

# APPROPRIATIONS

## CHAPTER 1

HOUSE BILL NO. 1001  
(Committee on Appropriations)

### STATE OFFICIALS

AN ACT making an appropriation for defraying the expenses of various elected and appointed officials of the state of North Dakota; to create and enact three new subsections to section 54-44-04 of the North Dakota Century Code, relating to the powers and duties of the director of the department of accounts and purchases and a revision of the state accounting and financial reporting system; to amend and reenact subsection 8 of section 54-44-04 of the North Dakota Century Code, relating to the powers and duties of the director of the department of accounts and purchases; and declaring an emergency.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income the sums as hereinafter provided to the various elected officials for the purpose of defraying the expenses of the various elected officials of the state of North Dakota, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

#### Subdivision 1.

#### GOVERNOR'S OFFICE

Salaries and wages	\$ 803,202
Operating expenses	165,090
Equipment	4,000
Grants	330,000
Contingency fund	7,000
Lieutenant governor contingency	7,000
Total all funds	<u>\$ 1,316,292</u>
Less estimated income	330,000
Total general fund appropriation	<u>\$ 986,292</u>

Subdivision 2.		
	GOVERNOR'S ASSOCIATIONS	
Fees and services		\$ 59,600
Total general fund appropriation		<u>\$ 59,600</u>
Subdivision 3.		
	OLD WEST REGIONAL COMMISSION	
Fees and services		\$ 100,000
Total general fund appropriation		<u>\$ 100,000</u>
Subdivision 4.		
	LIEUTENANT GOVERNOR	
Salaries and wages		\$ 51,420
Operating expenses		9,560
Equipment		1,000
Total general fund appropriation		<u>\$ 61,980</u>
Subdivision 5.		
	SECRETARY OF STATE	
Salaries and wages		\$ 685,107
Operating expenses		87,805
Equipment		10,280
Election law administration		50,000
Petition review		10,000
Total general fund appropriation		<u>\$ 843,192</u>
Subdivision 6.		
	SECRETARY OF STATE - PUBLIC PRINTING	
Operating expenses		\$ 242,228
Total general fund appropriation		<u>\$ 242,228</u>
Subdivision 7.		
	SECRETARY OF STATE RECORDS MANAGEMENT AND MICROFILMING	
Salaries and wages		\$ 148,841
Operating expenses		75,950
Equipment		119,500
Total general fund transfer and appropriation		<u>\$ 344,291</u>
Subdivision 8.		
	ATTORNEY GENERAL	
Salaries and wages		\$ 3,572,408
Operating expenses		1,261,559
Data processing		44,589
Equipment		179,400
Grants		747,000
Litigation fees		50,000
Garrison Diversion litigation		100,000
Total all funds		<u>\$ 5,954,956</u>
Less estimated income		730,000
Total general fund transfer and appropriation		<u>\$ 5,224,956</u>

## Subdivision 9.

	STATE AUDITOR	
Salaries and wages		\$ 2,416,279
Operating expenses		314,791
Data processing		35,053
Equipment		3,700
Total general fund appropriation		<u>\$ 2,769,823</u>

## Subdivision 10.

	STATE TREASURER	
Salaries and wages		\$ 444,425
Operating expenses		50,931
Data processing		20,671
Equipment		1,814
Total general fund appropriation		<u>\$ 517,841</u>

## Subdivision 11.

	STATE TAX COMMISSIONER	
Salaries and wages		\$ 5,473,146
Operating expenses		1,348,670
Data processing		954,596
Equipment		29,254
Total general fund appropriation		<u>\$ 7,805,666</u>

## Subdivision 12.

	INSURANCE COMMISSIONER	
Salaries and wages		\$ 829,666
Operating expenses		102,057
Data processing		26,969
Equipment		4,255
Total general fund appropriation		<u>\$ 962,947</u>

## Subdivision 13.

	LABOR COMMISSIONER	
Salaries and wages		\$ 325,586
Operating expenses		127,091
Equipment		500
Total all funds		<u>\$ 453,177</u>
Less estimated income		45,607
Total general fund transfer and appropriation		<u>\$ 407,570</u>

## Subdivision 14.

	PUBLIC SERVICE COMMISSION	
Salaries and wages		\$ 3,220,894
Operating expenses		5,203,248
Data processing		1,318,378
Equipment		104,110
Refunds		50,000
Total all funds		<u>\$ 9,896,630</u>
Less estimated income		5,349,032
Total general fund transfer and appropriation		<u>\$ 4,547,598</u>

## Subdivision 15.

## AGRICULTURE COMMISSIONER

Salaries and wages	\$ 1,477,493
Operating expenses	597,774
Equipment	27,725
Grants	250,000
Total all funds	\$ 2,352,992
Less estimated income	177,605
Total general fund transfer and appropriation	\$ 2,175,387

## Subdivision 16.

## 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 the period beginning January 1, 1981, and ending December 31, 1982. 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, 1981. The legislative assembly specifically finds that the amount of unvouchered expenses set forth for each of the state officials is reasonable. It is the intent of this legislative assembly to provide for the reasonable additional expenses of the elected state officials beyond their salaries. These unvouchered expenses are reasonably deemed necessary to offset inflationary increases in personal expenses experienced by elected state officials as a result of holding their offices.

OFFICIAL	EXPENSE	EXPENSE
	PAYMENT	PAYMENT
	1981	1982
Governor	\$ 7,027	\$ 13,862
Secretary of State	5,008	9,880
Attorney general	5,681	11,206
Superintendent of public instruction	5,083	10,028
Tax commissioner	5,008	9,880
Insurance commissioner	5,008	9,880
Public service commissioners	29,524	44,140
Agriculture commissioner	5,008	9,880
State auditor	5,008	9,880
State treasurer	5,008	9,880
Labor commissioner	5,008	9,880
Total general fund appropriation for state officers' expense payments		\$230,767

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 \$230,767, or so much thereof as may be necessary, to carry out the provisions of subdivision 16 of this Act.

Grand total general fund appropriation	\$ 28,280,138
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Grand total special funds appropriated	\$ 6,632,244
Grand total all funds H.B. 1001	\$ 34,912,382

SECTION 3. APPROPRIATION. The moneys herein appropriated for salaries and wages for new positions shall be made available only after certification to the executive office of the budget that the additional employees allowed are actually in the employ of the state.

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. EXEMPTION. The funds herein appropriated for subdivisions 2 and 3 of this Act shall not be subject to the provisions of sections 54-27-10 and 54-27-11 of the North Dakota Century Code, relating to the time during which appropriations become available.

SECTION 6. INTENT. It is the intent of the legislative assembly that \$142,160 included in the agriculture commissioner general fund appropriation in subdivision 15 of section 1 for salaries and wages and operating expenses for a research analyst and marketing specialist be expended only if federal funds are not available for these positions during the 1981-83 biennium. If federal funds are available for these positions, it is the intent of the legislative assembly that the emergency commission approve receipt of such funds by the agricultural commissioner.

SECTION 7. LEGISLATIVE INTENT - OLD WEST REGIONAL COMMISSION APPROPRIATION. It is the intent of the legislative assembly that the appropriation for the old west regional commission in subdivision 3 of section 1 of this Act only be expended if federal funds are available for the old west regional commission.

SECTION 8. LEGISLATIVE INTENT. It is the intent of the legislative assembly that the tax commissioner make a report to the next legislative assembly on oil and gas tax collections resulting from oil and gas tax audits conducted by the tax department. It is also the intent of the legislative assembly that the tax commissioner be allowed to employ audit personnel within authorized numbers of positions at his discretion in the various divisions of the tax department.

SECTION 9. AMENDMENT. Subsection 8 of section 54-44-04 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

8. Shall keep the general accounts, reflecting for each fund the resources and balance, together with current revenues and expenditures, and may shall provide for an accrual accounting system.

SECTION 10. Three new subsections to section 54-44-04 of the 1979 Supplement to the North Dakota Century Code are hereby created and enacted to read as follows:

Shall coordinate the development of accounting and financial related systems.

Shall create an accounting manual and provide sufficient training of current and potential users concerning the functions and use of a statewide accounting and reporting system.

Shall prepare on an annual basis comprehensive financial statements of the state of North Dakota.

SECTION 11. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000, or so much thereof as may be necessary, to the department of accounts and purchases for the purpose of revising the state accounting system for the biennium beginning July 1, 1981, and ending June 30, 1983.

SECTION 12. 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 April 6, 1981

## CHAPTER 2

HOUSE BILL NO. 1002  
(Committee on Appropriations)

**SUPERINTENDENT OF PUBLIC INSTRUCTION AND  
OIL EXTRACTION TAX ALLOCATION**

AN ACT making an appropriation for defraying the expenses of the superintendent of public instruction of the state of North Dakota; and to amend and reenact subsections 1 and 3 of section 7 of initiated measure No. 6 to change the allocation of the proceeds of the oil extraction tax; and declaring an emergency.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the superintendent of public instruction of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 4,620,168
Operating expenses	2,103,794
Data processing	344,544
Equipment	92,917
Grants - special education	19,558,128
Grants - foundation aid	388,704,876
Grants - motorcycle safety	247,200
Grants - career education	60,000
Grants - school lunch program	1,891,080
Grants - federal grants	47,767,045
Total all funds	\$465,389,752
Less estimated income	238,849,135
Total general fund appropriation	\$226,540,617

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after

certification to the executive office of the budget 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 holdings shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 4. APPROPRIATION. There is hereby appropriated under the income line item in section 1 of this Act the sum of \$169,266,667, or such additional sums as may be available in the oil extraction tax development fund to the superintendent of public instruction for application to the foundation aid payments pursuant to section 7 of initiated measure No. 6, enacted in the general election of November 4, 1980.

SECTION 5. AMENDMENT. Subsections 1 and 3 of section 7 of initiated measure No. 6 as adopted by the people at the general election in 1980 are hereby amended and reenacted to read as follows:

1. Forty-five ~~Sixty~~ percent shall be allocated to the state school aid program for use in accordance with the provisions of chapter 15-40.1 of the North Dakota Century Code. It is the intent of the electors ~~that other appropriations made by the legislative assembly for state aid to schools in accordance with chapter 15-40.1 of the North Dakota Century Code when added to the amount allocated under this subsection shall provide at least seventy percent of the funds required to meet the educational cost per pupil in elementary and secondary education as determined under the provisions of that chapter and the legislative assembly that the allocation made by this subsection shall not exceed seventy percent of the educational cost per pupil in public elementary and secondary education as determined under the provisions of chapter 15-40.1. Should the allocation exceed seventy percent, the balance of the allocation above seventy percent shall be deposited in the general fund. Should the allocation not exceed seventy percent, it is the intent of the electors and the legislative assembly that other appropriations made by the legislative assembly for state aid to schools in accordance with chapter 15-40.1, when added to the amount allocated under this subsection, shall provide at least seventy percent of the funds required to meet the educational cost per pupil in public elementary and secondary education as determined under the provisions of chapter 15-40.1.~~

3. ~~Forty-five~~ Thirty percent shall be allocated and credited to the state's general fund for general state purposes and ~~as an offset for the reduction in income tax revenue and for the replacement of the county twenty-one mill property tax credit for school as provided in section 10 of this Act.~~

SECTION 6. OIL EXTRACTION TAX COLLECTIONS. Effective on and after April 1, 1981, collections from the state oil extraction tax shall be allocated in accordance with section 5 of this Act.

SECTION 7. FEDERAL REVENUE SHARING APPROPRIATION. There is hereby appropriated to the department of public instruction, from moneys not otherwise appropriated, the sum of \$700,000 of federal revenue sharing funds, or such greater amounts as may be available, for the purpose of using such funds in the foundation aid grant line item in section 1 of this Act, during the biennium beginning July 1, 1981, and ending June 30, 1983. The moneys appropriated in this section are reflected in the estimated income line item in section 1 of this Act.

SECTION 8. EMERGENCY. Sections 5 and 6 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 6, 1981

## CHAPTER 3

HOUSE BILL NO. 1003  
(Committee on Appropriations)

### DIRECTOR OF ACCOUNTS AND PURCHASES

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

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the various divisions under the supervision of the director of accounts and purchases of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Subdivision 1.

DEPARTMENT OF ACCOUNTS AND PURCHASES

Salaries and wages	\$ 1,598,868
Operating expenses	1,259,946
Data processing	718,111
Equipment	20,287
Total all funds	<u>\$ 3,597,212</u>
Less estimated income	1,266,229
Total general fund appropriation	<u>\$ 2,330,983</u>

Subdivision 2.

CENTRAL DATA PROCESSING

Salaries and wages	\$ 4,750,322
Operating expenses	7,287,728
Equipment	320,200
Total special funds appropriated	<u>\$ 12,358,250</u>

Subdivision 3.

CENTRAL PERSONNEL DIVISION

Salaries and wages	\$ 689,702
Operating expenses	199,795

Data processing	91,600
Equipment	2,800
Total all funds	\$ 983,897
Less estimated income	644,570
Total general fund appropriation	\$ 339,327
Grand total general fund appropriation	\$ 2,670,310
Grand total special funds appropriated	\$ 14,269,049
Grand total all funds appropriated H.B. 1003	\$ 16,939,359

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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. TRANSFER AUTHORITY. Upon approval of the emergency commission, the director of the department of accounts and purchases may transfer between appropriation authority contained in the various subdivisions in section 1 of this Act.

SECTION 5. OUT-OF-STATE TRAVEL. The legislative assembly encourages all state agencies and institutions to not expend funds for out-of-state travel during the 1981-83 biennium which exceed out-of-state travel expenditures for the 1979-81 biennium. The department of accounts and purchases shall make a report to the budget section of the legislative council of expenditures by departments for out-of-state travel during the first year of the 1981-83 biennium including the personnel involved and purposes of the travel.

Approved April 1, 1981

## CHAPTER 4

HOUSE BILL NO. 1004  
(Committee on Appropriations)

### HOMESTEAD TAX CREDIT

AN ACT making an appropriation for the homestead tax credit; providing for the distribution of such funds; and declaring an emergency.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated to the state tax commissioner for the purpose of reimbursing the homestead tax credit, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Grants, benefits, and claims	\$ 6,290,000
Total general fund appropriation	<u>\$ 6,290,000</u>

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 \$300,000, or so much thereof as may be necessary, to the state tax commissioner for the purpose of reimbursing the homestead tax credit, for the biennium beginning July 1, 1979, and ending June 30, 1981.

SECTION 3. EMERGENCY. Section 2 of this Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval.

Approved April 6, 1981

## CHAPTER 5

HOUSE BILL NO. 1005  
(Committee on Appropriations)

## PERSONAL PROPERTY TAX REPLACEMENT

AN ACT making an appropriation for the distribution of funds for the replacement of personal property taxes.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated to the state tax commissioner for the purpose of replacement of personal property taxes, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Grants, benefits, and claims	\$ 29,377,000
Total general fund appropriation	<u>\$ 29,377,000</u>

SECTION 2. DISTRIBUTION. The distribution of funds appropriated under section 1 of this Act shall be made in accordance with the formula for personal property tax replacement payments as provided for in section 57-58-01. During the year ending June 30, 1982, such payments shall not exceed one-half of the total appropriation provided for in this Act.

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 1, 1981

## CHAPTER 6

HOUSE BILL NO. 1006  
(Committee on Appropriations)

## DIRECTOR OF INSTITUTIONS

AN ACT making an appropriation for defraying the expenses of various divisions under the supervision of the director of institutions of the state of North Dakota, to set out special contingency fund guidelines; making an appropriation to the permanent fund of the common schools for transfer of title of the judicial wing and state office building to the state; to amend and reenact section 10 of chapter 139 of the 1977 Session Laws of North Dakota, relating to the transfer of title to the office building; and declaring an emergency.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income to the director of institutions of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

## Subdivision 1.

## DIRECTOR OF INSTITUTIONS

Salaries and wages	\$ 2,816,078
Operating expenses	2,575,885
Institutional medical fees	660,400
Equipment	56,419
Capital improvements	3,166,450
Postage revolving	15,000
Special education contingency fund	300,000
Total general fund appropriation	<u>\$ 9,590,232</u>

## Subdivision 2.

## STATE COMMUNICATIONS

Operating expenses	\$ 5,390,237
Data processing	<u>33,326</u>

Total all funds	5,423,563
Less estimated income	2,295,838
Total general fund appropriation	\$ 3,127,725

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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. SPECIAL EDUCATION CONTINGENCY FUND - GUIDELINES. The money in the special education contingency fund shall be used by the state-operated schools under the control of the director of institutions for expenses incurred for services to handicapped individuals which are not provided for in the normal budget of the school. These services shall be provided pursuant to contracts between the state-operated school and the handicapped individual's local school district. The contracts shall be approved by the local school district, the superintendent of the state-operated school, and the superintendent of public instruction. However, any transfer of moneys in this fund must first be approved by the emergency commission. If the transferred funds are used to establish additional positions to provide educational or related services to a particular handicapped individual at the state-operated school, those additional positions shall be terminated when the handicapped individual leaves the state-operated school.

SECTION 5. APPROPRIATION TO THE PERMANENT FUND OF THE COMMON SCHOOLS. There is hereby appropriated out of any moneys in the lands and minerals trust fund in the state treasury, not otherwise appropriated, the sum of \$11,750,000, or so much thereof as may be necessary as determined by the budget section of the legislative council, to the permanent fund of the common schools for the purpose of effecting the transfer of title to the judicial wing and state office building as provided by section 6 of this Act effective upon approval of the budget section of the legislative council.

