Salaries and wages | \$ 2,631,571 |
| Fees and services | 647,186 |
| Data processing | 190,372 |
| Microfilming | 2,758 |
| Supplies and materials | 176,692 |
| Equipment | 7,673 |
| Total administration | \$ 3,656,252 |
| Economic assistance: | |
| Salaries and wages | \$ 2,070,441 |
| Fees and services | 554,923 |
| Data processing | 431,430 |
| Supplies and materials | 23,245 |
| Equipment | 6,162 |
| Intergovernmental grants | 14,500,000 |
| Mandatory supplementation | 116,262 |
| Area human service centers | 3,845,713 |
| Economic assistance grants | 32,829,802 |
| Medical assistance | 77,385,920 |
| Total economic assistance | \$131,763,898 |

| | |
|---|---------------|
| Child enforcement program: | |
| Salaries and wages | \$ 193,000 |
| Fees and services | 926,459 |
| Data processing | 25,201 |
| Supplies and materials | 1,729 |
| Grants | 235,358 |
| Equipment | 933 |
| Total child support enforcement program | \$ 1,382,680 |
| Community services: | |
| Salaries and wages | \$ 3,349,105 |
| Fees and services | 648,245 |
| Data processing | 579,608 |
| Supplies and materials | 13,224 |
| Equipment | 8,004 |
| Aging services | 3,356,937 |
| Crippled children's services | 1,207,944 |
| UND department of social work | 253,801 |
| Federal projects | 277,000 |
| Total community services | \$ 9,693,868 |
| Total all funds | \$146,496,698 |
| Less federal funds | \$ 85,389,128 |
| Less county funds | 9,178,688 |
| Total general fund transfer and appropriation | \$ 51,928,882 |

Subdivision 2.

DIVISION OF VOCATIONAL REHABILITATION

| | |
|---|---------------|
| Salaries and wages | \$ 3,702,366 |
| Fees and services | 898,664 |
| Data processing | 35,000 |
| Supplies and materials | 56,000 |
| Equipment | 14,500 |
| Grants, benefits, and claims | 5,256,837 |
| Sheltered workshops | 100,000 |
| Total all funds | \$ 10,063,367 |
| Less estimated income | 8,437,262 |
| Total general fund transfer and appropriation | \$ 1,626,105 |
| Grand total general fund appropriation | \$ 53,554,987 |
| Grand total special funds appropriated | \$103,005,078 |
| Grand total all funds appropriated | \$156,560,065 |

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

SECTION 3. INTERAGENCY COORDINATION.) The social services department is hereby directed to coordinate the services provided in the social services centers with the services provided in the area mental health centers under the direction of the state health department and to eliminate all unnecessary duplication of programs

and staff.

SECTION 4. APPROPRIATION.) There is hereby appropriated to the social service board from the general fund in the state treasury, from moneys not otherwise appropriated, \$228,000.00, or so much thereof as may be necessary, during the biennium beginning July 1, 1977, and ending June 30, 1979, for providing additional financial assistance for welfare costs in counties with Indian residents. It is the intent of the legislative assembly, that to the extent that the social service board determines that needs exist, amounts not to exceed the following may be made available to the following counties:

| | |
|---------|-----------|
| Benson | \$ 63,840 |
| Rolette | 136,800 |
| Sioux | 27,360 |

SECTION 5. APPROPRIATION.) There is hereby appropriated to the social service board the sum of \$1,667,413.00 in federal funds and \$714,606.00 to be contributed by individuals, organizations, governmental units, or other sources, for purposes determined to be eligible for funding as provided by state and federal law during the biennium beginning July 1, 1977, and ending June 30, 1979.

Should the social service board initiate purchase of service agreements between individuals, organizations, governmental units, or other sources which are determined to be eligible for funding as provided by state and federal law during the biennium beginning July 1, 1977, and ending June 30, 1979, area social service centers shall submit to the social service board proposal requests from their jurisdictional area.

The social service board shall make no expenditure pursuant to this appropriation for any function or activity that has not first been approved by the legislative council's committee on budget. The social service board utilizing the funds appropriated from the general fund will audit, supervise, and monitor all projects approved under this section. The social service board shall present all requests for program approval to the legislative council's committee on budget in such form as may be prescribed by the committee.

Approved April 20, 1977

CHAPTER 36

SENATE BILL NO. 2013
(Committee on Appropriations)

INDUSTRIAL COMMISSION

AN ACT making an appropriation for defraying the expenses of the state industrial commission and state agencies under the management of the state industrial commission.

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

SECTION 1. APPROPRIATION.) The sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of any unappropriated funds in the general fund in the state treasury and from special funds derived from federal funds and other income to the state industrial commission for defraying expenses for the purposes provided by law for the biennium beginning July 1, 1977, and ending June 30, 1979, as follows:

Subdivision 1.

STATE INDUSTRIAL COMMISSION

| | |
|----------------------------------|-----------|
| Fees and services | \$ 17,350 |
| Supplies and materials | 300 |
| Total general fund appropriation | \$ 17,650 |

Subdivision 2.

