

APPROPRIATIONS

CHAPTER 1

HOUSE BILL NO. 1001
(Committee on Appropriations)

LEGISLATIVE BRANCH

AN ACT providing an appropriation for defraying 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 BRANCH OF STATE GOVERNMENT. 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 legislative branch of the state government for the purpose of defraying the expenses thereof, for the fiscal period beginning with the effective date of this Act and ending June 30, 1989, as follows:

Subdivision 1.

FIFTIETH AND FIFTY-FIRST LEGISLATIVE ASSEMBLIES AND BIENNIUM	
Salaries and wages	\$3,300,733
Operating expenses	1,469,105
Equipment	32,640
National conference of state legislatures	90,628
Total general fund appropriation	\$4,893,106

Subdivision 2.

LEGISLATIVE COUNCIL	
Salaries and wages	\$2,246,165
Operating expenses	1,298,562
Equipment	11,087
Total general fund appropriation	\$3,555,814
Grand total general fund appropriation	\$8,448,920

SECTION 2. TRANSFERS. The director of the office of management and budget and the state treasurer shall make such transfers of funds between line items of appropriations for the legislative council as may be requested by the chairman of the council or his designee upon the finding by the chairman or his designee that the nature of studies and duties assigned to the council requires such transfers in properly carrying on the

council's functions and duties. The director of the office of management and budget and the state treasurer shall similarly make transfers of funds between the line items for the fiftieth and fifty-first legislative assemblies, upon request of the chairman of the legislative council or his designee upon the finding by the chairman or his designee that such transfers are required for the legislative assembly to carry on its functions and duties.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure and is in effect upon its filing with the secretary of state or on a date specified in this Act.

Approved April 13, 1987
Filed April 14, 1987

CHAPTER 2

HOUSE BILL NO. 1002
(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; to amend and reenact section 27-05-01 of the North Dakota Century Code, relating to the number of district court judges; and to provide an effective date.

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 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, 1987, and ending June 30, 1989, as follows:

Subdivision 1.

SUPREME COURT

Salaries and wages	\$ 3,421,509
Operating expenses	845,000
Data processing	78,000
Equipment	74,949
Judges retirement	188,440
Total all funds	\$ 4,607,898
Less estimated income	55,000
Total general fund appropriation	\$ 4,552,898

Subdivision 2.

DISTRICT COURTS

Salaries and wages	\$10,722,584
Operating expenses	3,640,360
Equipment	97,021
Judges retirement	674,978
Total all funds	\$15,134,943
Less estimated income	340,000
Total general fund appropriation	\$14,794,943

Subdivision 3.

JUDICIAL CONDUCT COMMISSION
AND DISCIPLINARY BOARD

Salaries and wages	\$ 149,280
Operating expenses	93,968
Equipment	<u>2,500</u>
Total all funds	\$ 245,748
Less estimated income	<u>60,000</u>
Total general fund appropriation	\$ 185,748
Grand total general fund appropriation H.B. 1002	\$19,533,589
Grand total special funds appropriation H.B. 1002	\$ 455,000
Grand total all funds appropriation H.B. 1002	\$19,988,589

SECTION 2. TRANSFERS. The director of the office of management and budget and the state treasurer shall make such transfers of funds between line 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 requires such transfers to carry on properly the functions of the judicial branch of government.

SECTION 3. AMENDMENT. Section 27-05-01 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

27-05-01. Judicial districts - Number of judges. The judicial districts in this state are as designated by rule of the supreme court. The number of judges in each of the judicial districts is as follows:

1. The northwest judicial district shall have five judges.
2. The northeast judicial district shall have three judges.
3. The northeast central judicial district shall have ~~three~~ four judges.
4. The east central judicial district shall have four judges.
5. The southeast judicial district shall have three judges.
6. The south central judicial district shall have five judges.
7. The southwest judicial district shall have three judges.

SECTION 4. District judges. The appropriation provided within subdivision 2 of section 1 provides for one additional district court judge to be assigned pursuant to section 10 of article VI of the Constitution of North Dakota in the northeast central judicial district, and to be assigned to chambers by the supreme court. Within thirty days after January 1, 1989, the governor shall, pursuant to chapter 27-25, as amended, give written notice of the district court judgeship vacancy created by this section.