SECTION 6. AMENDMENT. Section 10 of chapter 139 of the 1977 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

SECTION 10. TRANSFER OF TITLE - LEGISLATIVE COUNCIL BUDGET SECTION APPROVAL. At the end of the construction cost amortization period of fifty years After approval of the budget section of the legislative council and upon deposit of the amount appropriated and

approved under section 5 of this Act, the title in the office building shall be transferred from the permanent fund of the common schools to the state of North Dakota. Such rentals as may be charged after the expiration-of-the-amortization-period transfer of title shall be deposited in the state general fund. The director of institutions shall be responsible for maintenance of the building after the expiration-of-the-amortization-period title is transferred to the state.

Grand total general fund appropriation H.B. 1006	\$12,717,957
Grand total special funds appropriation H.B. 1006	\$14,045,838
Grand total all funds appropriated H.B. 1006	\$26,763,795

SECTION 7. EMERGENCY. The line item entitled "Capital Improvements" in subdivision 1 of section 1 of this Act is hereby declared an emergency measure and shall be in full force and effect upon its passage and approval.

Approved April 1, 1981

CHAPTER 7

HOUSE BILL NO. 1007  
 (Committee on Appropriations)

INDUSTRIAL SCHOOL

AN ACT making an appropriation for defraying the expenses of the state industrial school 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 funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income to the state industrial school under the supervision of the director of institutions of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 3,372,975
Operating expenses	981,328
Data processing	1,800
Equipment	68,525
Capital improvements	174,500
Total all funds	\$ 4,599,128
Less estimated income	1,189,897
Total general fund transfer and appropriation	\$ 3,409,231

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget that newly anticipated employees are actually in the employ of the state.

SECTION 3. EMERGENCY. The line item entitled "capital improvements" in section 1 of this Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval.

Approved April 1, 1981

## CHAPTER 8

HOUSE BILL NO. 1008  
(Committee on Appropriations)

SCHOOL FOR THE DEAF AND  
SCHOOL FOR THE BLIND

AN ACT making an appropriation for defraying the expenses of the school for the deaf and the school for the blind 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 funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income to the school for the deaf and the school for the blind under the supervision of the director of institutions of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Subdivision 1.

	SCHOOL FOR THE DEAF	
Salaries and wages		\$ 2,662,512
Operating expense		490,100
Data processing		300
Equipment		114,315
Capital improvements		243,500
Total all funds		\$ 3,510,727
Less estimated income		525,732
Total general fund transfer and appropriation		\$ 2,984,995

Subdivision 2.

	SCHOOL FOR THE BLIND	
Salaries and wages		\$ 1,490,964
Operating expense		397,154
Data processing		250
Equipment		47,125
Capital improvements		293,000
Total all funds		\$ 2,228,493
Less estimated income		343,641

Total general fund transfer and appropriation	\$ 1,884,852
Grand total general fund appropriation	\$ 4,869,847
Grand total special funds appropriated	\$ 869,373
Grand total all funds appropriated H.B. 1008	\$ 5,739,220

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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. The line items entitled "Capital Improvements" in subdivisions 1 and 2 of section 1 of this Act are hereby declared an emergency measure and shall be in full force and effect upon its passage and approval.

Approved April 6, 1981

## CHAPTER 9

HOUSE BILL NO. 1009  
(Committee on Appropriations)

## GRAFTON STATE SCHOOL AND SAN HAVEN

AN ACT making an appropriation for defraying the expenses of the Grafton state school and San Haven of the state of North Dakota; providing for a transfer of oil extraction tax funds; and declaring an emergency.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income to the Grafton state school and San Haven under the supervision of the director of institutions of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

## Subdivision 1.

## GRAFTON STATE SCHOOL

Salaries and wages	\$ 24,491,425
Operating expense	5,065,017
Data processing	30,594
Equipment	354,805
Capital improvements	14,209,432
Total all funds	<u>\$ 44,151,273</u>
Less estimated income	17,440,718
Total general fund transfer and appropriation	<u>\$ 26,710,555</u>

## Subdivision 2.

## SAN HAVEN

Salaries and wages	\$ 8,193,399
Operating expense	2,203,466
Data processing	2,000
Equipment	129,100
Capital improvements	1,886,000
Total all funds	<u>\$ 12,413,965</u>
Less estimated income	1,301,858

Total general fund transfer and appropriation	\$ 11,112,107
Grand total general fund appropriation	\$ 37,822,662
Grand total special funds appropriated	\$ 18,742,576
Grand total all funds appropriated H.B. 1009	\$ 56,565,238

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget that newly anticipated employees are actually in the employ of the state.

SECTION 3. TRANSFER. The amounts appropriated in subdivision 1 of section 1 of this Act to Grafton state school for the line item entitled "Less estimated income" includes \$15,000,000 which shall be transferred to Grafton state school operating fund from the special trust fund created by subdivision 2 of section 7 of initiated measure No. 6 approved on November 4, 1980.

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 items entitled "Capital improvements" in subdivision 1 and subdivision 2 of section 1 of this Act are hereby declared an emergency measure and shall be in full force and effect upon its passage and approval.

Approved April 6, 1981

## CHAPTER 10

HOUSE BILL NO. 1010  
(Committee on Appropriations)

### STATE RADIO COMMUNICATIONS

AN ACT making an appropriation for defraying the expenses of the radio communications department of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the state radio communications department under the supervision of the director of institutions of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 1,246,351
Operating expenses	321,452
Data processing	134,483
Equipment	39,480
Total general fund transfer and appropriation	<u>\$ 1,741,766</u>

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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 1, 1981

## CHAPTER 11

HOUSE BILL NO. 1011  
(Committee on Appropriations)

## STATE PENITENTIARY

AN ACT making an appropriation for defraying the expenses of the state penitentiary 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 funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income to the state penitentiary and the roughrider industries under the supervision of the director of institutions of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

## Subdivision 1.

## STATE PENITENTIARY

Salaries and wages	\$ 5,546,804
Operating expense	2,683,034
Equipment	185,030
Capital improvements	8,049,542
Ed information center	29,200
Total all funds	\$ 16,493,610
Less estimated income	587,823
Total general fund transfer and appropriation	\$ 15,905,787

## Subdivision 2.

## ROUGH RIDER INDUSTRIES

Salaries and wages	\$ 702,076
Operating expense	4,099,575
Equipment	298,700
Capital improvements	2,631,528
Total all funds	\$ 7,731,879
Less estimated income	\$ 5,100,351
Total general fund transfer and appropriation	\$ 2,631,528

Grand total general fund appropriation	\$ 18,537,315
Grand total special funds appropriated	\$ 5,688,174
Grand total all funds appropriated H.B. 1011	\$ 24,225,489

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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. The line items entitled "capital improvements" in subdivision 1 and subdivision 2 of section 1 of this Act are hereby declared emergency measures and shall be in full force and effect upon their passage and approval.

Approved April 6, 1981

## CHAPTER 12

HOUSE BILL NO. 1012  
(Committee on Appropriations)

## STATE LIBRARY

AN ACT making an appropriation for defraying the expenses of the state library of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the state library under the supervision of the director of institutions of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 986,136
Operating expenses	773,211
Data processing	26,600
Equipment	13,750
Grants, benefits, and claims	1,150,000
Total all funds	\$ 2,949,697
Less estimated income	929,824
Total general fund transfer and appropriation	\$ 2,019,873

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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. APPROPRIATION. Included in the line item entitled "Grants, benefits, and claims" in section 1 of this Act is \$1,100,000 for aid to public libraries of which no more than one-half is to be expended during the fiscal year ending June 30, 1982.

Approved April 1, 1981

CHAPTER 13

HOUSE BILL NO. 1013  
 (Committee on Appropriations)

STATE HOSPITAL

AN ACT making an appropriation for defraying the expenses of the state hospital 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 funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the state hospital of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 30,516,821
Operating expenses	5,300,951
Data processing	297,308
Equipment	574,636
Capital improvements	2,489,523
Total all funds	<u>\$ 39,179,239</u>
Less estimated income	9,693,000
Total general fund transfer and appropriation	<u>\$ 29,486,239</u>

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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. EMERGENCY. The line item entitled "Capital Improvements" in section 1 of this Act is hereby declared an emergency and shall be in full force and effect upon its passage and approval.

Approved April 6, 1981

CHAPTER 14

HOUSE BILL NO. 1014  
 (Committee on Appropriations)

SOLDIERS' HOME

AN ACT making an appropriation for defraying the expenses of the soldiers' home of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the soldiers' home of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 1,278,150
Operating expenses	753,484
Data processing	195
Equipment	43,642
Capital improvements	<u>462,069</u>
Total all funds	\$ <u>2,537,540</u>
Less estimated income	<u>1,258,758</u>
Total general fund transfer and appropriation	\$ <u>1,278,782</u>

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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. There is hereby appropriated from excess funds in the sinking fund for the state of North Dakota general obligation bonds, Vietnam conflict adjusted compensation series, the sum of \$462,069 for capital improvements as included in section one of this Act under the income line item.

Approved April 1, 1981

CHAPTER 15

HOUSE BILL NO. 1015  
 (Committee on Appropriations)

MISCELLANEOUS FUNDS AND ORGANIZATIONS

AN ACT making an appropriation for defraying expenses of various commissions, departments, and 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 funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from income to the various stated commissions, departments, and divisions of the state of North Dakota for defraying the expenses for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Subdivision 1.

ARREST AND RETURN OF FUGITIVES

Fees and services	\$ 20,000
Total general fund appropriation	\$ 20,000

Subdivision 2.

BOYS AND GIRLS CLUBWORK

Grants, benefits and claims	\$ 31,800
Total general fund appropriation	\$ 31,800

Subdivision 3.

CAPITOL GROUNDS PLANNING COMMISSION

Fees and services	\$ 24,000
Total general fund appropriation	\$ 24,000

Subdivision 4.

COMMISSION ON UNIFORM STATE LAWS

Fees and services	\$ 13,860
Total general fund appropriation	\$ 13,860

Subdivision 5.

COUNCIL OF STATE GOVERNMENTS

Fees and services	\$ 58,600
Total general fund appropriation	\$ 58,600

## Subdivision 6.

## EDUCATION COMMISSION OF THE STATES

Fees and services	\$ 55,170
Total general fund appropriation	\$ 55,170

## Subdivision 7.

## FIREMEN'S ASSOCIATION

Grants, benefits and claims	\$ 30,000
Total general fund appropriation	\$ 30,000

## Subdivision 8.

## MISCELLANEOUS REFUNDS

Grants, benefits and claims	\$ 140,000
Total general fund appropriation	\$ 140,000

## Subdivision 9.

## NURSES' SCHOLARSHIP

Operating expenses	\$ 5,000
Grants, benefits and claims	116,000
Total all funds	\$ 121,000
Less estimated income	31,000
Total general fund appropriation	\$ 90,000

## Subdivision 10.

## THEODORE ROOSEVELT ROUGH RIDER AWARD

Grants, benefits and claims	\$ 5,000
Total general fund appropriation	5,000
Grand total general fund appropriation	\$ 468,430
Grand total special funds appropriated	\$ 31,000
Grand total all funds H.B. 1015	\$ 499,430

SECTION 2. EXEMPTION. The funds herein appropriated for subdivisions 1, 3, 4, 5, 6, and 8 of this Act shall not be subject to the provisions of sections 54-27-10 and 54-27-11 of the North Dakota Century Code, relating to the time during which appropriations become available.

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. There is hereby appropriated in addition to the appropriation provided in subdivision 9 of section 1 of this Act for nurses' scholarships, all funds as may be on deposit in the nurses' scholarship loan fund as provided for in North Dakota Century Code section 43-12-35.

Approved March 3, 1981

## CHAPTER 16

HOUSE BILL NO. 1016  
(Committee on Appropriations)

## EDUCATIONAL BROADCASTING COUNCIL

AN ACT making an appropriation for defraying the expenses of the educational broadcasting council of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the educational broadcasting council of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 62,963
Operating expenses	51,276
Equipment	2,500
Capital improvements	350,000
Grants	500,000
Total general fund appropriation	<u>\$ 966,739</u>

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 purpose provided for herein.

SECTION 3. LEGISLATIVE INTENT. It is the intent of the legislative assembly that the funds appropriated for salaries and wages in section 1 of this Act be spent in accordance with a flexible personnel policy which recognizes that the educational broadcasting council's role is in transition. Also, \$20,000 of the funds appropriated for operating expenses in section 1 of this Act shall be spent on a study and negotiations to secure the allocation and reservation of radio frequencies, and for formation and activation of a statewide public radio network under the operational control of the board of higher education.

Approved April 1, 1981

## CHAPTER 17

HOUSE BILL NO. 1017  
(Committee on Appropriations)

## UNEMPLOYMENT INSURANCE

AN ACT making an appropriation for defraying the expenses of unemployment insurance for the various departments and institutions of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated from special funds derived from federal funds and/or other income, to the department of accounts and purchases for the purpose of making payments for unemployment insurance claims, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Grants, benefits and claims	<u>\$ 1,000,000</u>
Total appropriation special funds	<u>\$ 1,000,000</u>

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.

Approved February 2, 1981

# CHAPTER 18

HOUSE BILL NO. 1018  
(Committee on Appropriations)

## EMERGENCY COMMISSION

AN ACT making an appropriation for defraying the unforeseen expenses of the various agencies and institutions of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the emergency commission for the purpose of defraying the unforeseen expenses of the various agencies and institutions of the state of North Dakota, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

State contingencies	\$ 500,000
Disaster contingencies	500,000
Total general fund appropriation	\$ 1,000,000

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. APPROPRIATION. The funds appropriated in section one of this Act under the line item entitled "Disaster contingencies" shall be available to defray the costs of state agencies and institutions which arise as a result of natural disasters.

Approved February 20, 1981

## CHAPTER 19

HOUSE BILL NO. 1019  
(Committee on Appropriations)

### DIVISION OF SURPLUS PROPERTY

AN ACT making an appropriation for defraying the expenses of the division of surplus property of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the department of accounts and purchases of the state of North Dakota, for the purpose of defraying the expenses of the division of surplus property, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 229,035
Operating expenses	205,769
Data processing	9,962
Equipment	12,500
Contingency	20,000
Total all funds	<u>\$ 477,266</u>
Less estimated income	366,712
Total general fund appropriation	<u>\$ 110,554</u>

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. LEGISLATIVE INTENT. It is the intent of the legislative assembly that the division of surplus property become self-supporting by the close of the biennium ending June 30, 1983.

Approved April 1, 1981

CHAPTER 20

HOUSE BILL NO. 1021  
(Committee on Appropriations)

PARDON BOARD AND  
PAROLE AND PROBATION OFFICE

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

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the pardon board and the parole and probation office of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Subdivision 1.

PARDON BOARD

Fees and services	\$ 1,200
Total general fund appropriation	<u>\$ 1,200</u>

Subdivision 2.

PAROLE AND PROBATION OFFICE

Salaries and wages	\$ 1,229,680
Operating expenses	175,300
Equipment	<u>36,000</u>
Total general fund transfer and appropriation	<u>\$ 1,440,980</u>
Grand total general fund appropriation	\$ 1,442,180

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees added facilities shall be made available only after certification to the executive office of the budget 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.

Approved April 6, 1981

## CHAPTER 21

HOUSE BILL NO. 1022  
(Committee on Appropriations)

### FEDERAL AID COORDINATOR OFFICE

AN ACT making an appropriation for defraying the expenses of the federal aid coordinator office of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the federal aid coordinator office of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 1,635,689
Operating expenses	2,387,147
Data processing	47,912
Equipment	5,210
Grants, benefits, and claims	6,629,000
Total all funds	<u>\$10,704,958</u>
Less estimated income	9,677,333
Total general fund appropriation	<u>\$ 1,027,625</u>

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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 1, 1981

## CHAPTER 22

HOUSE BILL NO. 1023  
(Committee on Appropriations)

## ADJUTANT GENERAL

AN ACT making an appropriation for defraying the expenses of the adjutant general 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 funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the adjutant general of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 1,895,809
Operating expenses	1,368,852
Inauguration	4,000
Army guard service contract	700,000
Equipment	38,000
Training site contract	400,000
Capital improvements	810,000
Recruiting and retention	200,000
Total all funds	<u>\$ 5,416,661</u>
Less estimated income	<u>2,791,487</u>
Total general fund transfer and appropriation	\$ 2,625,174

SECTION 2. APPROPRIATION. The funds provided for in section 1 of this Act for capital improvements in the amount of \$810,000, are hereby appropriated from the sinking fund for the state of North Dakota general obligation bonds, Vietnam conflict adjusted compensation series.

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. CAPITAL IMPROVEMENTS. The portion of the capital improvement funds appropriated in section 1 of this Act in the amount of \$240,000 shall be expended for participation in the construction of local armories except that an amount not to exceed \$50,000 of such appropriation may be expended by the adjutant general, together with other appropriated state and federal funds for the completion and equipping of the armory to be located at Camp Gilbert C. Grafton. Any portion of the funds provided for in section 1 of this Act not required for the construction of a steam heating plant and system at Camp Gilbert C. Grafton may be expended by the adjutant general for the completion and equipping of the armory to be located at Camp Gilbert C. Grafton.