BANK OF NORTH DAKOTA

| | |
|--|-------------|
| Salaries and wages | \$2,547,525 |
| Fees and services | 1,222,521 |
| Supplies and materials | 157,000 |
| Equipment | 171,380 |
| Data processing | 488,480 |
| Microfilming | 17,000 |
| Contingent fund | 75,000 |
| Land, structures, and major improvements | 610,000 |
| Total appropriation from Bank of North Dakota fund | \$5,288,906 |

Subdivision 3.

NORTH DAKOTA MILL

AND ELEVATOR ASSOCIATION

| | |
|--------------------|-------------|
| Salaries and wages | \$4,763,175 |
| Fees and services | 2,688,778 |

| | |
|--|----------------|
| Supplies and materials | \$ 99,477 |
| Contingent fund | <u>300,000</u> |
| Total appropriation from mill and elevator association fund | \$7,851,430 |
| Grand total general fund appropriation | \$ 17,650 |
| Grand total special funds appropriated | \$13,140,336 |
| Grand total all funds appropriated S.B. 2013 | \$13,157,986 |

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

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

SECTION 4. INTENT.) It is the intent of the legislative assembly that the Bank of North Dakota shall not have a drive-in facility or window depository constructed from funds appropriated by this Act.

Approved April 9, 1977

CHAPTER 37

SENATE BILL NO. 2014
 (Committee on Appropriations)

STATE LABORATORY AND AGRICULTURAL
 REGULATORY AGENCIES

AN ACT making an appropriation for defraying expenses of various departments 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 sums hereinafter named only, or so much thereof as may be necessary, are hereby appropriated out of the general fund and from special funds derived from federal funds and/or other income in the state treasury to the various departments and various divisions thereof of the state of North Dakota for the biennium beginning July 1, 1977, and ending June 30, 1979, for defraying expenses of the various departments and various divisions thereof of the state of North Dakota for purposes provided by law.

Subdivision 1.

STATE LABORATORIES DEPARTMENT

| | |
|---|--------------------|
| Salaries and wages | \$1,071,986 |
| (Including director's salary not to exceed \$40,000 for the biennium) | |
| Fees and services | 197,629 |
| Supplies and materials | 97,084 |
| Equipment | 77,090 |
| Data processing | 1,200 |
| Total general fund appropriation | <u>\$1,444,989</u> |

Subdivision 2.

MILK STABILIZATION BOARD

| | |
|--|-------------------|
| Salaries and wages | \$ 203,257 |
| Fees and services | 110,720 |
| Supplies and materials | 2,650 |
| Equipment | 2,270 |
| Contingent fund | 5,000 |
| Total appropriation from milk stabilization fund | <u>\$ 323,897</u> |

Subdivision 3.

LIVESTOCK SANITARY BOARD

| | |
|--|-------------|
| Salaries and wages | \$ 216,055 |
| Fees and services | 173,240 |
| Supplies and materials | 23,372 |
| Equipment | 600 |
| Total general fund appropriation | \$ 413,267 |
| Grand total general fund appropriation | \$1,858,256 |
| Grand total special funds appropriated | \$ 323,897 |
| Grand total all funds appropriated S.B. 2014 | \$2,182,153 |

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 21, 1977

CHAPTER 38

SENATE BILL NO. 2015
(Committee on Appropriations)

TRANSFER OF MOTOR VEHICLE FUEL TAX

AN ACT to transfer a portion of the motor vehicle fuel tax revenues to the general fund to cover the cost of administering the motor 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 the motor vehicle fuel taxes, collected pursuant to section 57-54-08 of the North Dakota Century Code, the sum of four hundred seventy-five thousand dollars 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 March 12, 1977

CHAPTER 39

SENATE BILL NO. 2092
(Wenstrom, Lips, Jones, Solberg, Miller)

JUNIOR COLLEGE EMERGENCY AID

AN ACT providing an appropriation to the board of higher education for state aid to junior colleges; 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, the sum of \$570,000.00, or so much thereof as may be necessary, to the board of higher education for the purpose of making state aid payments to junior colleges for the biennium beginning July 1, 1975, and ending June 30, 1977.

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

Approved April 2, 1977

CHAPTER 40

SENATE BILL NO. 2280
(Shablow, Vosper)

STATE ABM COORDINATOR

AN ACT making an appropriation to defray the expenses of continuing the position of state ABM coordinator; 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, the sum of \$29,840.00, or so much thereof as may be necessary, to the governor's office for the purpose of defraying the expenses of continuing the position of state ABM coordinator for a period of twelve months beginning February 1, 1977, and ending January 31, 1978, as follows:

| | |
|----------------------------------|-----------------|
| Salaries and wages | \$21,900 |
| Fees and services | 7,640 |
| Supplies and materials | 300 |
| Total general fund appropriation | <u>\$29,840</u> |

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

Approved April 19, 1977

CHAPTER 41

SENATE BILL NO. 2338
(Nothing)

MEDICALLY NEEDY CHILDREN PROGRAM

AN ACT making an appropriation to the North Dakota social service board for defraying the expenses of a program for medically needy children.