SECTION 5. EFFECTIVE DATE. Section 3 of this Act becomes effective on January 1, 1989.

Approved April 14, 1987
Filed April 15, 1987

CHAPTER 3

HOUSE BILL NO. 1003
(Committee on Appropriations)

BOARD OF HIGHER EDUCATION

AN ACT to provide an appropriation for defraying the expenses of the state board of higher education and the various institutions of higher learning under the supervision of the state board of higher education; to provide legislative intent regarding student financial assistance grants, membership in the university center for atmospheric research, and use of the higher education board pool; to create and enact a new section to chapter 15-11 of the North Dakota Century Code, relating to the supervision of the junior college located at Devils Lake; to amend and reenact subsections 4 and 6 of section 15-10-01, subdivision d of subsection 13 of section 15-10-17, and section 15-13-01 of the North Dakota Century Code, relating to the names of the institutions of higher education at Devils Lake, Dickinson, Mayville, Minot, and Valley City; to repeal section 15-55-21 of the North Dakota Century Code, relating to the payment of expenses from the gross revenues of higher education revenue bond projects; and to declare 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 other income to the state board of higher education and to the various institutions of higher learning under the supervision of the state board of higher education for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1987, and ending June 30, 1989, as follows:

Subdivision 1.

STATE BOARD OF HIGHER EDUCATION	
Salaries and wages	\$ 882,074
Operating expenses	320,032
Data processing	48,665
Equipment	11,000
Reciprocal agreements	2,541,800

National direct student loans	125,245
Title II grant	192,000
Merit scholarship program	155,000
Student financial assistance grants	1,500,000
Board pool	265,000
Total all funds	<u>\$ 6,040,816</u>
Less federal funds	592,000
Total general fund appropriation	<u>\$ 5,448,816</u>

Subdivision 2.

BISMARCK STATE COLLEGE

Salaries and wages	\$ 10,125,278
Operating expenses	2,402,027
Equipment	272,700
Capital improvements	204,845
Total all funds	<u>\$ 13,004,850</u>
Less budget adjustment	194,292
Less estimated income	7,177,417
Total general fund appropriation	<u>\$ 5,633,141</u>

Subdivision 3.

NORTH DAKOTA STATE COLLEGE OF SCIENCE - DEVILS LAKE

Salaries and wages	\$ 2,605,599
Operating expenses	856,628
Equipment	83,021
Capital improvements	101,921
Total all funds	<u>\$ 3,647,169</u>
Less budget adjustment	61,739
Less estimated income	1,852,741
Total general fund appropriation	<u>\$ 1,732,689</u>

Subdivision 4.

UNIVERSITY OF NORTH DAKOTA - WILLISTON

Salaries and wages	\$ 3,285,373
Operating expenses	808,646
Equipment	116,685
Capital improvements	69,439
Total all funds	<u>\$ 4,280,143</u>
Less budget adjustment	65,474
Less estimated income	2,305,995
Total general fund appropriation	<u>\$ 1,908,674</u>

Subdivision 5.

UNIVERSITY OF NORTH DAKOTA

Salaries and wages	\$ 66,515,795
Operating expenses	18,920,634
Equipment	1,466,770
Capital improvements	1,467,265
Total all funds	<u>\$ 88,370,464</u>
Less budget adjustment	2,132,064
Less estimated income	27,363,039
Total general fund appropriation	<u>\$ 58,875,361</u>

Subdivision 6.

NORTH DAKOTA STATE UNIVERSITY
OF AGRICULTURE AND APPLIED SCIENCE

Salaries and wages	\$ 57,983,724
Operating expenses	16,238,446
Equipment	1,353,031
Capital improvements	<u>1,415,027</u>
Total all funds	\$ 76,990,228
Less budget adjustment	1,813,745
Less estimated income	<u>24,212,487</u>
Total general fund appropriation	\$ 50,963,996

Subdivision 7.

NORTH DAKOTA STATE COLLEGE OF SCIENCE

Salaries and wages	\$ 18,838,342
Operating expenses	5,284,135
Equipment	718,864
Capital improvements	<u>410,700</u>
Total all funds	\$ 25,252,041
Less budget adjustment	632,292
Less estimated income	<u>6,703,725</u>
Total general fund appropriation	\$ 17,916,024

Subdivision 8.