SECTION 5. APPROPRIATION. There is hereby appropriated the sum of \$243,000 out of the sinking fund for the state of North Dakota general obligation bonds, Vietnam conflict adjusted compensation series, and \$243,000 of the interest earned in the national guard tuition trust fund, to the adjutant general for the purpose of reimbursing appropriate schools for any tuition fees waived in accordance with chapter 37-07.1 of the North Dakota Century Code for the biennium beginning July 1, 1981, and ending on June 30, 1983. This appropriation shall not be subject to the provisions of section 54-27-10.

Grand total general fund appropriation H.B. 1023	\$2,625,174
Grand total special funds appropriated H.B. 1023	<u>3,277,487</u>
Grand total all funds appropriated H.B. 1023	\$5,902,661

SECTION 6. EMERGENCY. The portion of the capital improvement funds in the amount of \$240,000 for the construction of local armories and the portion of capital improvement funds in the amount of \$180,000 for a steam heating plant at Camp Grafton as appropriated in section 1 of this Act, together with section 4 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 1, 1981

## CHAPTER 23

HOUSE BILL NO. 1024  
(Committee on Appropriations)

## DIVISION OF DISASTER EMERGENCY SERVICES

AN ACT making an appropriation for defraying the expenses of the division of disaster emergency services of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the division of disaster emergency services under the supervision of the adjutant general of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 851,565
Operating expenses	292,643
Data processing	900
Equipment	31,500
Total all funds	<u>\$1,176,608</u>
Less estimated income	806,152
Total general fund appropriation	<u>\$ 370,456</u>

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.

Approved April 1, 1981

## CHAPTER 24

HOUSE BILL NO. 1025  
(Committee on Appropriations)

### CIVIL AIR PATROL

AN ACT making an appropriation for defraying the expenses of the civil air patrol of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the civil air patrol of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 26,453
Operating expenses	62,259
Equipment	5,600
Total general fund appropriation	\$ 94,312

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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. NONCONTRIBUTORY RETIREMENT PLAN. For the agency named in this Act §814 is included in the salaries and wages line item to fund a noncontributory employee retirement plan. The amount referred to in this section shall not be used for any purpose other than to fund a noncontributory retirement program for state employees. If the forty-seventh legislative assembly does not provide by statute for a noncontributory retirement program for state employees, such amounts shall remain in the salaries and wages line item until such line item is canceled on July 30, 1983.

Approved March 16, 1981

## CHAPTER 25

HOUSE BILL NO. 1026  
(Committee on Appropriations)

## INSURANCE PREMIUM TAXES

AN ACT making an appropriation for the payment of insurance premium taxes to fire departments.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the commissioner of insurance for the purpose of making payments of insurance premiums to fire departments, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Grants, benefits, and claims	\$ 3,811,500
Total general fund appropriation	\$ 3,811,500

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.

Approved March 3, 1981

## CHAPTER 26

HOUSE BILL NO. 1027  
(Committee on Appropriations)

STATE HISTORICAL BOARD AND  
INTERNATIONAL PEACE GARDEN

AN ACT making an appropriation for defraying the expenses of the state historical board and international peace garden 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 funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the state historical board and the international peace garden of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Subdivision 1.

STATE HISTORICAL BOARD

Salaries and wages	\$ 2,109,406
Operating expenses	1,054,734
Data processing	42,205
Equipment	163,140
Grants, benefits, and claims	500,000
Capital improvements	450,000
Total all funds	\$ 4,319,485
Less estimated income	731,313
Total general fund appropriation	\$ 3,588,172

Subdivision 2.

INTERNATIONAL PEACE GARDEN

Capital improvements	\$ 25,000
Grants, benefits, and claims	317,000
Total general fund appropriation	\$ 342,000
Grand total general fund appropriation	\$ 3,930,172
Grand total special fund appropriation	\$ 731,313
Grand total all funds appropriated H.B. 1027	\$ 4,661,485

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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. It is the intent of the legislative assembly that the reduction of \$254,550 to the capital improvements line item recommended in the executive budget is a reduction related to improvements at Fort Totten historic site. It is also intended that \$20,000 of the capital improvements line item be used to install a sprinkler system at the little theater at Fort Totten historic site.

SECTION 5. EMERGENCY. The line item entitled "capital improvements" in subdivision 2 of section 1 of this Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval.

Approved April 6, 1981

## CHAPTER 27

HOUSE BILL NO.1028  
(Committee on Appropriations)

## COUNCIL ON THE ARTS

AN ACT making an appropriation for defraying the expenses of the council on the arts of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the council on the arts of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 147,737
Operating expenses	84,726
Equipment	1,395
Grants, benefits, and claims	<u>1,012,200</u>
Total all funds	\$1,246,058
Less estimated income	<u>957,200</u>
Total general fund appropriation	\$ 288,858

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget that newly anticipated employees are actually in the employ of the state.

SECTION 3. APPROPRIATION. All income from the cultural arts endowment fund is hereby appropriated for the furthering of the cultural arts in 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.

Approved April 6, 1981

CHAPTER 28

HOUSE BILL NO. 1029  
 (Committee on Appropriations)

SOIL CONSERVATION COMMITTEE  
 AND DISTRICTS

AN ACT making an appropriation for defraying the expenses of the soil conservation committee and soil conservation districts of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the soil conservation committee and districts of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 396,916
Operating expenses	343,622
Data processing	300
Equipment	750
Grants, benefits, and claims	<u>13,000</u>
Total general fund appropriation	<u>\$ 754,588</u>

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.

Approved April 1, 1981

## CHAPTER 29

HOUSE BILL NO. 1030  
(Committee on Appropriations)

### GEOLOGICAL SURVEY

AN ACT making an appropriation for defraying the expenses of the geological survey 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 funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the lands and minerals trust fund in the state treasury as provided for in section 15-08.1-08 of the North Dakota Century Code, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the geological survey under the supervision of the board of higher education of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 2,868,267
Operating expenses	684,997
Data processing	82,334
Equipment	545,089
Contingency	250,000
Total appropriation - lands and minerals trust fund	<u>\$ 4,430,687</u>

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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. This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval.

Approved April 13, 1981

## CHAPTER 30

HOUSE BILL NO. 1031  
(Committee on Appropriations)

### WATER CONSERVATION COMMISSION

AN ACT making an appropriation for defraying the expenses of the water commission of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the state water commission of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 3,888,404
Operating expenses	1,204,211
Data processing	177,030
Equipment	371,015
Contracts	<u>3,280,000</u>
Total all funds	\$ 8,920,660
Less estimated income	<u>1,377,929</u>
Total general fund appropriation	\$ 7,542,731

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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. There is hereby appropriated out of federal funds, the sum of \$480,938, or so much thereof as may be necessary, to the state water commission for the rural water office for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 246,378
Fees and services	108,160
Supplies and materials	6,400
Grants, benefits, and claims	120,000
Total special fund appropriation	\$ 480,938
Grand total general fund appropriation	\$ 7,542,731
Grand total special fund appropriation	\$ 1,858,867
Grand total all funds appropriated H.B. 1031	\$ 9,401,598

Approved April 1, 1981

## CHAPTER 31

HOUSE BILL NO. 1033  
(Committee on Appropriations)

## PARKS AND RECREATION DEPARTMENT

AN ACT making an appropriation for defraying the expenses of the parks and recreation department of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the parks and recreation department of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 2,587,546
Operating expenses	1,817,788
Data processing	56,000
Equipment	400,000
Capital improvements	834,500
Marina - Fort Stevenson state park	800,000
Grants, benefits, and claims	<u>9,362,500</u>
Total all funds	\$ 15,858,334
Less estimated income	<u>10,108,682</u>
Total general fund transfer and appropriation	<u>\$ 5,749,652</u>

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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. INTENT. It is the intent of the legislative assembly that \$190,152 of funds from the young adult conservation corps included in the salaries and wages line item in section 1 be used to employ six positions during the 1981-83 biennium. If any portion of these funds is not available to the parks and recreation department, the number of positions employed with these funds shall be reduced proportionately. It is the intent of the legislative assembly that no state general fund moneys be used to pay salaries for these positions.

SECTION 5. INTENT. It is the intent of the legislative assembly that \$300,000 of the operating expense line item in section 1 be used for the development of master plans at Fort Lincoln state park, Lewis and Clark state park, Turtle River state park, and Fort Stevenson state park. No capital improvement projects shall be commenced at these parks until the long-range facilities portion of these master plans is completed.

SECTION 6. LEGISLATIVE INTENT. It is the intent of the legislative assembly that the appropriation for capital improvements and grants, benefits, and claims in section 1 of this Act be expended at the discretion of the parks and recreation department and the state outdoor recreation interagency council respectively. The parks and recreation department shall present an itemized list to the 1983 legislative assembly of the amount expended for various projects from these line item appropriations.

Approved April 6, 1981

## CHAPTER 32

HOUSE BILL NO. 1034  
(Committee on Appropriations)

### BONDING FUND AND FIRE AND TORNADO FUND

AN ACT making an appropriation for defraying the expenses of the bonding fund and the fire and tornado fund of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in special funds in the state treasury, not otherwise appropriated, derived from federal funds and/or other income, to the bonding fund and the fire and tornado fund under the supervision of the commissioner of insurance of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Subdivision 1.

	BONDING FUND	
Salaries and wages		\$ 35,158
Operating expenses		18,823
Data processing		747
Contingent		3,000
Total appropriation from state bonding fund		\$ 57,728

Subdivision 2.

	FIRE AND TORNADO FUND	
Salaries and wages		\$ 138,110
Operating expenses		71,516
Data processing		16,315
Contingent		4,000
Total appropriation from state fire and tornado fund		\$ 229,941
Grand total special funds appropriated H.B. 1034		\$ 287,669

SECTION 2. NONCONTRIBUTORY RETIREMENT PLANS. For the agencies named in this Act the following amounts are included in the

salaries and wages line items to fund noncontributory state employee retirement programs.

Bonding Fund	\$ 2,519
Fire and Tornado Fund	<u>10,396</u>
Total	\$ <u>12,915</u>

The amounts referred to in this section shall not be used for any purpose other than to fund noncontributory retirement programs for state employees. If the forty-seventh legislative assembly does not provide by statute for noncontributory retirement programs for state employees, such amounts shall remain in each salary and wages line item until such line item is canceled on July 30, 1983.

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.

Approved March 3, 1981

## CHAPTER 33

HOUSE BILL NO. 1035  
(Committee on Appropriations)

## UNSATISFIED JUDGMENT FUND

AN ACT making an appropriation for defraying the administrative expenses of the unsatisfied judgment fund of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the unsatisfied judgment fund in the state treasury, not otherwise appropriated, to the unsatisfied judgment fund, which is under the supervision of the commissioner of insurance, for the purpose of defraying the administrative expenses of the fund, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 36,130
Operating expenses	6,528
Equipment	550
Total appropriation from unsatisfied judgment fund	<u>\$ 43,208</u>

SECTION 2. NONCONTRIBUTORY RETIREMENT PLAN. For the agency named in this Act \$1,200 is included in the salaries and wages line item to fund a noncontributory employee retirement program. The amount referred to in this section shall not be used for any purpose other than to fund a noncontributory retirement program for state employees. If the forty-seventh legislative assembly does not provide by statute for a noncontributory retirement program for state employees, such amount shall remain in each salaries and wages line item until such line item is canceled on July 30, 1983.

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 March 9, 1981

## CHAPTER 34

HOUSE BILL NO. 1036  
(Committee on Appropriations)

## AGRICULTURAL COUNCILS AND COMMISSIONS

AN ACT making an appropriation for defraying the expenses of various agricultural councils and commissions of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the various agricultural councils and commissions of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

## Subdivision 1.

	EDIBLE BEAN COUNCIL	
Fees and services		\$ 239,900
Operating expenses		100
Total appropriation from edible bean fund		<u>\$ 240,000</u>

## Subdivision 2.

	SUNFLOWER COUNCIL	
Salaries and wages		\$ 224,385
Operating expenses		913,941
Equipment		12,000
Contingency		100,000
Total appropriation from sunflower fund		<u>\$ 1,250,326</u>

## Subdivision 3.

	HONEY PROMOTION FUND	
Operating expenses		\$ 26,000
Total appropriation from honey promotion fund		<u>\$ 26,000</u>

## Subdivision 4.

	STATE POTATO COUNCIL	
Fees and services		<u>\$ 556,088</u>

Total appropriation from spud fund \$ 556,088

Subdivision 5.

STATE SEED DEPARTMENT

Salaries and wages	\$ 1,790,902
Operating expenses	614,148
Equipment	21,187
Contingent	95,332
Capital improvements	4,600
Total appropriation from seed department fund	\$ 2,526,169

Subdivision 6.

AGRICULTURAL PRODUCTS PROMOTION COMMISSION

Salaries and wages	\$ 84,455
Operating expenses	40,620
Grants	24,925
Total appropriation from agricultural products promotion funds	\$ 150,000

Subdivision 7.

TURKEY FUND

Operating expenses	\$ 20,000
Total appropriation from turkey promotion fund	\$ 20,000

Subdivision 8.

STATE WHEAT COMMISSION

Salaries and wages	\$ 414,017
Operating expenses	1,311,158
Data processing	2,358
Equipment	3,528
Grants, benefits, and claims	65,789
Contingent	20,000
Total appropriation from wheat promotion fund	\$ 1,816,850

Subdivision 9.

PREDATORY ANIMAL CONTROL

Salaries and wages	\$ 371,096
Fees and services	270,850
Total general fund appropriation	\$ 641,946
Grand total general fund appropriation	\$ 641,946
Grand total special funds appropriated	\$ 6,585,433
Grand total all funds appropriated H.B. 1036	\$ 7,227,379

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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. POTATO COUNCIL APPROPRIATION. In addition to the funds appropriated to the state potato council in section 1 of this Act, there is hereby appropriated any additional funds available to the council from increased assessments pursuant to the provisions of section 4-10.1-09 of the North Dakota Century Code. Such additional funds shall only be expended upon approval of the budget section of the legislative council.

Approved April 6, 1981

## CHAPTER 35

HOUSE BILL NO. 1037  
(Committee on Appropriations)

### STATE REVENUE SHARING

AN ACT making an appropriation for the distribution of state general fund revenue to local political subdivisions of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the state treasurer of the state of North Dakota for the purpose of distributing general fund revenue to local political subdivisions, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Grants, benefits, and claims	\$ 21,840,000
Total general fund transfer and appropriation	<u>\$ 21,840,000</u>

SECTION 2. APPROPRIATION. The funds appropriated in section 1 of this Act are to be transferred by the state treasurer to the state revenue sharing fund for distribution in accordance with the initiated measure providing for the sharing of general fund revenues of the state of North Dakota and in accordance with the attorney general's opinion, dated December 20, 1978. The distribution for the fiscal year ending June 30, 1982, shall not exceed one-half of the total appropriation contained in section 1.

Approved March 20, 1981

## CHAPTER 36

HOUSE BILL NO. 1038  
(Committee on Appropriations)

## JUDICIAL BRANCH

AN ACT making an appropriation for defraying the 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 funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income to the judicial branch of government of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

## Subdivision 1.

## SUPREME COURT

Salaries and wages	\$ 2,500,713
Operating expenses	624,000
Data processing	70,000
Equipment	101,400
Judges retirement	152,053
Total all funds	\$ 3,448,166
Less estimated income	60,000
Total general fund appropriation	\$ 3,388,166

## Subdivision 2.

## JUDICIAL QUALIFICATIONS COMMISSION

Salaries and wages	\$ 106,663
Operating expenses	50,200
Equipment	700
Total all funds	\$ 157,563
Less estimated income	78,781
Total general fund appropriation	\$ 78,782

## Subdivision 3.

## DISTRICT COURTS

Salaries and wages	\$ 3,510,260
Operating expenses	268,300
Data processing	21,000
Equipment	33,200
Judges retirement	446,106
Total general fund appropriation	\$ 4,278,866

## Subdivision 4.

## DISTRICT COURT - SUPPLEMENTAL STATE FUNDING

Salaries and wages	\$ 5,284,130
Operating expenses	2,801,120
Equipment	39,000
Total general fund appropriation	\$ 8,124,250
Grand total general fund appropriation	\$ 15,870,064
Grand total special funds appropriation	\$ 138,781
Grand total all funds appropriated H.B. 1038	\$ 16,008,845

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. DISTRICT JUDGES. The appropriation provided within subdivision 2 of section 1 provides for two additional district court judges to be assigned pursuant to article VI, section 93 of the state constitution with one additional judge in the southwest judicial district and one additional judge in the northwest judicial district to be assigned to chambers by the supreme court.

Approved April 6, 1981

# CHAPTER 37

HOUSE BILL NO. 1039  
(Committee on Appropriations)

## ENERGY DEVELOPMENT IMPACT OFFICE

AN ACT making an appropriation for defraying the expenses of the energy development impact office of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the coal development impact fund and the general fund in the state treasury, not otherwise appropriated, to the energy development impact office of the state of North Dakota, for the purpose of defraying the expense of that office, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 216,727
Operating expenses	124,760
Equipment	8,400
Grants, benefits, and claims	22,000,000
Total all funds	\$ 22,349,887
Less estimated income	12,174,944
Total general fund appropriation	\$ 10,174,943

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. GRANTS, BENEFITS, AND CLAIMS. Two million dollars of the appropriation from the coal development impact fund included in section 1 of this Act, relating to the grants, benefits, and claims line item, shall be spent only in the event that construction is commenced on a new energy-producing facility during the biennium.

SECTION 4. LEGISLATIVE INTENT. It is the intent of the legislative assembly that if the impact of energy development activities diminish in future bienniums, energy development impact grants should be appropriated from the general fund.