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

SECTION 1. APPROPRIATION.) There is hereby appropriated to the social service board, from moneys not otherwise appropriated, the sum of \$1,421,888.00 in federal funds, \$192,071.00 in county funds, and \$1,190,000.00 from the general fund in the state treasury, or so much thereof as may be necessary, during the period beginning October 1, 1977, and ending June 30, 1979, for providing necessary medical assistance to those medically needy persons under age eighteen who, under rules and regulations promulgated by the board, qualify for and require services such as hospital care, physician services, laboratory and x-ray services, and prescription drugs, on the basis of insufficient family income and resources, but who do not qualify as dependent children under the state's plan for aid to families with dependent children. A report on the implementation and operation of the program funded hereunder shall be prepared by the social service board and presented to the interim committee on budget not later than October 1, 1978. Costs of administering the program shall not exceed 2.7 percent of the funds appropriated under this Act.

SECTION 2. SUSPENSION OF CONFLICTING PROVISIONS - ALTERNATE EFFECTIVE DATE.) In the event the social service board working in conjunction with the governor, the congressional delegation, and the leadership of the North Dakota legislature is unable to secure prior to October 1, 1977, an amendment to or favorable interpretation of Title XIX of the Social Security Act which would permit federal financial participation in the provision of assistance under this Act:

1. Any provision of this Act in conflict with Title XIX of the Social Security Act providing federal financial participation shall be suspended and noneffective so as to enable the state to qualify for such participation pending the convening of the next legislative assembly; and

2. The operation of the program referred to in subsection 1 may commence on July 1, 1978, or such earlier date as funding may allow as determined by the social service board.

It is the intent of the legislature that congressional action be sought which will permit federal financial participation within the scope of the program established pursuant to this Act, both as to age and available services, to the end that federal enactments allow flexibility to the individual states permitting the duly elected decision makers of a state to decide what is best for the state and its residents.

Approved April 9, 1977

CHAPTER 42

SENATE BILL NO. 2460
(Maher)

RURAL FOREST AND FIRE PROTECTION PROGRAM

AN ACT making an appropriation to defray the expenses of the rural forest and fire protection program.

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

SECTION 1. APPROPRIATION.) The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated to the state forester out of the general fund and from special funds derived from federal funds and other income in the state treasury available to the state forest service during the biennium beginning July 1, 1977, and ending June 30, 1979, for defraying expenses of the rural forest and fire protection program:

| | |
|---|-------------|
| Salaries and wages | \$ 11,563 |
| Fees and services | 1,057 |
| Supplies and materials | 812 |
| Equipment | 280 |
| Grants, benefits, and claims | 1,200,000 |
| Total all funds | \$1,213,712 |
| Less estimated income | 1,013,712 |
| Total general fund transfer and appropriation | \$ 200,000 |

SECTION 2. INTENT.) No part of the general fund transfer provided in section 1 of this Act shall be used for any nonreimbursable expenditure.

Approved April 20, 1977

CHAPTER 43

SENATE BILL NO. 2548
(Committee on Delayed Bills)
(At the request of Senator Freed)

SOUTHWEST NORTH DAKOTA WATER SUPPLEMENTATION STUDY

AN ACT making an appropriation to the North Dakota state water commission for the purpose of the investigation and development of a plan and estimate of costs for the supplementation of the water resources of Dickinson and southwestern North Dakota with water from the Missouri River.

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 \$100,000.00, or so much thereof as may be necessary, to the state water commission for the biennium beginning July 1, 1977, and ending June 30, 1979.

SECTION 2. PURPOSE.) The moneys herein appropriated shall be used by the state water commission for a study to develop a plan and estimate of costs for supplementation of the water resources of Dickinson and the area south and west of the Missouri River with water supplies from the Missouri River, and for purposes including, but not limited to: domestic, rural water districts, municipal, livestock, irrigation, light industrial, mining, recreational, fish and wildlife, and pollution abatement uses which will result in the best use of such waters and related land resources with primary emphasis on domestic, rural water district, and municipal uses. The plan shall utilize a pipeline delivery system.

SECTION 3. MATCHING FUNDS.) The state water commission may use all or any part of any of the moneys herein appropriated to match any federal funds available for such purposes.

Approved April 20, 1977

CHAPTER 44

SENATE BILL NO. 2549
(Committee on Delayed Bills)
(At the request of Senator Melland)

FEDERAL REVENUE SHARING FOR FOUNDATION PROGRAM

AN ACT appropriating federal revenue sharing funds for foundation program payments.

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

SECTION 1. APPROPRIATION.) There is hereby appropriated to the department of public instruction, from moneys not otherwise appropriated, the sum of \$11,000,000.00 of federal revenue sharing funds, or such greater amounts of such funds as may be available, during the period beginning July 1, 1977, and ending June 30, 1979, for the purpose of utilizing revenue sharing funds in the elementary and secondary education foundation aid program as provided for in House Bill No. 1026 and for which the appropriation is provided in Senate Bill No. 2005 of the forty-fifth legislative assembly.

SECTION 2. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the moneys appropriated in this section be reflected as estimated income in Senate Bill No. 2005 of the forty-fifth legislative assembly.

Approved April 20, 1977