STATE UNIVERSITY OF NORTH DAKOTA - DICKINSON

Salaries and wages	\$ 8,852,950
Operating expenses	2,781,252
Equipment	139,186
Capital improvements	<u>150,263</u>
Total all funds	\$ 11,923,651
Less budget adjustment	299,852
Less estimated income	<u>3,080,372</u>
Total general fund appropriation	\$ 8,543,427

Subdivision 9.

STATE UNIVERSITY OF NORTH DAKOTA - MAYVILLE

Salaries and wages	\$ 5,894,888
Operating expenses	1,764,224
Equipment	86,175
Capital improvements	<u>104,533</u>
Total all funds	\$ 7,849,820
Less budget adjustment	208,455
Less estimated income	<u>1,783,749</u>
Total general fund appropriation	\$ 5,857,616

Subdivision 10.

STATE UNIVERSITY OF NORTH DAKOTA - MINOT

Salaries and wages	\$ 18,233,521
Operating expenses	2,946,282
Equipment	299,678
Capital improvements	<u>339,553</u>
Total all funds	\$ 21,819,034
Less budget adjustment	496,958
Less estimated income	<u>7,374,289</u>
Total general fund appropriation	\$ 13,947,787

Subdivision 11.

STATE UNIVERSITY OF NORTH DAKOTA - VALLEY CITY	
Salaries and wages	\$ 7,779,683
Operating expenses	2,016,152
Equipment	113,163
Capital improvements	191,891
Total all funds	<u>\$ 10,100,889</u>
Less budget adjustment	257,850
Less estimated income	<u>2,461,612</u>
Total general fund appropriation	\$ 7,381,427

Subdivision 12.

NORTH DAKOTA STATE UNIVERSITY - BOTTINEAU	
Salaries and wages	\$ 2,962,161
Operating expenses	715,047
Equipment	70,329
Capital improvements	94,246
Total all funds	<u>\$ 3,841,783</u>
Less budget adjustment	94,740
Less estimated income	<u>1,007,977</u>
Total general fund appropriation	\$ 2,739,066

Subdivision 13.

NORTH DAKOTA STATE UNIVERSITY - STATE TOXICOLOGIST	
Salaries and wages	\$ 458,668
Operating expenses	99,160
Equipment	18,000
Total all funds	<u>\$ 575,828</u>
Less budget adjustment	15,073
Less estimated income	<u>120,000</u>
Total general fund appropriation	\$ 440,755

Subdivision 14.

NORTH DAKOTA FOREST SERVICE	
Salaries and wages	\$ 1,244,306
Operating expenses	340,978
Equipment	56,035
Capital improvements	30,100
Total all funds	<u>\$ 1,671,419</u>
Less budget adjustment	32,722
Less estimated income	<u>661,367</u>
Total general fund appropriation	\$ 977,330

Subdivision 15.

UNIVERSITY OF NORTH DAKOTA MEDICAL CENTER	
Salaries and wages	\$ 36,849,940
Operating expenses	12,799,820
Equipment	715,068
Psychiatric nursing	436,000
Total all funds	<u>\$ 50,800,828</u>
Less budget adjustment	1,006,008
Less estimated income	<u>21,604,127</u>
Total general fund appropriation	\$ 28,190,693

Subdivision 16.

MEDICAL CENTER REHABILITATION HOSPITAL

Salaries and wages	\$ 13,443,965
Operating expenses	5,058,009
Equipment	208,191
Total appropriation from institutional income	\$ 18,710,165
Grand total general fund appropriation H.B. 1003	\$211,918,191
Grand total special funds appropriation H.B. 1003	\$127,011,062
Grand total all funds appropriation H.B. 1003	\$338,929,253

SECTION 2. APPROPRIATION TRANSFER. The board pool in subdivision 1 of section 1 must be used for the benefit of the institutions and entities in subdivisions 2 through 14 of section 1 as determined by the state board of higher education. The board shall notify the office of management and budget of the allocation of general fund authority from the board pool, to the various institutions and which line items in the various institutions and entities shall be adjusted.

SECTION 3. APPROPRIATION. There are hereby appropriated any funds received by the board of higher education, not otherwise appropriated, pursuant to federal acts and private grants for the purpose as designated in such federal acts or private grants for the period beginning July 1, 1987, and ending June 30, 1989.