SECTION 5. GRANTS, BENEFITS, AND CLAIMS. Section 54-44.1-11 shall not apply to appropriations made for grants, benefits, and claims in section 1 of this Act nor to the grants, benefits, and claims line item in chapter 77 of the 1979 Session Laws.

Approved April 6, 1981

## CHAPTER 38

HOUSE BILL NO. 1040  
(Committee on Appropriations)

## GAME AND FISH DEPARTMENT

AN ACT making an appropriation for defraying the expenses of the game and fish department of the state of North Dakota; and to amend and reenact subsection 7 of section 20.1-02-05 of the North Dakota Century Code, relating to powers of the commissioner.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the game and fish fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income to the game and fish department of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 5,156,222
Operating expenses	2,621,925
Data processing	260,025
Equipment	805,667
Capital improvements	745,850
Grants, benefits, and claims	345,600
Noxious weed control	110,000
Deer depredation	650,000
In lieu of taxes	302,000
Contingent	150,000
Total appropriation from game and fish fund	<u>\$ 11,147,289</u>

SECTION 2. HABITAT RESTORATION - APPROPRIATION. There is hereby appropriated the sum of \$505,000, or such lesser amounts as may be collected pursuant to House Bill No. 1520, to the game and fish department to lease privately owned lands for wildlife habitat to reestablish wildlife population during the biennium beginning July 1, 1981, and ending June 30, 1983. These funds shall be spent only for purposes and utilizing guidelines as outlined in House Bill No. 1520.

SECTION 3. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget that newly anticipated employees are actually in the employ of the state.

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. AMENDMENT. Subsection 7 of section 20.1-02-05 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

7. Purchase With the governor's approval, purchase, lease, or condemn real estate, when it is required to carry out this title, and sell it when it is no longer required, in the name of the state ~~and-subject-to--the approval-of-the-governor.~~

Approved April 6, 1981

## CHAPTER 39

HOUSE BILL NO. 1041  
(Committee on Appropriations)

## MOTOR VEHICLE FUEL TAX TRANSFER

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 vehicle 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 motor vehicle fuel taxes, collected pursuant to section 57-54-08 of the North Dakota Century Code, the sum of \$588,000 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 5, 1981

## CHAPTER 40

HOUSE BILL NO. 1054  
(Legislative Council)  
(Interim Education Committee)

## SCHOOL DISTRICT AID

AN ACT providing an appropriation based upon school districts average daily membership and transportation mileage; 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 \$12,000,000, or so much thereof as may be necessary, to the department of public instruction for the purpose of making payments to school districts during the biennium ending June 30, 1981, in accordance with the provisions of this Act.

SECTION 2. AMOUNT OF PAYMENT. School districts shall receive an amount of money equal to eighteen cents per mile for school bus transportation based on the number of miles traveled in the 1979-80 school term. This payment shall be over and above the transportation payment provided for in section 15-40.1-16. The remainder of the \$12,000,000 appropriated by this Act shall be distributed, notwithstanding subsection 2 of section 15-40.1-06 and sections 15-40.1-07 and 15-40.1-08, to the schools based upon their pro rata share of the average daily membership for the 1979-80 school term.

SECTION 3. AVAILABILITY OF FUNDS. Within thirty days after the effective date of this Act, the superintendent of public instruction shall certify to the department of accounts and purchases the amounts each school district is entitled to, and as soon as possible thereafter, a single payment covering each of these distributions shall be mailed to each individual school district.

SECTION 4. EMERGENCY. This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval.

Approved February 5, 1981

## CHAPTER 41

HOUSE BILL NO. 1087  
(Freborg)

**SUPPLEMENTAL COAL DEVELOPMENT  
IMPACT GRANTS**

AN ACT to provide a supplemental appropriation to the coal development impact office of the state of North Dakota to provide for additional grants; 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 not otherwise appropriated in the coal impact fund in the state treasury, which fund was established pursuant to subsection 1 of section 57-62-02, the sum of \$1,500,000, or so much thereof as may be necessary, to the coal development impact office of the state of North Dakota, for the purpose of providing supplemental grants under chapter 57-62 during the period beginning January 1, 1981, and ending June 30, 1981.

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 February 12, 1981

## CHAPTER 42

HOUSE BILL NO. 1341  
(Peterson, Eagles, R. Hausauer, Kuchera, Wald)

## CAPITAL CONSTRUCTION FUND

AN ACT for a conditional transfer of funds to a state capital construction fund; and providing an appropriation for the construction, remodeling, and equipping of, or for additions to, buildings of state agencies, departments, and institutions.

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

\* SECTION 1. APPROPRIATION - TRANSFER. In the event that the amount of revenues deposited in the general fund of the state treasury for the fiscal year ending June 30, 1981, exceeds \$348,500,000, the director of the department of accounts and purchases shall direct the state treasurer to transfer from the general fund to the state capital construction fund the sum of \$22,189,000, which is hereby appropriated, or so much thereof as may be necessary, or the amount by which the revenues deposited in the general fund for the fiscal year ending June 30, 1981, exceeds \$348,500,000, whichever is less. In the event that the revenues deposited in the general fund of the state treasury for the fiscal year ending June 30, 1982, exceed \$400,000,000, the director of the department of accounts and purchases shall direct the state treasurer to transfer from the general fund to the state capital construction fund the funds that are in excess of \$400,000,000, or so much thereof as may be necessary, for the projects listed in section 2 of this Act for which funds were not previously transferred from the general fund to the capital construction fund, or the amount by which the revenues deposited in the general fund for the fiscal year ending June 30, 1982, exceed \$400,000,000, whichever is less. In addition to other transfers authorized by this section, if more than fifty percent of the amount appropriated in section 2 of this Act for a specific facility, in priority order, is transferred from the general fund to the capital construction fund on the dates authorized in this section, the director of the department of accounts and purchases shall direct the state treasurer to transfer the additional amounts required to complete such facility, not to exceed the total appropriation of state funds for such facility as set forth in section 2. Funds transferred

\* NOTE: This section was amended by section 1 of House Bill No. 1365, chapter 383.

pursuant to this section shall be expended by the various agencies, departments, and institutions for the construction or addition, remodeling, and equipping of buildings in accordance with specific appropriation made by the legislative assembly in section 2 of this Act.

SECTION 2. APPROPRIATION. There is hereby appropriated out of any moneys in the state capital construction fund, the sum of \$22,189,000, or so much thereof as may be necessary, to the state agencies, departments, and institutions listed herein, for the construction and equipping of buildings and facilities, or the remodeling of buildings and facilities within the limitations hereafter stated in this section during the biennium beginning July 1, 1981, and ending June 30, 1983.

NAME OF AGENCY, DEPARTMENT, OR INSTITUTION	TYPE OF FACILITY	STATE FUNDS
International peace garden	Superintendent's residence and utility lines	\$ 85,000
Minot state college	Complete athletic facility	400,000
School for the deaf	Activities building	869,000
Dickinson state college	Multipurpose arena	990,000
Northern crop institute, North Dakota state university	New facility	1,500,000
University of North Dakota	Physical education facility addition	6,000,000
State hospital	Ward building	8,000,000
North Dakota state university	Computer center addition	1,270,000
State school of science	Agricultural mechanics and welding building	1,875,000
State fair association	Exhibition building	1,200,000
Total		<u>\$ 22,189,000</u>

The order in which the projects are listed in this section shall be the priority list for the construction, equipping, or remodeling of such buildings or facilities. The construction or remodeling of a building or facility shall be allowed to commence if more than fifty percent of the amount appropriated in this section for such building or facility is available and has been transferred from the general fund to the state capital construction fund as provided in this Act. If on June 30, 1983, there are not sufficient funds in the capital construction fund to commence construction or remodeling of a building or facility in accordance with the provisions of this Act, such construction shall not be commenced and such funds shall be returned to the general fund. If on June 30, 1983, sufficient funds are in the capital construction fund to complete a building or facility in accordance with the provisions of this Act, but have not been paid out for all expenses to be incurred in completion of such building or facility, such funds as may be necessary to complete such project or projects shall remain in the capital construction

fund until spent for such purposes. 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 federal or other sources to construct or remodel the buildings and facilities set forth in this Act. In no event shall any building or facility exceed the cost indicated in the column "state funds" except to the extent funds may be received from federal or other sources.

Approved March 27, 1981

## CHAPTER 43

HOUSE BILL NO. 1420  
(Representatives Martinson, R. Hausauer, Wagner)  
(Senators Melland, Thane)

## NATIONAL GUARD TUITION TRUST FUND

AN ACT to create a limited special trust fund for the North Dakota national guard tuition waiver and grant programs; and providing an appropriation - transfer.

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

SECTION 1. NORTH DAKOTA NATIONAL GUARD TUITION FUND. There is hereby established a special trust fund in the state treasury to be known as the national guard tuition trust fund. Interest earned on such fund shall be used, within the limits of legislative appropriation, for the tuition programs provided for in chapters 37-07.1 and 37-07.2. The fund shall not be subject to the provisions of section 54-44.1-11. The moneys in the fund shall be invested by the state treasurer and interest earned by the fund shall be credited to the fund. On July 1, 1989, any unobligated balance in the fund shall be transferred to the general fund.

SECTION 2. APPROPRIATION - TRANSFER. There is hereby appropriated and transferred out of any moneys in the sinking fund for the state of North Dakota general obligation bonds, Vietnam conflict adjusted compensation series, the sum of \$3,500,000 to the national guard tuition trust fund created by section 1 of this Act.

Approved March 11, 1981

## CHAPTER 44

HOUSE BILL NO. 1466  
(Peltier, Berg, Moore)

## RED RIVER WATERSHED FLOOD CONTROL PROJECTS

AN ACT to provide an appropriation to the North Dakota state water commission in cooperation with the Red River joint water resource board for the purpose of the investigation, development, preliminary engineering analysis, estimate of costs and construction of flood control projects and related works in the Red River watershed in 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, not otherwise appropriated, the sum of \$500,000, or so much thereof as may be necessary, to the state water commission contract fund to act in cooperation with the Red River joint water resource board for the purpose of the investigation, development, preliminary engineering analysis, estimate of costs, and construction of flood control projects and related works in member districts of the Red River joint water resource board, for the biennium beginning July 1, 1981, and ending June 30, 1983. A portion of the moneys appropriated herein shall be used to develop a priority list of projects, including preliminary engineering analysis and cost estimates, which are necessary to resolve the surface water management problems in the Red River watershed to the greatest extent possible. The priority list of projects shall be developed to provide a basis for future appropriations to the state water commission for cost sharing with the Red River joint water resource board for the construction of such projects. The funds herein appropriated shall not be expended until provisions for local funds from mill levies or assessments are made to match funds from this appropriation.

SECTION 2. MATCHING FUNDS. The state water commission, in cooperation with the Red River joint water management board, may use all or any part of any of the moneys herein appropriated to match any federal funds available for the purposes set out in this Act.

Approved April 1, 1981

## CHAPTER 45

HOUSE BILL NO. 1605  
(Representatives G. Pomeroy, Reiten, Riehl)  
(Senators Barth, Tennefos)

## NATIVE AMERICAN ALCOHOL AND DRUG ABUSE EDUCATION FUND

AN ACT to provide a statement of legislative intent; to create and provide for distribution of a native American alcohol and drug abuse education program for use on Indian reservations; to provide an appropriation; and to provide an expiration date.

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

SECTION 1. LEGISLATIVE INTENT. The legislative assembly recognizes the uniqueness of the native American culture and that the alcohol and drug abuse problems being experienced by reservation inhabitants can best be addressed with early education on the reservations. The legislative assembly further recognizes that a great deal of human suffering can be avoided by working to prevent alcohol and drug abuse problems before they occur. With this in mind, the legislative assembly passes this Act appropriating state general funds to help finance alcohol and drug abuse education programs for native Americans on the four major Indian reservations in North Dakota.

SECTION 2. NATIVE AMERICAN ALCOHOL AND DRUG ABUSE EDUCATION FUND - CREATION AND DISTRIBUTION. There is hereby created in the state treasury a special fund to be known as the native American alcohol and drug abuse education fund. The moneys appropriated to this special fund shall be distributed by the state treasurer once each year, to the four major Indian reservations in North Dakota. Each reservation shall be entitled to receive a prorated share based upon the Indian population living on the reservation as compared with the total Indian population living on all four major reservations within the state as determined by the most recent federal decennial census. However, in order for reservations to receive funds, alcohol and drug abuse education programs on the reservation must make application to the North Dakota Indian affairs commission showing such information as required based on early educational program criteria developed and approved by the commission in consultation with the division of alcoholism and drug abuse, the state health department, and the office of Indian program development at the university of North Dakota. The state treasurer

shall disburse the funds upon notification by the Indian affairs commission that they have received adequate evidence of proposed expenditures based on the above-mentioned criteria. Before the funds are disbursed, the Indian affairs commission shall provide the state treasurer with reports of expenditures from the previous year. Any moneys in the fund to which reservations are entitled but which are not disbursed, shall be returned to the state general fund at the same time the following year's disbursement is made or at the end of the 1981-83 biennium.

SECTION 3. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$383,836.83, or so much thereof as may be necessary, to the native American alcohol and drug abuse education fund in the state treasury for distribution as provided in this Act for the biennium beginning July 1, 1981, and ending June 30, 1983.

SECTION 4. EXPIRATION DATE. This Act shall be effective through June 30, 1983, and after that date shall be ineffective.

Approved April 6, 1981

## CHAPTER 46

HOUSE BILL NO. 1648  
(Wagner)

## LIEUTENANT GOVERNOR'S ADDITIONAL DUTIES

AN ACT making an appropriation for defraying the expense of additional duties of lieutenant governor prescribed by the governor; providing an exemption; stating legislative intent; 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 \$87,000, or so much thereof as may be necessary, to the governor's office for the purpose of defraying the expenses of additional duties of the lieutenant governor prescribed by the governor for the biennium beginning July 1, 1981, and ending June 30, 1983.

SECTION 2. EXEMPTION. The funds herein appropriated for section 1 of this Act shall not be subject to the provisions of sections 54-27-10 and 54-27-11 of the North Dakota Century Code, relating to the time during which appropriations become available.

SECTION 3. LEGISLATIVE INTENT. It is the intent of the legislative assembly to defray the expenses of the lieutenant governor for additional duties as may be prescribed by the governor. The legislative assembly finds the appropriation made in section 1 of this Act to be reasonable for expenses of performing the full-time duties assigned to the lieutenant governor by the governor.

SECTION 4. 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 April 1, 1981

## CHAPTER 47

HOUSE BILL NO. 1659  
(Peterson, Backes, Solberg, Strinden)  
(Approved by the Committee on Delayed Bills)

## NORTH DAKOTA BLUE BOOK REPUBLICATION

AN ACT making an appropriation to provide for the preparation, printing, and distribution of the North Dakota Blue Book and stating legislative intent.

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

SECTION 1. LEGISLATIVE INTENT CONCERNING REPUBLICATION OF BLUE BOOK. The forty-seventh legislative assembly dedicates this republication of the North Dakota Blue Book to the Honorable Brynhild Haugland, State Representative, Ward County, who is the dean of women legislators in the United States of America. The forty-seventh legislative assembly also wishes to recognize the following facts:

1. That Representative Haugland commenced serving in the North Dakota Legislative Assembly in 1939, during the Twenty-sixth Legislative Assembly.
2. That Representative Haugland is now (1981) deeply involved in her twenty-second consecutive legislative session.
3. That Representative Haugland was first elected in 1938, and has been continuously reelected every two years since that date.
4. That Representative Haugland has served in the House of Representatives of the North Dakota legislative assembly for forty-eight percent of the years during which North Dakota has been a state.
5. That Representative Haugland is the senior female legislator in the United States, and may be the senior legislator in the United States.
6. That Representative Haugland is now serving her nineteenth session as chairman of the committee on social services and veterans affairs, or its named predecessor.

The forty-seventh legislative assembly makes the foregoing findings to render obvious its decisions to dedicate this republication of the North Dakota Blue Book to the Honorable Brynhild Haugland, dean of the legislative assembly.

SECTION 2. STATEMENT OF LEGISLATIVE INTENT. The legislative assembly intends that the text of section 1 of this Act dedicating the 1981 republication of the Blue Book to Representative Brynhild Haugland be inserted as a frontispiece to the 1981 Blue Book.

SECTION 3. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$25,000, or so much thereof as may be necessary, to the secretary of state for the preparation, printing, and distribution of the North Dakota Blue Book, for the period beginning July 1, 1981, and ending June 30, 1983.

SECTION 4. DUTIES OF SECRETARY OF STATE. The secretary of state shall print, furnish, and distribute the North Dakota Blue Book as follows:

1. One copy to each member of the legislative assembly.
2. Three copies to the state historical society.
3. Two copies to the state law library.
4. Two copies to the university of North Dakota.
5. Two copies to North Dakota state university.
6. Ten copies to the legislative council.
7. One copy to each public institution maintained by the state.
8. One copy to each elective and appointive state officer.
9. One copy to each public library in the state.
10. One copy to each county auditor.
11. One copy to each public high school and junior high school in the state.
12. One copy to each supreme court justice.
13. One copy to each district judge.

The North Dakota Blue Book shall not contain more than five hundred pages and the number to be printed shall not exceed two thousand volumes. The secretary of state may, after making the distribution required by this section, sell the remaining copies of the book to individuals at cost, and the proceeds of such sales shall be deposited in the general fund. The printing and binding of the North Dakota Blue Book shall be let as a special class of printing upon competitive bidding to the lowest bidder.