SECTION 4. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,361,389, or so much thereof as may be necessary, to the state board of higher education to provide for matching commitments for the national science foundation experimental program to stimulate competitive research for the biennium beginning July 1, 1987, and ending June 30, 1989. The board of higher education shall allocate these funds as necessary to North Dakota state university and the university of North Dakota.

SECTION 5. ADDITIONAL INCOME. Any additional income not required by law to be deposited in operating funds in the state treasury is hereby appropriated. All income in excess of estimated income in the budget appropriated by the legislative assembly to the institutions of higher learning must be deposited in their respective operating funds in the state treasury and is hereby appropriated and can be spent only upon authorization of the emergency commission.

SECTION 6. TRANSFER. The state board of higher education may make such transfers between line items in subdivision 1 of section 1, other than reciprocal agreements and student financial assistance grants, as may be necessary and manageable to provide for board or institutional budget requirements. The board shall notify the office of management and budget of each transfer.

SECTION 7. TRANSFERS. Each institution or agency included in subdivisions 2 through 16 of section 1, upon approval of the

state board of higher education, may make such transfers between line items in its appropriation as may be determined necessary by the board for operations of the institution or agency. Each institution or agency shall notify the office of management and budget of each transfer.

SECTION 8. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed. If for any reason any specific appropriation for any item is held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, the holding does not affect or apply to the remaining items of appropriation in this Act or purposes provided for in this Act.

SECTION 9. REPORTS TO OFFICE OF MANAGEMENT AND BUDGET. Each institution included in this Act, upon approval by the state board of higher education, shall notify the office of management and budget of the line item reductions totaling the amount in the less budget adjustment line for each appropriation included in this Act and the office of management and budget shall reduce each line item accordingly. Notification must be given to the office of management and budget by June 15, 1987.

SECTION 10. LEGISLATIVE INTENT - STUDENT FINANCIAL ASSISTANCE GRANTS. It is the intent of the legislative assembly that the student financial assistance grants line item in subdivision 1 of section 1 be used for students determined to be in substantial need of financial assistance and eligible in accordance with North Dakota Century Code section 15-62.2-01.

SECTION 11. LEGISLATIVE INTENT - UNIVERSITY CENTER FOR ATMOSPHERIC RESEARCH MEMBERSHIP. It is the intent of the legislative assembly that the university of North Dakota seek membership in the university center for atmospheric research program during the 1987-89 biennium for the purpose of becoming eligible for additional national science foundation grants.

SECTION 12. LEGISLATIVE INTENT - HIGHER EDUCATION BOARD POOL - NORTH DAKOTA STATE COLLEGE OF SCIENCE - DEVILS LAKE. It is the intent of the legislative assembly that a portion of the pool money appropriated to the board of higher education be used to increase the salaries of the faculty at North Dakota state college of science - Devils Lake to a level halfway between their current level and the average of the state junior college salaries.

SECTION 13. AMENDMENT. Subsection 4 of section 15-10-01 of the 1985 Supplement to the North Dakota Century Code and subsection 6 of 15-10-01 of the North Dakota Century Code as contained in section 1 of House Bill No. 1300, as approved by the fiftieth legislative assembly, are hereby amended and reenacted to read as follows:

4. The state normal schools and teachers colleges at Valley City state university, Mayville state university, Minot state university, and Dickinson state university.
6. The following junior colleges and off-campus educational center: Bismarck state college, university of North Dakota - Lake Region community college, and the university of North Dakota - Williston center.

SECTION 14. AMENDMENT. Subdivision d of subsection 13 of section 15-10-17 of the North Dakota Century Code as contained in House Bill No. 1300, as approved by the fiftieth legislative assembly, is hereby amended and reenacted to read as follows:

- d. Employees of Bismarck state college and university of North Dakota - Lake Region community college coming under the jurisdiction of the board who are members of the teachers' fund for retirement may elect prior to July 1, 1985, to continue membership in the teachers' fund for retirement in lieu of the alternate retirement program. If an employee does not elect to continue membership in the teachers' fund for retirement, membership in that fund will terminate and the employee will become a member of the alternate retirement program established by the board effective July 1, 1985. An employee of the above-named colleges who becomes a member of the alternate retirement program may elect prior to July 1, 1985, to have the employee's assessments and employer's contributions in the teachers' fund for retirement with interest transferred by the board of trustees of the teachers' fund for retirement to the employee's account in the alternate retirement program. If an employee elects to transfer the employee's assessment and employer's contributions together with interest to the alternate retirement program, the employee relinquishes all rights the employee or the employee's beneficiary may have to benefits provided in chapters 15-39, 15-39.1, and 15-39.2.