Approved April 6, 1981

# CHAPTER 48

SENATE BILL NO. 2001  
(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 in the state treasury, not otherwise appropriated, to the legislative branch of the state government 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, 1983, to wit:

### SECTION 3. APPROPRIATION.

#### Subdivision 1.

#### FORTY-SEVENTH AND FORTY-EIGHTH LEGISLATIVE ASSEMBLIES AND BIENNIUM

Salaries and wages	\$ 1,160,323
Operating expenses	3,571,730
Additional and unvouchered expense	9,225
allowance for expenses of the lieutenant governor to be paid at the rate of \$85 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 paid in lieu of the expenses provided for in section 44-08-04	
National conference of state legislatures	50,070

Equipment	15,028
Total	<u>\$ 4,806,376</u>

Subdivision 2.

LEGISLATIVE COUNCIL

Salaries and wages	\$ 1,954,654
Operating expenses	1,364,209
Equipment	10,700
Total	<u>\$ 3,329,563</u>
Total general fund	\$ 8,135,939

SECTION 4. TRANSFERS. The director of the department of accounts and purchases and the state treasurer shall make such transfers of funds between line items of appropriation for the legislative council as may be requested by the chairman of the council upon a finding by him that the nature of studies and duties assigned to the council require such transfers in properly carrying on the council's function and duties. The director of the department of accounts and purchases and the state treasurer shall similarly make transfers of funds between the line items for the forty-seventh and forty-eighth 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 5. 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 1, 1981

## CHAPTER 49

SENATE BILL NO. 2002  
(Legislative Council)  
(Interim Legislative Procedure and Arrangements Committee)

### LEGISLATIVE SPACE RENOVATION

AN ACT making an appropriation to the legislative assembly for improvements to and renovation of the state capitol; 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, and from special funds, the sum of \$675,000, or so much thereof as may be necessary, and \$1,200,000, or so much thereof as may be necessary, from the capitol building fund in the state treasury, to the legislative assembly for improvements to and renovation of the legislative wing and certain portions of the ground floor and the second floor levels of the executive tower of the state capitol. The appropriation from the capitol building fund shall not be subject to the provisions of chapter 48-10.

SECTION 2. LEGISLATIVE INTENT. It is the intent of the legislative assembly that the director of institutions handle administration of contracts let by the legislative council, or its designee, with respect to the projects funded by this Act, and that the legislative council or its designee serve as the funding agent for the contracts it enters into pursuant to this Act. The provisions of section 54-44.1-11 shall not apply to this appropriation.

SECTION 3. 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 1, 1981

## CHAPTER 50

SENATE BILL NO. 2003  
(Committee on Appropriations)

## STATE EMPLOYEE EMERGENCY COMPENSATION

AN ACT to provide an appropriation for additional compensation to North Dakota state employees for the period beginning January 1, 1981, and ending June 30, 1981; and declaring an emergency.

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

SECTION 1. APPROPRIATION. The sums hereinafter listed, or so much thereof as may be necessary, are hereby appropriated out of the general fund and from special funds or moneys derived from federal funds or other income in the state treasury as indicated to the agencies, institutions, and enterprises of state government named herein for the purpose of providing additional compensation to employees of the various agencies, institutions, and enterprises named herein for the period beginning January 1, 1981, and ending June 30, 1981:

AGENCY, INSTITUTION, OR ENTERPRISE	GENERAL FUND	SPECIAL FUNDS	TOTAL
Governor's office	\$ 10,377	\$	\$ 10,377
Federal aid coordinator	23,437	4,419	27,856
Lieutenant governor	557		557
Secretary of state	10,686		10,686
Central microfilm unit	2,463		2,463
Department of accounts and purchases	30,045		30,045
Central data processing division		78,319	78,319
Central personnel division	5,066	6,715	11,781
State auditor	44,315		44,315
State treasurer	6,521		6,521
Attorney general	61,070		61,070
Tax commissioner	95,375		95,375
Coal development impact office (coal development impact fund)		2,561	2,561

Director of institutions	43,818		43,818
Motor vehicle registrar (motor vehicle registration fund)		29,467	29,467
Division of surplus property	4,295		4,295
Legislative council	36,729		36,729
Supreme court	34,378		34,378
District courts	5,480		5,480
Public employees retirement system and group insurance (public employees retirement fund and group insurance fund)		8,442	8,442
Superintendent of public instruction	56,197	28,765	84,962
Division of independent study	21,641		21,641
Board of higher education	16,174		16,174
Industrial school	56,799		56,799
Commissioner of university and school lands (state land maintenance fund)		15,494	15,494
University of North Dakota	1,024,179		1,024,179
Medical center rehabilitation hospital		214,926	214,926
University of North Dakota medical center	366,485		366,485
North Dakota state university	864,981		864,981
North Dakota state university - state toxicologist	7,619		7,619
Upper great plains transportation institute	7,011		7,011
State school of science	335,437		335,437
Dickinson state college	138,175		138,175
Mayville state college	99,960		99,960
Minot state college	262,284		262,284
Valley City state college	125,445		125,445
North Dakota forest service	19,799		19,799
North Dakota state university - Bottineau branch	50,020		50,020
Educational broadcasting council	1,175		1,175
Library commission	16,106		16,106
School for the deaf	47,600		47,600
School for the blind	25,985		25,985
Teachers' fund for retirement (teachers' fund for retirement)		5,828	5,828
Board of vocational education	17,715	19,977	37,692
Department of health	188,977	42,897	231,874
Grafton state school	387,311		387,311
San Haven	140,965		140,965
State hospital	534,449		534,449

Soldiers' home	21,580		21,580
Indian affairs commission	2,683		2,683
Department of veterans affairs	5,643		5,643
Social service board	146,902	220,354	367,256
South central mental health and retardation center	25,743		25,743
Northwest human resource center	32,610		32,610
Lake Region human service center	23,042		23,042
North central mental health and retardation center	26,760		26,760
Center for human development	31,312		31,312
Southeast mental health and retardation center	70,387		70,387
Memorial mental health and retardation center	37,185		37,185
Badlands human service center	41,364		41,364
Governor's council on human resources	2,816		2,816
Insurance commissioner	11,909		11,909
Unsatisfied judgment fund (unsatisfied judgment fund)		648	648
Fire marshal	5,207		5,207
Labor commissioner	4,794		4,794
Public service commission	48,283	4,762	53,045
Weather modification board	4,404		4,404
Aeronautics commission	1,807	3,394	5,201
Department of banking and financial institutions	21,802		21,802
Securities commissioner	7,533		7,533
State laboratories department	31,787		31,787
Bonding fund (bonding fund)		619	619
Fire and tornado fund		2,556	2,556
Bank of North Dakota		77,757	77,757
Mill and elevator association		122,031	122,031
Workmen's compensation bureau (workmen's compensation fund)		49,915	49,915
Crime victims reparations division	942		942
Law enforcement council	9,499		9,499
Parole and probation office	20,780		20,780
Highway patrol	125,042		125,042
Law enforcement training center	3,645		3,645
Radio communications department	19,205		19,205
Division of disaster emergency services	5,308	10,509	15,817

Civil air patrol	228		228
State penitentiary	89,096		89,096
Penitentiary industries		10,602	10,602
Adjutant general	13,060		13,060
Business and industrial development department	10,186		10,186
Commissioner of agriculture	24,650		24,650
Predatory animal control	8,318		8,318
Milk stabilization board (milk stabilization fund)		4,716	4,716
Sunflower council (sunflower fund)		3,276	3,276
Agricultural products utilization commission (agriculturally derived alcohol motor vehicle fuel tax fund)		1,940	1,940
Livestock sanitary board	5,647		5,647
Wheat commission (wheat promotion fund)		7,353	7,353
Seed department (seed department fund)		32,621	32,621
Extension division	253,971		253,971
Extension division - expanded food and nutrition education program		12,231	12,231
Extension division - energy extension service program		8,521	8,521
Main experiment station	436,304		436,304
Dickinson experiment station	11,002		11,002
Hettinger experiment station	3,306		3,306
Langdon experiment station	3,875		3,875
North central experiment station	5,746		5,746
Williston experiment station	6,472		6,472
Carrington experiment station	10,616		10,616
Agronomy seed farm (agronomy seed farm fund)		3,508	3,508
Historical society	29,388		29,388
Natural resources council	2,232	6,078	8,310
Council on the arts	2,811		2,811
Soil conservation committee	7,482		7,482
Geological survey (lands and minerals trust fund)		39,166	39,166
Game and fish department (game and fish fund)		91,475	91,475
Parks and recreation department	26,680		26,680
Water commission	65,897		65,897
Highway department		1,031,614	1,031,614
Job service		440,787	440,787
OASIS and social security		4,082	4,082

Job service - displaced		1,177	1,177
homemaker program			
Total	<u>\$7,034,042</u>	<u>\$2,649,502</u>	<u>\$9,683,544</u>

The amounts herein appropriated are intended to provide compensation increases of ten percent for the period January 1, 1981, through June 30, 1981. The actual amount of increases paid to individual employees shall be determined by the director of the agency, department, or enterprise in accordance, where applicable, with central personnel division classification and compensation plans, except that a director of an agency, institution, or enterprise may grant increases which exceed the maximum limit of salary ranges in such plans. Compensation increases shall only be granted to employees who are currently employed by the state on the effective date of this Act and who were employed by the state on July 1, 1980. The moneys herein appropriated shall be made available to the various executive branch agencies, institutions, and enterprises only after a determination by the director of the department of accounts and purchases that such amounts are necessary to pay the amounts of additional compensation in addition to the amounts provided in appropriation acts passed by the forty-sixth legislative assembly. For those state officers and employees whose salaries are set by line items in appropriation acts of the forty-sixth legislative assembly, the director of the department of accounts and purchases shall have authority to approve additional compensation over and above the amount of such line items in amounts not to exceed ten percent of each person's salary during the period beginning January 1, 1981, and ending June 30, 1981.

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 January 16, 1981

## CHAPTER 51

SENATE BILL NO. 2004  
(Committee on Appropriations)

## BOARD OF HIGHER EDUCATION

AN ACT making an appropriation for defraying the expenses of the board of higher education 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 funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income to the board of higher education of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

## Subdivision 1.

BOARD OF HIGHER EDUCATION	
Salaries and wages	\$ 848,675
Operating expenses	240,029
Equipment	6,850
Data processing	41,925
Consultation board	10,000
Contingent	500,000
Tuition assistance	400,000
National direct student loans	150,000
Student financial assistance program	1,010,000
Total all funds	\$ 3,207,479
Less estimated income	425,000
Total general fund transfer and appropriation	\$ 2,782,479

## Subdivision 2.

RECIPROCAL AGREEMENTS	
Reciprocal agreements	\$ 2,733,615
Total general fund appropriation	\$ 2,733,615
Grand total general fund appropriation	\$ 5,516,094
Grand total special funds appropriated	\$ 425,000
Grand total all funds S.B. 2004	\$ 5,941,094

SECTION 2. APPROPRIATION. The contingent line item under section 1, subdivision 1 of this Act shall be used for meeting unforeseen expenses at the various institutions under the control of the board of higher education, upon approval of the emergency commission.

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 3, 1981

## CHAPTER 52

SENATE BILL NO. 2005  
(Committee on Appropriations)

## HIGHER EDUCATION

AN ACT making an appropriation for defraying the expenses of the various institutions under the supervision of the board of higher education 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 funds provided in this section or, so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income to the various institutions under the supervision of the state board of higher education of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

UNIVERSITY OF NORTH DAKOTA	
Salaries and wages	\$ 51,346,619
Operating expense	14,493,128
Equipment	1,244,994
Total operating budget	<u>\$ 67,084,741</u>
Less estimated income	12,991,560
Net operating budget	<u>\$ 54,093,181</u>
Capital improvements	3,355,500
Total general fund appropriation	<u>\$ 57,448,681</u>

UNIVERSITY OF NORTH DAKOTA MEDICAL CENTER	
Salaries and wages	\$ 25,097,644
Operating expense	13,982,789
Equipment	589,976
Total operating budget	<u>\$ 39,670,409</u>
Less estimated income	17,363,896
Net operating budget	<u>\$ 22,306,513</u>
Capital improvements	300,000
Total general fund appropriation	<u>\$ 22,606,513</u>

NORTH DAKOTA STATE UNIVERSITY  
OF AGRICULTURE AND APPLIED SCIENCE

Salaries and wages	\$ 44,771,009
Operating expense	13,768,349
Equipment	<u>1,362,413</u>
Total operating budget	\$ 59,901,771
Less estimated income	<u>10,950,401</u>
Net operating budget	\$ 48,951,370
Capital improvements	<u>2,990,719</u>
Total general fund appropriation	<u>\$ 51,942,089</u>

STATE SCHOOL OF SCIENCE - WAHPETON

Salaries and wages	\$ 17,253,617
Operating expense	4,934,797
Equipment	<u>1,017,820</u>
Total operating budget	\$ 23,206,234
Less estimated income	<u>4,089,088</u>
Net operating budget	\$ 19,117,146
Capital improvements	<u>1,456,510</u>
Total general fund appropriation	<u>\$ 20,573,656</u>

DICKINSON STATE COLLEGE

Salaries and wages	\$ 7,027,670
Operating expense	1,992,393
Equipment	<u>249,775</u>
Total operating budget	\$ 9,269,838
Less estimated income	<u>1,060,394</u>
Net operating budget	\$ 8,209,444
Capital improvements	<u>665,250</u>
Total general fund appropriation	<u>\$ 8,874,694</u>

MAYVILLE STATE COLLEGE

Salaries and wages	\$ 4,983,420
Operating expense	1,754,512
Equipment	<u>164,715</u>
Total operating budget	\$ 6,902,647
Less estimated income	<u>926,668</u>
Net operating budget	\$ 5,975,979
Capital improvements	<u>92,000</u>
Total general fund appropriation	<u>\$ 6,067,979</u>

MINOT STATE COLLEGE

Salaries and wages	\$ 13,406,407
Operating expense	2,938,882
Equipment	<u>423,000</u>
Total operating budget	\$ 16,768,289
Less estimated income	<u>2,752,091</u>
Net operating budget	\$ 14,016,198
Capital improvements	<u>2,158,000</u>
Total general fund appropriation	<u>\$ 16,174,198</u>

VALLEY CITY STATE COLLEGE

Salaries and wages	\$ 6,355,393
Operating expense	1,859,272

Equipment	217,400
Total operating budget	\$ 8,432,065
Less estimated income	1,593,843
Net operating budget	\$ 6,838,222
Capital improvements	511,500
Total general fund appropriation	\$ 7,349,722

## STATE SCHOOL OF FORESTRY - BOTTINEAU

## Junior college division:

Salaries and wages	\$ 2,571,034
Operating expense	728,164
Equipment	123,012
Total operating budget	\$ 3,422,210
Less estimated income	417,406
Net operating budget	\$ 3,004,804
Capital improvements	370,994
Total general fund appropriation	\$ 3,375,798
North Dakota forest service:	
Salaries and wages	\$ 1,008,252
Operating expense	283,513
Equipment	91,016
Total operating budget	\$ 1,382,781
Less estimated income	379,126
Net operating budget	\$ 1,003,655
Capital improvements	133,100
Total general fund appropriation	\$ 1,136,755

## NDSU - STATE TOXICOLOGIST

Salaries and wages	\$ 387,073
Operating expense	90,017
Equipment	19,800
Total all funds	\$ 496,890
Less estimated income	216,673
Total general fund appropriation	\$ 280,217

## MEDICAL CENTER REHABILITATION HOSPITAL

Salaries and wages	\$ 11,299,201
Operating expense	6,256,114
Equipment	155,340
Total appropriation from institutional income	\$ 17,710,655
Grand total general fund appropriation	\$195,830,302
Grand total special funds appropriated	\$ 70,451,801
Grand total all funds appropriated S.B. 2005	\$266,282,103

SECTION 2. APPROPRIATION. All income received by the University of North Dakota Medical Center, which is in excess of the income specifically appropriated in this Act, is hereby appropriated.

SECTION 3. APPROPRIATION. The general funds appropriated to the university of North Dakota, North Dakota state university and state school of science for additional faculty positions for the second year of the biennium shall be limited to faculty entitlements

by formula based upon the previous year's enrollment or the number of positions funded by this Act, whichever is less.

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 holdings 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 items entitled "Capital Improvements" in section 1 of this Act are hereby declared an emergency measure and shall be in full force and effect upon its passage and approval.

SECTION 6. ADDITIONAL INCOME. 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 legislative assembly 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.

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, 1981, and ending June 30, 1983.

SECTION 7. INTENT. It is the intent of the legislative assembly that the medical school continue its statewide development of its medical education program.