SECTION 15. A new section to chapter 15-11 of the North Dakota Century Code is hereby created and enacted to read as follows:

Supervision of the junior college located at Devils Lake. The junior college located at Devils Lake is a branch of the university of North Dakota subject to the supervision of the administrative authorities of the university of North Dakota in compliance with chapter 15-18 regarding junior colleges and off-campus educational centers and is titled the university of North Dakota - Lake Region. The administrative authorities of the university of North Dakota shall adopt, subject to the rules the state board of higher education may establish, the necessary rules for the government of the university of North Dakota - Lake Region.

SECTION 16. AMENDMENT. Section 15-13-01 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-13-01. Normal schools - Location - Names. The state normal schools established at Valley City in the county of Barnes, at Mayville in the county of Traill, at Minot in the county of Ward, and at Dickinson in the county of Stark, and any other normal schools which that may be established by law, shall be are the normal schools of the state, and at such time as any such school shall offer curriculums leading to both the bachelor of science and bachelor of arts degrees, such school may be referred to as "state college", prefixed by the name of the applicable city. The name of the normal school at Valley City is Valley City state university, the name of the normal school at Mayville is Mayville state university, the name of the normal school at Minot is Minot state university, and the name of the normal school at Dickinson is Dickinson state university.

SECTION 17. REPEAL. Section 15-55-21 of the North Dakota Century Code is hereby repealed.

SECTION 18. EMERGENCY. Sections 13, 14, 15, and 16 of this Act are declared to be emergency measures and are in effect upon filing with the secretary of state or on a date specified in this Act.

Approved April 24, 1987
Filed April 27, 1987

CHAPTER 4

HOUSE BILL NO. 1004
 (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 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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$ 1,963,816
Operating expenses	452,452
Data processing	5,000
Equipment	14,000
Grants, benefits, and claims	14,749,720
Grants to post secondary institutions at Bismarck, Devils Lake, and Williston	3,876,566
State advisory council	269,905
Total all funds	<u>\$21,331,459</u>
Less estimated income	<u>7,801,197</u>
Total general fund appropriation	<u>\$13,530,262</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 any specific appropriation for any item should be held by the 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 24, 1987
 Filed April 27, 1987

CHAPTER 5

HOUSE BILL NO. 1005
(Committee on Appropriations)

EXTENSION DIVISION AND EXPERIMENT STATIONS

AN ACT making an appropriation for defraying the expenses of the cooperative extension division, the upper great plains transportation institute, and the experiment stations of North Dakota state university of agriculture and applied science; to provide a statement of legislative intent; to provide for a transfer from the lignite research fund; and to provide a contingent appropriation.

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 other income to the cooperative extension division, upper great plains transportation institute and experiment stations of North Dakota state university of agriculture and applied science for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1987, and ending June 30, 1989, as follows:

Subdivision 1.		
COOPERATIVE EXTENSION DIVISION		
Salaries and wages		\$14,997,768
Operating expenses		3,196,905
Equipment		560,000
Total all funds		\$18,754,673
Less estimated income		<u>10,424,000</u>
Total general fund appropriation		\$ 8,330,673
Subdivision 2.		
EXTENSION DIVISION		
FOOD AND NUTRITION PROGRAM		
Salaries and wages		\$ 449,790
Operating expenses		46,800
Total special funds appropriation		\$ 496,590

Subdivision 3.

UPPER GREAT PLAINS
TRANSPORTATION INSTITUTE

Salaries and wages	\$ 412,217
Operating expenses	104,838
Equipment	<u>13,166</u>
Total all funds	\$ 530,221
Less estimated income	<u>274,777</u>
Total general fund appropriation	\$ 255,444

Subdivision 4.

NORTHERN CROPS INSTITUTE

Salaries and wages	\$ 412,222
Operating expenses	115,066
Equipment	<u>130,312</u>
Total all funds	\$ 657,600
Less estimated income	<u>183,676</u>
Total general fund appropriation	\$ 473,924

Subdivision 5.

MAIN EXPERIMENT STATION

Salaries and wages	\$25,956,976
Operating expenses	6,215,890
Equipment	1,835,585
Capital improvements	<u>545,000</u>
Total all funds	\$34,553,451
Less estimated income	<u>15,001,037</u>
Total general fund appropriation	<u>\$19,552,414</u>

Subdivision 6.

DICKINSON EXPERIMENT STATION

Salaries and wages	\$ 683,364
Operating expenses	426,548
Equipment	<u>39,450</u>
Total operating budget	\$ 1,149,362
Less estimated income	<u>286,535</u>
Net operating budget	\$ 862,827
Capital improvements	<u>12,500</u>
Total general fund appropriation	\$ 875,327

Subdivision 7.

CENTRAL GRASSLAND EXPERIMENT STATION

Salaries and wages	\$ 345,421
Operating expenses	329,983
Equipment	<u>118,645</u>
Total operating budget	\$ 794,049
Less estimated income	<u>153,136</u>
Net operating budget	\$ 640,913
Capital improvements	<u>5,000</u>
Total general fund appropriation	\$ 645,913

Subdivision 8.

HETTINGER EXPERIMENT STATION

Salaries and wages	\$ 325,157
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Operating expenses	181,558
Equipment	108,463
Total operating budget	\$ 615,178
Less estimated income	201,245
Net operating budget	\$ 413,933
Capital improvements	2,000
Total general fund appropriation	\$ 415,933

Subdivision 9.

LANGDON EXPERIMENT STATION

Salaries and wages	\$ 345,346
Operating expenses	183,170
Equipment	40,000
Total operating budget	\$ 568,516
Less estimated income	90,646
Total general fund appropriation	\$ 477,870

Subdivision 10.

NORTH CENTRAL EXPERIMENT STATION

Salaries and wages	\$ 359,745
Operating expenses	269,079
Equipment	59,000
Total operating budget	\$ 687,824
Less estimated income	333,923
Total general fund appropriation	\$ 353,901

Subdivision 11.

WILLISTON EXPERIMENT STATION

Salaries and wages	\$ 405,895
Operating expenses	136,230
Equipment	10,122
Total operating budget	\$ 552,247
Less estimated income	119,209
Net operating budget	\$ 433,038
Capital improvements	8,000
Total general fund appropriation	\$ 441,038

Subdivision 12.

CARRINGTON EXPERIMENT STATION

Salaries and wages	\$ 661,991
Operating expenses	525,776
Equipment	77,500
Total operating budget	\$ 1,265,267
Less estimated income	522,068
Total general fund appropriation	\$ 743,199

Subdivision 13.

AGRONOMY SEED FARM

Salaries and wages	\$ 218,443
Operating expenses	368,420
Equipment	92,000
Capital improvements	62,000
Total special funds appropriation	\$ 740,863

Subdivision 14.

LAND RECLAMATION RESEARCH CENTER

Salaries and wages	\$ 1,263,002
Operating expenses	83,535
Equipment	<u>3,600</u>
Total special funds appropriation	\$ 1,350,137
Grand total general fund appropriation H.B. 1005	\$32,565,636
Grand total special funds appropriation H.B. 1005	\$34,072,842
Grand total all funds appropriation H.B. 1005	\$66,638,478

SECTION 2. ADDITIONAL INCOME - APPROPRIATION. 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, land reclamation research center, northern crops institute, upper great plains transportation institute, and the cooperative extension division, except as otherwise provided by law, is hereby appropriated for the purpose designated in the gift, grant, or donation. 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 unencumbered balance in the operating fund on June 30, 1987, exceeds the estimated income for the biennium ending June 30, 1989.

SECTION 3. TRANSFER. The state board of higher education is authorized to approve transfer of funds between categories of expenditures, and shall notify the director of the office of management and budget within ten days following such authorization.

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 any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purpose provided for herein.

SECTION 5. INTENT. It is the intent of the legislative assembly that the funds appropriated for the land reclamation research center be used for the following research projects:

1. Prime farmland soil productivity;
2. Development of productivity indices for reclaimed land;
3. Soil resspreading and depth of soil replacement; and
4. Run-off and erosion on reclaimed land.