Approved April 8, 1981

## CHAPTER 53

SENATE BILL NO. 2006  
(Committee on Appropriations)

### BOARD OF VOCATIONAL EDUCATION

AN ACT making an appropriation for defraying the expenses of the state board of vocational education of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income to the state board of vocational education of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 2,027,794
Operating expenses	547,015
Data processing	45,237
Equipment	37,447
Grants, benefits, and claims	20,328,588
State advisory council	250,000
Total all funds	<u>\$ 23,236,081</u>
Less estimated income	9,096,061
Total general fund transfer and appropriation	<u>\$ 14,140,020</u>

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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 3, 1981

CHAPTER 54

SENATE BILL NO. 2007  
 (Committee on Appropriations)

JUNIOR COLLEGE AID

AN ACT making an appropriation for defraying the expenses of community or junior colleges and the educational center; 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, and from special funds derived from federal funds and/or other income, the sums as hereinafter provided, or so much thereof as may be necessary, to the various community or junior colleges and the educational center, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

BISMARCK JUNIOR COLLEGE

Salaries and wages	\$ 7,595,120
Operating expenses	2,202,584
Equipment	305,665
Land, structures, and major improvements	293,086
Total all funds	<u>\$10,396,455</u>
Less estimated income	6,847,265
Total general fund appropriation	<u>\$ 3,549,190</u>

LAKE REGION JUNIOR COLLEGE

Salaries and wages	\$ 2,439,531
Operating expenses	1,414,273
Equipment	98,600
Land, structures, and major improvements	90,200
Total all funds	<u>\$ 4,042,604</u>
Less estimated income	2,578,128
Total general fund appropriation	<u>\$ 1,464,476</u>

UNIVERSITY OF NORTH DAKOTA - WILLISTON CENTER

Salaries and wages	\$ 2,073,004
Operating expenses	768,868
Equipment	215,283

Land, structures, and major improvements	61,509
Total all funds	<u>\$ 3,118,664</u>
Less estimated income	2,021,294
Total general fund appropriation	<u>\$ 1,097,370</u>
Grand total general fund appropriation	\$ 6,111,036
Grand total special funds appropriated	\$11,446,687
Grand total all funds appropriated	\$17,557,723

SECTION 2. APPROPRIATION. There is hereby appropriated, upon approval of the emergency commission, to the community or junior colleges or educational center named in this Act, any income in addition to the amounts appropriated in section 1 of this Act for the biennium beginning July 1, 1981, and ending June 30, 1983.

SECTION 3. LAKE REGION JUNIOR COLLEGE. The amount of the general fund appropriation to Lake Region junior college in section 1 of this Act that is not expended on July 1, 1982, shall only be made available to Lake Region junior college for the fiscal year beginning July 1, 1982, and ending June 30, 1983, upon approval of the budget section of the legislative council.

SECTION 4. APPROPRIATION - LOAN. There is hereby appropriated out of the general fund in the state treasury, \$200,000, or so much thereof as may be necessary, to the department of accounts and purchases for the purpose of making a loan to Lake Region junior college to pay operating expenses during the year ending June 30, 1983. The director of the department of accounts and purchases shall make such loan funds available to Lake Region junior college only upon budget section approval. Such amounts received pursuant to this appropriation by Lake Region junior college shall be paid to the state treasurer on or before July 1, 1983, at a simple rate of interest of ten percent per annum.

SECTION 5. EMERGENCY. The appropriations to Lake Region junior college, to the university of North Dakota Williston center, and all line items entitled land, structures, and major improvements in section 1 of this Act are hereby declared to be emergency measures and shall be in effect from and after the passage and approval of this bill.

Approved April 3, 1981

## CHAPTER 55

SENATE BILL NO. 2008  
(Committee on Appropriations)

## DIVISION OF INDEPENDENT STUDY

AN ACT making an appropriation for defraying the expenses of the division of independent study of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income to the division of independent study of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 1,161,816
Operating expenses	357,513
Equipment	<u>263,800</u>
Total all funds	\$ 1,783,129
Less estimated income	<u>640,458</u>
Total general fund transfer and appropriation	\$ 1,142,671

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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 3, 1981

## CHAPTER 56

SENATE BILL NO. 2009  
(Committee on Appropriations)

## EXTENSION DIVISION AND EXPERIMENT STATIONS

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

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof, as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income to the extension division and experiment stations of North Dakota state university of agriculture and applied science of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

EXTENSION DIVISION		
Salaries and wages		\$ 14,124,048
Operating expense		2,636,363
Equipment		292,145
Total all funds		\$ 17,052,556
Less estimated income		10,430,972
Total general fund appropriation		\$ 6,621,584

EXTENSION DIVISION SPECIAL PROGRAM - FOOD AND NUTRITION		
Salaries and wages		\$ 607,507
Operating expense		48,100
Equipment		500
Total special fund appropriation		\$ 656,107

EXTENSION DIVISION ENERGY SERVICE		
Salaries and wages		\$ 396,398
Operating expenses		97,368
Equipment		2,500

Total special fund appropriation \$ 496,266

EXPERIMENT STATION - MAIN STATION

Salaries and wages \$ 22,371,763  
 Operating expense 4,796,347  
 Equipment 1,283,135  
Total operating budget \$ 28,451,245  
 Less estimated income 11,838,311  
Net operating budget \$ 16,612,934  
 Capital improvements 1,435,160  
Total general fund appropriation \$ 18,048,094

DICKINSON EXPERIMENT STATION

Salaries and wages \$ 556,335  
 Operating expense 269,932  
 Equipment 82,400  
Total operating budget \$ 908,667  
 Less estimated income 125,000  
Net operating budget \$ 783,667  
 Capital improvements 25,477  
Total general fund appropriation \$ 809,144

HETTINGER EXPERIMENT STATION

Salaries and wages \$ 173,070  
 Operating expense 100,757  
 Equipment 57,335  
Total operating budget \$ 331,162  
 Less estimated income 75,000  
Net operating budget \$ 256,162  
 Capital improvements 47,600  
Total general fund appropriation \$ 303,762

LANGDON EXPERIMENT STATION

Salaries and wages \$ 204,850  
 Operating expense 81,543  
 Equipment 40,042  
Total operating budget \$ 326,435  
 Less estimated income 40,000  
Net operating budget \$ 286,435  
 Capital improvements 40,000  
Total general fund appropriation \$ 326,435

NORTH CENTRAL EXPERIMENT STATION

Salaries and wages \$ 295,879  
 Operating expense 157,370  
 Equipment 49,606  
Total operating budget \$ 502,855  
 Less estimated income 217,606  
Net operating budget \$ 285,249  
 Capital improvements 85,500  
Total general fund appropriation \$ 370,749

WILLISTON EXPERIMENT STATION

Salaries and wages \$ 328,546

Operating expense	105,157
Equipment	48,900
Total operating budget	\$ 482,603
Less estimated income	60,000
Net operating budget	\$ 422,603
Capital improvements	46,500
Total general fund appropriation	\$ 469,103

## CARRINGTON EXPERIMENT STATION

Salaries and wages	\$ 540,698
Operating expense	333,319
Equipment	90,900
Total operating budget	\$ 964,917
Less estimated income	291,600
Net operating budget	\$ 673,317
Capital improvements	30,000
Total general fund appropriation	\$ 703,317

## AGRONOMY SEED FARM

Salaries and wages	\$ 177,751
Operating expense	297,686
Equipment	120,000
Total special fund appropriation	\$ 595,437

## CENTRAL GRASSLAND RESEARCH STATION

Salaries and wages	\$ 196,153
Operating expenses	141,593
Equipment	225,000
Total operating budget	\$ 562,746
Less estimated income	50,000
Total general fund appropriation	\$ 512,746

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 emergency commission. 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 any specific legislative appropriation or an authorization from the emergency commission, 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, 1981, exceeds the estimated income for the biennium ending June 30, 1983. 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. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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. TRANSFER. There is hereby authorized, as included in the income line item of the appropriation to the main experiment station in section 1 of this Act, a transfer of \$500,000, from the coal development impact fund to the main experiment station operating fund for the purpose of funding the coal reclamation research project. Such funds shall be transferred by the director of the department of accounts and purchases from the coal development impact fund to the main experiment station operating fund, upon receipt of an itemized statement of expenditures from the main experiment station.

SECTION 5. STORAGE FACILITIES. Structures for storage of agricultural products may be authorized for construction by the state board of higher education when such structures do not exceed \$25,000, in cost.

SECTION 6. EMERGENCY. The line items entitled "Capital Improvements" and the total appropriation to the central grassland research station in section 1 of this Act are hereby declared an emergency measure and shall be in full force and effect upon its passage and approval.

SECTION 7. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury the sum of \$200,000, or so much thereof as may be necessary, to the main experiment station during the biennium beginning July 1, 1981, and

ending June 30, 1983, for the purpose of defraying the expenses of research in the areas of edible bean breeding and calf scours. General fund moneys are to be used only in the event of a reduction and only to the extent of such reduction in the receipt of federal funds by the main experiment station. The main experiment station shall not expend funds pursuant to this appropriation without the approval of the legislative council's committee on budget.

SECTION 8. APPROPRIATION. There is hereby appropriated \$300,000 to the main experiment station, out of any funds available from the sale of animals by the experiment stations due to adverse climate conditions, for the purpose of purchasing replacement animals at the respective experiment stations during the biennium beginning July 1, 1981, and ending June 30, 1983.

Grand total general fund appropriation S.B. 2009	\$28,364,934
Grand total special funds appropriation S.B. 2009	\$25,176,299
Grand total all funds appropriated S.B. 2009	\$53,541,233

Approved April 3, 1981

## CHAPTER 57

SENATE BILL NO. 2010  
(Committee on Appropriations)

## DEPARTMENT OF HEALTH

AN ACT making an appropriation for defraying the expenses of the department of health of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the department of health of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

## Subdivision 1.

## DEPARTMENT OF HEALTH

Salaries and wages	\$ 12,464,547
Operating expenses	11,940,461
Data processing	543,228
Equipment	495,363
Grants, benefits, and claims	4,787,131
Air pollution control	195,000
Total all funds	\$ 30,425,730
Less estimated income	21,109,476
Total general fund transfer and appropriation	\$ 9,316,254

## Subdivision 2.

DIVISION OF COMMUNITY MENTAL HEALTH AND  
ALCOHOL AND DRUG ABUSE

Salaries and wages	\$ 637,381
Operating expenses	342,183
Data processing	97,648
Equipment	17,529
Grants, benefits, and claims	580,654
Total all funds	\$ 1,675,395
Less estimated income	12,772
Total general fund appropriation	\$ 1,662,623

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. HUMAN SERVICE CENTERS AND MENTAL HEALTH AND RETARDATION CENTERS. Moneys shall be paid to human service centers and mental health and retardation centers pursuant to the provisions of this Act, only after the department of human services 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.

SECTION 5. LEGISLATIVE INTENT. It is the intent of the legislative assembly that the human service centers, mental health and retardation centers and the health department shall cooperatively attempt to procure available federal funding for services in order to reduce the net cost to the state for delivery of services.

SECTION 6. MENTAL HEALTH, ALCOHOL AND DRUG ABUSE, AND MENTAL HEALTH AND RETARDATION UNITS. The control over the appropriations in subdivision 2 and subdivision 3 of section 1 of this Act shall be transferred to the department of human services upon the effective date of House Bill No. 1418.

SECTION 7. HUMAN SERVICE CENTER AND MENTAL HEALTH AND RETARDATION CENTER APPROPRIATIONS. Moneys shall be disbursed to human service centers and mental health and retardation centers pursuant to the provisions of Senate Bill Nos. 2010 and 2011, except that, upon reports being furnished to the governor by the department of human services indicating a need for a transfer of moneys between centers, the governor may authorize transfers of funds between centers.

SECTION 8. COLLOCATION. Notwithstanding section 1 of chapter 338 of the 1979 Session Laws of the state of North Dakota, mental health and retardation service units established under chapter 25-12 and area social service centers under the jurisdiction of the social service board shall, not later than July 1, 1982, collocate their respective regional offices in each region of the state.

SECTION 9. LEGISLATIVE INTENT. It is the intent of the legislative assembly that any funds collected through the issuance of licenses or registration certificates for sources of ionizing radiation are included in the health department estimated income line item and are to be used to defray the costs of the ionizing radiation licensing and certification program.

## Subdivision 3.

## MENTAL HEALTH AND RETARDATION CENTERS

## SOUTHEAST MENTAL HEALTH AND RETARDATION CENTER

Salaries and wages	\$ 2,478,496
Operating expenses	1,010,157
Equipment	101,206
Total all funds	\$ 3,589,859
Less estimated income	1,602,729
Total general fund appropriation	\$ 1,987,130

## SOUTH CENTRAL MENTAL HEALTH AND RETARDATION CENTER

Salaries and wages	\$ 1,381,099
Operating expenses	469,705
Equipment	47,810
Total all funds	\$ 1,898,614
Less estimated income	479,612
Total general fund appropriation	\$ 1,419,002

## CENTER FOR HUMAN DEVELOPMENT

Salaries and wages	\$ 1,681,000
Operating expenses	1,089,302
Equipment	9,500
Total all funds	\$ 2,779,802
Less estimated income	1,202,412
Total general fund appropriation	\$ 1,577,390

## MEMORIAL MENTAL HEALTH AND RETARDATION CENTER

Salaries and wages	\$ 1,884,995
Operating expenses	662,275
Equipment	9,000
Total all funds	\$ 2,556,270
Less estimated income	569,190
Total general fund appropriation	\$ 1,987,080

## NORTH CENTRAL MENTAL HEALTH AND RETARDATION CENTER

Salaries and wages	\$ 1,440,749
Operating expenses	898,891
Equipment	36,391
Total all funds	\$ 2,376,031
Less estimated income	532,535
Total general fund appropriation	\$ 1,843,496
Total all funds	\$ 13,200,576
Less estimated income	4,386,478
Total general fund appropriation	\$ 8,814,098
Grand total general fund appropriation	\$ 19,792,975
Grand total special funds appropriated	\$ 25,508,726
Grand total all funds appropriated S.B. 2010	\$ 45,301,701

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the office of the budget that newly anticipated employees are actually in the employ of the state.

Approved April 8, 1981

## CHAPTER 58

SENATE BILL NO. 2011  
(Committee on Appropriations)

## SOCIAL SERVICE BOARD

AN ACT making an appropriation for defraying the expenses of the social service board, the human service centers, and the industrial commission of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the social service board of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 19,189,691
Operating expenses	9,407,923
Data processing	2,440,117
Equipment	185,000
Grants, benefits, and claims	271,765,747
Total all funds	\$302,988,478
Less estimated income	223,655,945
Total general fund appropriation	\$ 79,332,533

SECTION 2. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the social service board and the state department of health of the state of North Dakota for the purpose of defraying the expenses of the deinstitutionalization program, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 551,753
Operating expenses	415,636
Data processing	72,898

Equipment	18,388
Grants	15,328,787
Total all funds	\$ 16,387,462
Less estimated special funds	5,476,925
Total general fund appropriation	<u>\$ 10,910,537</u>

SECTION 3. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$3,610,312, or so much thereof as may be necessary, and \$2,913,936 in special funds, or so much thereof as may be necessary, to the human service centers of the state of North Dakota, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

BADLANDS HUMAN SERVICE CENTER, DICKINSON

Salaries and wages	\$ 2,237,957
Operating expenses	568,130
Equipment	13,300
Total all funds	<u>\$ 2,819,387</u>
Less estimated income	1,359,950
Total general fund appropriation	<u>\$ 1,459,437</u>

NORTHWEST HUMAN RESOURCE CENTER, WILLISTON

Salaries and wages	\$ 1,711,754
Operating expenses	391,328
Equipment	14,779
Total all funds	<u>\$ 2,117,861</u>
Less estimated income	660,639
Total general fund appropriation	<u>\$ 1,457,222</u>

LAKE REGION HUMAN SERVICE CENTER, DEVILS LAKE

Salaries and wages	\$ 1,293,456
Operating expenses	284,744
Equipment	8,800
Total all funds	<u>\$ 1,587,000</u>
Less estimated income	893,347
Total general fund appropriation	<u>\$ 693,653</u>

SECTION 4. HUMAN SERVICE CENTERS. The control over the appropriations in section 3 of this Act shall be transferred to the department of human services upon the effective date of House Bill No. 1418.

SECTION 5. HUMAN SERVICE CENTERS - TRANSFERS. With the approval of the governor the director of the department of human services shall have the authority to make such transfers and allocations between the state office and the human service centers, and between the human service centers as may be necessary to effectively and efficiently implement a comprehensive plan for provision of human services through the regional human service centers.

SECTION 6. DEINSTITUTIONALIZATION - ALLOCATION OF APPROPRIATION. In order to effectively and efficiently implement

the deinstitutionalization plan, no funds appropriated in section 2 of this Act may be expended by the social service board or the division of mental health and retardation of the department of health, or their successor agency, except within the limitations of such allocations as may be approved by the governor.

SECTION 7. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget that newly anticipated employees are actually in the employ of the state.

SECTION 8. 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 9. LEGISLATIVE INTENT. It is the intent of the legislative assembly that the human service centers and the social service board shall cooperatively attempt to procure available federal funding for services in order to reduce the net cost to the state for delivery of services.

SECTION 10. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated from special funds derived from federal funds and/or other income to the industrial commission of the state of North Dakota for the purpose of defraying the expenses of the housing assistance program, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 556,257
Operating expenses	98,744
Data processing	28,292
Equipment	500
Grants	7,872,000
Total special fund appropriation	<u>\$8,555,793</u>

SECTION 11. APPROPRIATION. There is hereby appropriated, in addition to any other appropriations, \$200,000, or so much thereof as may be necessary, out of any moneys received as administrative fees by the housing assistance program, to the industrial commission of the state of North Dakota for the biennium beginning July 1, 1981, and ending June 30, 1983, for the purpose of administering the housing finance agency.

SECTION 12. DEPARTMENT OF HUMAN SERVICES - STAFF LEVELS - REDUCTIONS - BUDGET SECTION REVIEW. The director of the department of human services, while establishing the department on the state and regional level, shall reduce the number of positions in the

total system by ten employees by June 30, 1983. In addition, the director shall periodically report to the budget section on the progress made in implementing the provisions of House Bill No. 1418 and the reduction in staff levels required by this section.

SECTION 13. LEGISLATIVE INTENT. It is the intent of the legislative assembly that if additional case management services are needed to provide services to developmentally disabled individuals receiving services under the appropriation provided in section 2 of this Act, that these services be provided by the staff of the human service centers in each region of the state.

Grand total general fund appropriation S.B. 2011	\$ 93,853,382
Grand total special funds appropriation S.B. 2011	\$240,802,599
Grand total all funds appropriated S.B. 2011	\$334,655,981

Approved April 8, 1981

## CHAPTER 59

SENATE BILL NO. 2012  
(Committee on Appropriations)

## GOVERNOR'S COUNCIL ON HUMAN RESOURCES

AN ACT making an appropriation for defraying the expenses of the governor's council on human resources of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income to the governor's council on human resources of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 154,885
Operating expenses	187,284
Equipment	800
Total all funds	\$ 342,969
Less estimated income	100,000
Total general fund appropriation	\$ 242,969

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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. OPERATING EXPENSES. The appropriation in section 1 of this Act for operating expenses shall be allocated as follows to the administrative program, executive committee, committee on aging, committee on children and youth, commission on the status of women, committee on employment of the handicapped, and the developmentally disabled advocacy plan:

	<u>Operating Expenses</u>
Administration	\$ 1,000
Executive committee	5,325
Committee on aging	27,507
Committee on children and youth	43,263
Commission on the status of women	23,974
Committee on employment of the handicapped	39,918
Developmentally disabled advocacy plan	46,297
Total	<u>\$ 187,284</u>

Approved April 3, 1981

## CHAPTER 60

SENATE BILL NO. 2013  
(Committee on Appropriations)

### INDIAN AFFAIRS COMMISSION

AN ACT making an appropriation for defraying the expenses of the Indian affairs commission of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the Indian affairs commission of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 150,314
Operating expenses	35,520
Equipment	2,650
Grants, benefits, and claims	<u>195,000</u>
Total general fund transfer and appropriation	\$ 383,484

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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.

Approved April 3, 1981

## CHAPTER 61

SENATE BILL NO. 2014  
(Committee on Appropriations)

## DEPARTMENT OF VETERANS' AFFAIRS

AN ACT making an appropriation for defraying the expenses of the department of veterans' affairs of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the department of veterans' affairs of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 299,632
Operating expenses	53,354
Equipment	<u>2,211</u>
Total general fund appropriation	\$ 355,197

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 purpose provided for herein.

Approved April 3, 1981

## CHAPTER 62

SENATE BILL NO. 2015  
(Committee on Appropriations)

## STATE LABORATORIES DEPARTMENT

AN ACT making an appropriation for defraying the expenses of the state laboratories department of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the state laboratories department of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 1,700,721
Operating expenses	465,667
Data processing	59,198
Equipment	<u>72,677</u>
Total general fund appropriation	\$ 2,298,263

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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 3, 1981

## CHAPTER 63

SENATE BILL NO. 2016  
(Committee on Appropriations)

## AERONAUTICS COMMISSION

AN ACT making an appropriation for defraying the expenses of the aeronautics commission of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the aeronautics commission of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 303,199
Operating expenses	97,567
Equipment	26,565
Capital improvements	550,000
Grants, benefits, and claims	3,500,000
Total all funds	\$ 4,477,331
Less estimated income	2,825,649
Total general fund transfer and appropriation	\$ 1,651,682

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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 3, 1981

## CHAPTER 64

SENATE BILL NO. 2017  
(Committee on Appropriations)

## WEATHER MODIFICATION BOARD

AN ACT making an appropriation for defraying the expenses of the weather modification board of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the weather modification board of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 327,097
Operating expenses	1,218,738
Data processing	47,523
Equipment	2,600
Research - weather mod.	2,050,000
Total all funds	\$ 3,645,958
Less estimated income	2,776,013
Total general fund appropriation	\$ 869,945

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.

Approved April 3, 1981

## CHAPTER 65

SENATE BILL NO. 2018  
(Committee on Appropriations)

DEPARTMENT OF BANKING  
AND FINANCIAL INSTITUTIONS

AN ACT making an appropriation for defraying the expenses of the department of banking and financial institutions of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the department of banking and financial institutions of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$1,160,179
Operating expenses	276,614
Data processing	37,125
Equipment	49,900
Total general fund appropriation	<u>\$1,523,818</u>

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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.

Approved April 3, 1981

## CHAPTER 66

SENATE BILL NO. 2019  
(Committee on Appropriations)

## SECURITIES COMMISSIONER

AN ACT making an appropriation for defraying the expenses of the securities commissioner of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the securities commissioner of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 425,663
Operating expenses	60,518
Data processing	800
Equipment	3,219
Total general fund appropriation	\$ 490,200

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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 8, 1981

## CHAPTER 67

SENATE BILL NO. 2020  
(Committee on Appropriations)

## STATE FIRE MARSHAL

AN ACT making an appropriation for defraying the expenses of the state fire marshal of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the state fire marshal of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 283,506
Operating expenses	68,916
Equipment	1,700
Total all funds	\$ 354,122
Less estimated income	53,000
Total general fund appropriation	\$ 301,122

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.

Approved April 3, 1981

## CHAPTER 68

SENATE BILL NO. 2021  
(Committee on Appropriations)

## DEFICIENCY APPROPRIATIONS

AN ACT making an appropriation for defraying the expenses of various departments and institutions 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. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, the sums as hereinafter provided or so much thereof as may be necessary, to the stated departments and institutions of the state of North Dakota for the purpose of defraying the expenses thereof, for the period beginning January 1, 1981, and ending June 30, 1981, as follows:

Subdivision 1.		
	INSURANCE COMMISSIONER	
Grants, benefits, and claims - insurance tax		\$ 775,000
to fire departments		
Total general fund appropriation		\$ 775,000
Subdivision 2.		
	DISASTER EMERGENCY SERVICES	
Grants, benefits, and claims		\$ 242,603
Total general fund appropriation		\$ 242,603
Subdivision 3.		
	STATE TREASURER	
Grants, benefits, and claims - state revenue		\$1,326,338
sharing		
Total general fund appropriation		\$1,326,338
Subdivision 4.		
	TAX COMMISSIONER	
Grants, benefits, and claims - personal		\$ 147,954
property tax replacement		

Grants, benefits, and claims - homestead tax credit	\$ 357,555
Total general fund appropriation	\$ 505,509

## Subdivision 5.

## TAX COMMISSIONER

Board of equalization - lump sum	\$ 50,000
Total general fund appropriation	\$ 50,000

## Subdivision 6.

## ACCOUNTS AND PURCHASES

Salaries and wages	\$ 10,000
Supplies and materials	12,000
Data processing	30,000
Equipment	8,000
Total general fund appropriation	\$ 60,000

## Subdivision 7.

## DIRECTOR OF INSTITUTIONS

Salaries and wages	\$ 34,512
Fees and services	308,496
Supplies and materials	3,100
Capital improvements	275,000
Total general fund appropriation	\$ 621,108

## Subdivision 8.

## STATE COMMUNICATIONS

Fees and services	\$ 173,500
Data processing	25,000
Total all funds	\$ 198,500
Less estimated income	105,075
Total general fund appropriation	\$ 93,425

## Subdivision 9.

## SUPERINTENDENT OF PUBLIC INSTRUCTION

Grants - special education	\$ 322,497
Total general fund appropriation	\$ 322,497

## Subdivision 10.

## BUSINESS AND INDUSTRIAL DEVELOPMENT DEPARTMENT

Salaries and wages	\$ 20,554
Total general fund appropriation	\$ 20,554

## Subdivision 11.

## NORTH DAKOTA STATE UNIVERSITY

Music education center:	
Recital hall completion	\$ 350,000
Site work	86,877
Case work and lockers	136,700
Sound systems	113,000
Stage lighting	121,500
Concert shell	150,000
Acoustical curtains	90,000
Classroom and office furnishings	50,000

Stage rigging, curtains	40,000
Total all funds	<u>\$1,138,077</u>
Less estimated income	538,077
Total general fund appropriation	<u>\$ 600,000</u>

## Subdivision 12.

## SCHOOL FOR THE DEAF

Residential facilities	\$ 195,337
Total	<u>\$ 195,337</u>
Less estimated income	45,000
Total general fund appropriation	<u>\$ 150,337</u>

## Subdivision 13.

## SCHOOL FOR THE BLIND

Operating expenses	\$ 24,000
Total	<u>\$ 24,000</u>
Less estimated income	10,619
Total general fund appropriation	<u>\$ 13,381</u>

## Subdivision 14.

## NURSES SCHOLARSHIPS

Grants, benefits, and claims	\$ 11,000
Total appropriation from nurses scholarship loan fund	<u>\$ 11,000</u>

## Subdivision 15.

## HEALTH DEPARTMENT

Salaries and wages	\$ 98,030
Fees and services	118,260
Supplies and materials	13,010
Equipment	5,545
Total general fund appropriation	<u>\$ 234,845</u>

## Subdivision 16.

## GRAFTON STATE SCHOOL

Operating expenses	\$ 543,135
Data processing	2,072
Total all funds	<u>\$ 545,207</u>
Less estimated income	325,000
Total general fund appropriation	<u>\$ 220,207</u>

## Subdivision 17.

## SAN HAVEN

Operating expenses	\$ 142,150
Acquisition and installation of food service and laundry equipment for combined services building	<u>504,000</u>
Total all funds	\$ 646,150
Less estimated income	40,000
Total general fund appropriation	<u>\$ 606,150</u>

## Subdivision 18.

## SOLDIERS' HOME

Operating expenses	\$ 72,469
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Capital improvements	9,121
Total	<u>\$ 81,590</u>
Less estimated income	27,109
Total general fund appropriation	<u>\$ 54,481</u>

## Subdivision 19.

## PUBLIC SERVICE COMMISSION

Fees and services	\$ 37,500
Total general fund appropriation	<u>\$ 37,500</u>

## Subdivision 20.

## OASIS AND SOCIAL SECURITY

Salaries and wages	\$ 9,962
Fees and services	7,369
Equipment	1,900
Total special funds appropriated	<u>\$ 19,231</u>

## Subdivision 21.

## ADJUTANT GENERAL

Fees and services	\$ 57,000
Supplies and materials	15,000
Total general fund appropriation	<u>\$ 72,000</u>

## Subdivision 22.

## SUNFLOWER COUNCIL

Fees and services	\$ 112,290
Supplies and materials	11,070
Total appropriation from sunflower fund	<u>\$ 123,360</u>

## Subdivision 23.

## SEED DEPARTMENT

Fees and services	\$ 113,670
Total general fund appropriation	<u>\$ 113,670</u>

## Subdivision 24.

## GEOLOGICAL SURVEY

Capital improvements	\$ 60,000
Total appropriation from land and minerals trust fund	<u>\$ 60,000</u>

## Subdivision 25.

## SOCIAL SERVICE BOARD

Grants, benefits, and claims	\$ 461,157
Total general fund appropriation	<u>\$ 461,157</u>

## Subdivision 26.

## GOVERNOR'S OFFICE

Salaries and wages	\$ 20,000
Fees and services	15,300
Governor Link transition	5,000
Equipment	4,000
Total general fund appropriation	<u>\$ 44,300</u>

## Subdivision 27.

## NATURAL RESOURCES COUNCIL

Salaries and wages	\$ 20,000
Fees and services	9,000
Total general fund appropriation	<u>\$ 29,000</u>

## Subdivision 28.

## SECURITIES COMMISSIONER

Salaries and wages	\$ 9,600
Total general fund appropriation	<u>9,600</u>
Grand total general fund appropriation	\$6,663,662
Grand total special funds appropriated	<u>1,304,471</u>
Grand total all funds appropriated SB 2021	<u>\$7,968,133</u>

SECTION 2. AUTHORIZATION. The director of the coal development impact office is hereby directed to transfer funds from the coal development impact fund to the main experiment station operating fund in the amount of \$506,310, or so much thereof as may be necessary, for defraying the expenses of the coal reclamation research project at North Dakota state university in accordance with the intent of the appropriations act approved by the forty-sixth legislative assembly and included in chapter 8 of the 1979 Session Laws.

SECTION 3. SCHOOL FOR THE DEAF. The director of institutions is authorized during the biennium ending June 30, 1981, to construct residential facilities at a cost not to exceed \$540,337 at the school for the deaf utilizing the \$345,000 appropriated for three residential cottages in section 2 of chapter 87 of the 1979 Session Laws of North Dakota and the \$195,337 appropriated in section 1 of this Act.

SECTION 4. CARRYOVER OF APPROPRIATIONS. The appropriations to North Dakota state university in subdivision 11 of section 1 and San Haven for the line item entitled "acquisition and installation of food service and laundry equipment for combined services building" in subdivision 17 of section 1 shall not be subject to the provisions of section 54-44.1-11 of the North Dakota Century Code.

SECTION 5. EMERGENCY. This Act is hereby declared to be an emergency measure and shall be in full force and effect upon its passage and approval.

Approved March 31, 1981

# CHAPTER 69

SENATE BILL NO. 2022  
(Committee on Appropriations)

## LIVESTOCK SANITARY BOARD

AN ACT making an appropriation for defraying the expenses of the livestock sanitary board of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the livestock sanitary board of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 298,060
Operating expenses	186,573
Equipment	2,800
Total general fund appropriation	<u>\$ 487,433</u>

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.

Approved April 3, 1981

## CHAPTER 70

SENATE BILL NO. 2023  
(Committee on Appropriations)

## MILK STABILIZATION BOARD

AN ACT making an appropriation for defraying the expenses of the milk stabilization board of the state of North Dakota; and to amend and reenact section 4-18.1-04 of the North Dakota Century Code, relating to the per diem reimbursement of members of the milk stabilization board.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, hereby appropriated out of any moneys in the milk stabilization fund in the state treasury, not otherwise appropriated, to the milk stabilization board of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 250,293
Operating expenses	156,886
Equipment	422
Contingencies	7,500
Total special fund appropriation	\$ 415,101

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. AMENDMENT. Section 4-18.1-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-18.1-04. MILK STABILIZATION BOARD.

1. There is hereby created a milk stabilization board to consist of five members, who shall be appointed by the

governor. The board shall consist of one person who is a dairy farmer selling to a processor, who shall be selected by the governor from two names submitted to him by the North Dakota Milk Producers Association; one person who is a processor, who shall be selected by the governor from two names submitted to him by the North Dakota Dairy Industries Association; one person who is a retailer, who shall be selected by the governor from two names submitted to him by the North Dakota Association of Food Retailers; and two persons shall be selected by the governor who are consumers, and who are not otherwise engaged in the milk business. No appointee shall have held elective or appointive public office during the period of two years immediately preceding his appointment and no appointee shall hold any other public office, either elective or appointive, during his term of office as a member of the milk stabilization board; and not more than three members of the said milk stabilization board shall, at the time of the appointment or thereafter during their respective terms of office, be members of the same congressional district.

2. The members of said milk stabilization board shall be appointed within thirty days after passage and approval of this chapter. The term of office of one member shall expire on July 1, 1968; the term of office of one member shall expire on July 1, 1969; the term of office of one member shall expire on July 1, 1970; the term of office of one member shall expire on July 1, 1971; the term of office of one member shall expire on July 1, 1972; and each succeeding member shall hold his office for a term of five years and until his successor shall have been appointed and qualified. Any vacancy shall be filled by appointment by the governor as heretofore stated.
3. Three members of the board shall constitute a quorum for the regular transaction of business. The board shall choose one of its members as the chairman, who shall hold office as a chairman for one year; provided, election as chairman shall not interfere with the member's right to vote on all matters before the board.
4. Each member of the board shall receive ~~twenty-five~~ fifty dollars per diem for each day actually spent in the performance of his official duties, plus mileage and expenses as are allowed to other state officers, but in no event shall a member's per diem payments exceed fifteen hundred dollars in any one year.
5. Each member of the board shall give bond conditioned for the faithful performance of his duties in the manner required by law in the sum of five thousand dollars.

6. The board shall employ an executive secretary who shall serve under the direction and at the pleasure of the board and whose qualifications, and duties, and compensation shall be determined by the board. The executive secretary shall serve as financial officer of the board and shall be authorized to accept money paid to the board in accordance with this chapter. Before entering upon the discharge of his duties, he shall execute and file a bond in an amount as may be fixed by the board or as may be provided by law for public officers.
7. The board shall employ, in addition to the executive secretary, such assistants and employees, permanent and temporary, as may be necessary to carry out the duties and responsibilities of the board under the provisions of this chapter. The board shall determine the qualifications, duties and compensation of such employees. The board may employ a licensed attorney of the state of North Dakota as its legal counsel, who shall serve on a full-time or a part-time basis, and the board may obtain the services of such additional attorneys as it deems necessary. The board may also contract for auditing, economic research, and other technical services, whenever it determines that such services are needed.
8. All expenditures under this chapter shall be paid from the receipts hereunder. Meetings of the board shall be had held at least every sixty days at the call of the chairman or a majority of the board.

Approved April 3, 1981

## CHAPTER 71

SENATE BILL NO. 2024  
(Committee on Appropriations)

## STATE FAIR ASSOCIATION

AN ACT making an appropriation for defraying the expenses of the state fair association of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income to the state fair association of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Capital improvements	\$ 150,000
Premiums	165,000
Total general fund appropriation	<u>\$ 315,000</u>

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.

Approved April 8, 1981

## CHAPTER 72

SENATE BILL NO. 2025  
(Committee on Appropriations)

## ECONOMIC DEVELOPMENT COMMISSION

AN ACT making an appropriation for defraying the expenses of the economic development commission of the state of North Dakota; and providing for a transfer.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income to the economic development commission of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 1,014,280
Operating expenses	1,301,296
Data processing	1,500
Equipment	8,500
Total all funds	<u>\$ 2,325,576</u>
Estimated income	<u>1,260,676</u>
Total general fund appropriation	\$ 1,064,900

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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. TRANSFER. The estimated income included in section 1 of this Act is a transfer of \$1,260,676 from the state highway fund to the economic development commission. The funds shall be transferred from the state highway fund to the economic development commission operating fund as directed by the office of the budget during the biennium beginning July 1, 1981, and ending June 30, 1983.

Approved April 8, 1981

## CHAPTER 73

SENATE BILL NO. 2026  
(Committee on Appropriations)

## ABANDONED MOTOR VEHICLES

AN ACT making an appropriation for defraying the expenses of the abandoned motor vehicles division of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the abandoned vehicle disposal fund in the state treasury, not otherwise appropriated, to the abandoned motor vehicle division of the health department of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Grants, benefits, and claims	\$ 400,000
Total special funds appropriation	\$ 400,000

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.

Approved April 8, 1981

# CHAPTER 74

SENATE BILL NO. 2028  
(Committee on Appropriations)

## HIGHWAY PATROL

AN ACT making an appropriation for defraying the expenses of the highway patrol and the 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 funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the highway patrol of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Subdivision 1.

HIGHWAY PATROL

Salaries and wages	\$ 6,860,521
Operating expenses	1,862,919
Data processing	43,142
Equipment	867,723
Total all funds	<u>\$ 9,634,305</u>
Less estimated income	229,604
Total general fund transfer and appropriation	<u>\$ 9,404,701</u>

Subdivision 2.

LAW ENFORCEMENT TRAINING CENTER

Salaries and wages	\$ 238,935
Operating expenses	193,265
Equipment	8,050
Capital improvements	38,229
Total all funds	<u>\$ 478,479</u>
Less estimated income	86,492
Total general fund transfer and appropriation	<u>\$ 391,987</u>
Grand total general fund appropriation	\$ 9,796,688
Grand total special funds appropriated	\$ 316,096
Grand total all funds appropriated S.B. 2028	\$ 10,112,784

SECTION 2. APPROPRIATION. Each patrolman of the state highway patrol shall receive from funds appropriated in the fees and services line item in subdivision 1 of section 1 of this Act an amount not to exceed \$99 per month for the fiscal year ending June 30, 1982, and not to exceed \$109 per month for the fiscal year ending June 30, 1983. Such payments shall be in lieu of reimbursement for meals and other expenses, except lodging, while in travel status within the state of North Dakota or while at their respective home stations. Such amounts 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 additional employees shall be made available only after certification to the executive office of the budget that newly anticipated employees are actually in the employ of the state.

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. VACANT POSITIONS. The moneys herein appropriated for salaries and wages and allocated for positions which subsequently become vacant shall not be expended except for paying the salaries or wages of persons employed to fill such vacant positions.

Approved April 3, 1981

CHAPTER 75

SENATE BILL NO. 2029  
 (Committee on Appropriations)

HIGHWAY DEPARTMENT

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

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the highway department of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 59,017,618
Operating expenses	45,765,779
Data processing	1,218,922
Equipment	6,697,005
Grants, benefits, and claims	8,332,900
Capital improvements	13,696,500
Contracts	146,550,000
Legal drain openings	100,000
Railroad crossing protection	100,000
Total all funds	<u>\$ 281,478,724</u>
Less estimated special funds	281,084,224
Total general fund appropriation	<u>\$ 394,500</u>

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. LEGISLATIVE INTENT. It is the intent of the legislative assembly that \$437,500 included in the estimated income line item in section 1 of this Act from the transfer of excess funds in the abandoned motor vehicle disposal fund pursuant to the provisions of Senate Bill No. 2079 be used for the intermodal and rail planning program.

Approved April 3, 1981

## CHAPTER 76

SENATE BILL NO. 2030  
(Committee on Appropriations)

UPPER GREAT PLAINS  
TRANSPORTATION INSTITUTE

AN ACT making an appropriation for defraying the expenses of the upper great plains transportation institute of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income to the upper great plains transportation institute of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 446,064
Operating expenses	122,382
Equipment	7,900
Total all funds	<u>\$ 576,346</u>
Less estimated income	228,800
Total general fund transfer and appropriation	<u>\$ 347,546</u>

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 purpose provided for herein.

Approved April 3, 1981

## CHAPTER 77

SENATE BILL NO. 2031  
(Committee on Appropriations)

## MOTOR VEHICLE DEPARTMENT

AN ACT making an appropriation for defraying the expenses of the motor vehicle department of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the motor vehicle registration fund in the state treasury, not otherwise appropriated, to the motor vehicle department of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 1,669,198
Operating expenses	1,315,046
Data processing	771,444
License plates and tabs	518,095
Equipment	12,525
Special refunds	25,700
Contingency fund	50,000
Motor cycle safety	2,000
Total appropriation from motor vehicle registration fund	<u>\$ 4,364,008</u>

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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 3, 1981

## CHAPTER 78

SENATE BILL NO. 2032  
(Committee on Appropriations)

COMMISSIONER OF UNIVERSITY  
AND SCHOOL LANDS

AN ACT making an appropriation for defraying the expenses of the commissioner of university and school lands of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section or so much thereof as may be necessary are hereby appropriated out of any moneys in the state lands maintenance fund in the state treasury, not otherwise appropriated, to the commissioner of university and school lands of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 805,782
Operating expenses	164,680
Data processing	96,803
Equipment	17,005
Grants	34,650
Contingent fund	135,000
Total state lands maintenance fund	<u>\$1,253,920</u>

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.

Approved April 3, 1981

## CHAPTER 79

SENATE BILL NO. 2033  
(Committee on Appropriations)

## INDUSTRIAL COMMISSION

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

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the state industrial commission and agencies under its control, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

## Subdivision 1.

## INDUSTRIAL COMMISSION

Salaries and wages	\$	46,558
Operating expenses		43,800
Equipment		4,000
Contingent fund		10,000
Total land and mineral trust fund appropriation	\$	104,358

## Subdivision 2.

## BANK OF NORTH DAKOTA

Salaries and wages	\$	4,621,341
Operating expenses		2,852,491
Data processing		933,267
Equipment		561,868
Contingent		327,500
Total appropriation from Bank of North Dakota fund	\$	9,296,467

## Subdivision 3.

MILL AND ELEVATOR ASSOCIATION

Salaries and wages	\$ 8,247,449
Operating expenses	5,987,024
Contingent	<u>600,000</u>
Total appropriation from mill and elevator fund	\$ 14,834,473
Grand total special funds appropriated	\$ 24,235,298
Grand total all funds S.B. 2033	\$ 24,235,298

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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 3, 1981

## CHAPTER 80

SENATE BILL NO. 2034  
(Committee on Appropriations)

**PUBLIC EMPLOYEES RETIREMENT SYSTEM  
AND GROUP INSURANCE**

AN ACT making an appropriation for defraying the administrative expenses of the public employees retirement system and the group insurance program of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in special funds in the state treasury, not otherwise appropriated, derived from federal funds and/or other income, to the public employees retirement system and group insurance program of the state of North Dakota, for the purpose of defraying the administrative costs of the divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Subdivision 1.

PUBLIC EMPLOYEES RETIREMENT BOARD

Salaries and wages	\$ 442,056
Operating expenses	740,350
Data processing	300,000
Equipment	3,750
Contingent	<u>100,000</u>
Total appropriation from state employees retirement fund	<u>\$1,586,156</u>

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 provided for herein.

Approved April 3, 1981

# CHAPTER 81

SENATE BILL NO. 2035  
(Committee on Appropriations)

## TEACHERS' FUND FOR RETIREMENT

AN ACT making an appropriation for defraying the expenses of the teachers' fund for retirement of the state of North Dakota.

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

SECTION 1. APPROPRIATION. Funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the teachers' fund for retirement in the state treasury, not otherwise appropriated, to the teachers' fund for retirement of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 301,419
Operating expenses	445,087
Data processing	132,718
Equipment	2,818
Contingent	15,000
Total appropriation from teachers' fund for retirement	<u>\$ 897,042</u>

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.

Approved March 31, 1981

## CHAPTER 82

SENATE BILL NO. 2036  
(Committee on Appropriations)

## JOB SERVICE NORTH DAKOTA

AN ACT making an appropriation for defraying the expenses of the job service North Dakota and 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 funds provided in this section or so much thereof as may be necessary are hereby appropriated out of any moneys in special funds in the state treasury, not otherwise appropriated, derived from federal funds and/or other income, to job service North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

## Subdivision 1.

JOB SERVICE NORTH DAKOTA		
Salaries and wages		\$ 24,491,239
Operating expenses		6,439,851
Equipment		588,466
Total special funds appropriated		<u>\$ 31,519,556</u>

## Subdivision 2.

NORTH DAKOTA OASIS AND SOCIAL SECURITY		
Salaries and wages		\$ 296,296
Operating expenses		148,291
Equipment		5,750
Total appropriation from social security contribution fund		<u>\$ 450,337</u>

## Subdivision 3.

DISPLACED HOMEMAKER PROGRAM		
Salaries and wages		\$ 60,782
Operating Expenses		38,850
Grants		375,000
Total special funds appropriation		<u>\$ 474,632</u>
Grand total special funds appropriated S.B. 2036		\$ 32,444,525

SECTION 2. APPROPRIATION. All federal funds received by the employment security bureau in excess of those funds appropriated in subdivision 1 of section 1 of this Act are hereby appropriated.

SECTION 3. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget that newly anticipated employees are actually in the employ of the state.

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.

Approved April 3, 1981

## CHAPTER 83

SENATE BILL NO. 2037  
(Committee on Appropriations)

## WORKMEN'S COMPENSATION BUREAU

AN ACT making an appropriation for defraying the expenses of the workmen's compensation bureau of the state of North Dakota.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the workmen's compensation fund in the state treasury, not otherwise appropriated, to the workmen's compensation bureau of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

## Subdivision 1.

## WORKMEN'S COMPENSATION BUREAU

Salaries and wages	\$ 2,746,404
Operating expenses	791,341
Data processing	289,239
Equipment	106,113
Contingent	20,000
Total appropriation from workmen's compensation fund	\$ 3,953,097

SECTION 2. APPROPRIATION. The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to additional employees shall be made available only after certification to the executive office of the budget 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.

Approved April 3, 1981

CHAPTER 84

SENATE BILL NO. 2038  
 (Committee on Appropriations)

CRIME VICTIMS REPARATIONS

AN ACT to create and enact a new subsection to section 65-13-15 of the North Dakota Century Code, relating to placing funds in reserve for the payment of claims; and to make an appropriation for defraying the expenses of the Crime Victims Reparations Act under the supervision of the workmen's compensation bureau of the state of North Dakota.

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

SECTION 1. A new subsection to section 65-13-15 of the 1979 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

No funds shall be placed in reserve by the board on any claim.

SECTION 2. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the workmen's compensation bureau of the state of North Dakota for the purpose of defraying the expenses of the Crime Victims Reparations Act, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 15,000
Operating expenses	7,634
Equipment	2,000
Grants, benefits, and claims	215,000
Total general fund appropriation	<u>\$ 239,634</u>

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. It is the intent of the legislative assembly that the Uniform Crime Victims Reparations Act moneys appropriated by this Act be expended and the program administered as provided in chapter 65-13 with a view to the possibility that the program may be terminated or the responsibility for its administration reassigned at some future time.

Approved April 8, 1981

## CHAPTER 85

SENATE BILL NO. 2039  
(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 of North Dakota.

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

SECTION 1. TRANSFER. There is hereby authorized the transfer to the general fund in the state treasury, the sum of \$2,000,000 from the accumulated and undivided profits of the North Dakota mill and elevator association. Such moneys shall be transferred during the biennium beginning July 1, 1981, and ending June 30, 1983, upon order of the industrial commission.

Approved April 3, 1981

## CHAPTER 86

SENATE BILL NO. 2040  
(Committee on Appropriations)

### BANK OF NORTH DAKOTA TRANSFERS

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

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

SECTION 1. TRANSFER. There is hereby authorized the transfer to the general fund in the state treasury, the sum of \$5,000,000 from the accumulated and undivided profits of the Bank of North Dakota. Such moneys shall be transferred during the biennium beginning July 1, 1981, and ending June 30, 1983, upon order of the industrial commission.

SECTION 2. TRANSFER TO COMMUNITY WATER FACILITY LOAN FUND. The sum of \$5,000,000 is hereby transferred from the accumulated and undivided profits of the Bank of North Dakota to the community water facility loan fund authorized by section 6-09.5-03. This transfer shall be made upon order of the industrial commission in quarterly installments of \$1,250,000 on each of the following dates: July 1, 1981; October 1, 1981; January 1, 1982; and April 1, 1982. In the event the total amount to be transferred on a given date is not available, the balance shall be transferred as soon as possible.

Approved March 6, 1981

## CHAPTER 87

SENATE BILL NO. 2202  
 (Senators Wenstrom, R. Christensen, Lips)  
 (Representatives Berg, Hughes, Wagner)

## JUNIOR COLLEGE AID REALLOCATION

AN ACT providing for a reallocation of the appropriation to the junior colleges of the state of North Dakota for the biennium ending June 30, 1981; and declaring an emergency.

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

SECTION 1. AMENDMENT. Sections 1 and 2 of chapter 6 of the 1979 Session Laws are hereby amended and reenacted to read as follows:

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 \$4,727,113 or so much thereof as may be necessary, to the junior colleges hereinafter named of the state of North Dakota for the purpose of assisting in defraying the expenses thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Bismarck junior college	\$ 2,730,146	<u>2,782,728</u>
Lake region junior college	1,126,520	<u>1,073,938</u>
UND - Williston center	870,447	
Total general fund appropriation	\$ 4,727,113	

Section 2. LEGISLATIVE 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.

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 March 31, 1981

## CHAPTER 88

SENATE BILL NO. 2207  
(Senators Melland, Nething)  
(Representative Martinson)

### ARMY NATIONAL GUARD AND 164th INFANTRY REGIMENT HISTORY

AN ACT to direct the adjutant general to compile, publish, and distribute a history of the North Dakota army national guard and the 164th infantry regiment; and to provide an appropriation.

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

SECTION 1. HISTORY OF NORTH DAKOTA ARMY NATIONAL GUARD AND THE 164TH INFANTRY REGIMENT. The adjutant general shall compile, publish, and distribute a history of the North Dakota army national guard and the 164th infantry regiment. The history shall trace the 164th infantry regiment from its origin as the Dakota territorial infantry until the regiment was dissolved in 1955 and its involvement in each war and conflict during its existence. Distribution of the published history shall be in accordance with rules promulgated by the adjutant general pursuant to chapter 28-32.

SECTION 2. APPROPRIATION. There is hereby appropriated out of any moneys in the sinking fund for the state of North Dakota general obligation bonds, Vietnam conflict adjusted compensation series, not otherwise appropriated, the sum of \$100,000, or so much thereof as may be necessary, to the adjutant general for the purpose of compiling, publishing, and distributing a history of the North Dakota army national guard and the 164th infantry regiment for the biennium beginning July 1, 1981, and ending June 30, 1983.

The adjutant general shall be authorized to seek matching funds from the national endowment for the humanities through the institute for regional studies of North Dakota state university in carrying on this project, under such agreements relating thereto as shall be satisfactory to the adjutant general and the institute for regional studies. Any such matching funds that may be received are hereby appropriated for such project in accordance with this Act.

The appropriations provided in this Act shall not be subject to the provisions of section 54-44.1-11.

Approved March 31, 1981

## CHAPTER 89

SENATE BILL NO. 2259  
(Hanson)

## CAPITOL SECURITY SYSTEM

AN ACT making an appropriation to the capitol grounds planning commission to defray the expenses of planning and implementing an internal and external capitol security system on the capitol grounds 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 capitol building fund in the state treasury, not otherwise appropriated, the sum of \$125,000, or so much thereof as may be necessary, to the capitol grounds planning commission for the purpose of planning and implementing an external and internal capitol security system for the biennium beginning July 1, 1981, and ending June 30, 1983. The capitol grounds planning commission is authorized to use this appropriation as it deems necessary to accomplish the purposes of this Act, and may pay salaries directly or by agreement, and may purchase necessary equipment relating to a security system.

Approved March 19, 1981

## CHAPTER 90

SENATE BILL NO. 2283  
(Senator Thane)  
(Representative Dietz)

## SCHOOL OF SCIENCE CLASSROOM — AUDITORIUM

AN ACT to provide an appropriation for the construction of a classroom-auditorium building at the state school of science.

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

SECTION 1. APPROPRIATION. There is hereby appropriated to the state school of science from any federal or private funds the sum of \$2,500,000, or so much thereof as may be necessary, for the purpose of constructing a classroom-auditorium building at the state school of science during the biennium beginning July 1, 1981, and ending June 30, 1983.

Approved March 11, 1981