In addition, it is the intent of the legislative assembly that the land reclamation research center file an annual report with the legislative council, the office of management and budget and the public service commission on August 1, 1987, August 1, 1988, and August 1, 1989. The annual report shall contain a description and analysis of the conclusions reached from each reclamation research project that has been conducted to date for the preceding fiscal year as well as a brief description and analysis of any tentative conclusions reached from all ongoing projects. The annual report of the land reclamation research center shall also include any recommendations it may have for reducing unnecessary and duplicative regulatory costs that are not required by federal or state reclamation law and which do not contribute to effective reclamation practices. For any new reclamation research project to be approved for funding, each proposed project must meet all of the following criteria:

1. Development of data and conclusions that will assist in returning the land to its original or better productivity.
2. Development of data and conclusions that will assist in returning the land to an approved postmining land use as soon as possible.
3. Development of data and conclusion that will reduce unnecessary regulatory costs and assist in effectively reclaiming the land to its original or better productivity.

SECTION 6. 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 \$50,000 in cost.

SECTION 7. APPROPRIATION - MAIN EXPERIMENT STATION. 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, 1987, and ending June 30, 1989.

SECTION 8. RESEARCH/EXTENSION CONSTRUCTION - APPROPRIATION - BUDGET SECTION APPROVAL. The main agricultural experiment station or any of its branch stations is hereby authorized to accept a gift dedicated to the construction of a facility to house research and extension service staff. The facility is to be constructed at or near the station headquarters site. The total construction cost shall not exceed \$1,000,000 and such amount, or so much thereof as may be necessary, is hereby appropriated for the biennium beginning July 1, 1987, and ending June 30, 1989. Funds shall not be spent pursuant to this section without the approval of the legislative council's budget section.

SECTION 9. APPROPRIATION - MAIN EXPERIMENT STATION - BUDGET SECTION APPROVAL. There is hereby appropriated \$1,200,000, more or less, or so much thereof as may be necessary, from federal or other funds, to the main experiment station to acquire and equip a demonstration feed processing facility for barley and feed grain milling, including equipment for barley and feed grain milling, for the biennium beginning July 1, 1987, and ending June 30, 1989. Any funds received require budget section approval before they can be spent.

SECTION 10. APPROPRIATION - MAIN EXPERIMENT STATION - BUDGET SECTION APPROVAL. There is hereby appropriated \$1,300,000, more or less, or so much thereof as may be necessary, from federal or other funds, to the main experiment station to acquire and equip a pilot durum and hard red spring wheat demonstration milling facility, for the biennium beginning July 1, 1987, and ending June 30, 1989. Any funds received require budget section approval before they can be spent.

SECTION 11. CONTINGENT APPROPRIATION - NORTH CENTRAL EXPERIMENT STATION - BUDGET SECTION APPROVAL. If the balance in the north central experiment station reserve income fund on June 30, 1988, is \$180,000 or more, there is hereby appropriated \$95,000 included in such balance, or so much thereof as may be necessary, for construction of a superintendent's residence on the north central experiment station during the biennium beginning July 1, 1987, and ending June 30, 1989. Any funds to be spent for this purpose require the approval of the budget section of the legislative council.

SECTION 12. LEGISLATIVE INTENT - DETERMINATION OF PERSONNEL REDUCTIONS. It is the intent of the legislative assembly that, for the agencies and institutions named in this Act, including the main and branch experiment stations and cooperative extension division, the determination of personnel reductions required pursuant to salary and wage reductions approved by the fiftieth legislative assembly for the 1987-89 biennium shall be made by the administrators of the agencies and institutions incurring the reductions subject to board of higher education approval.

SECTION 13. LAND RECLAMATION RESEARCH CENTER APPROPRIATION - TRANSFER. The amount appropriated in subdivision 14 of section 1 of this Act includes \$707,111, or so much thereof as may be necessary, for the purpose of funding reclamation research projects, shall be transferred by the industrial commission from the lignite research fund as created by the fiftieth legislative assembly. Such funds shall be transferred at the direction of the office of management and budget from the lignite research fund to the land reclamation research center operating fund for the biennium beginning July 1, 1987, and ending June 30, 1989.

Approved April 24, 1987
Filed April 30, 1987

CHAPTER 6

HOUSE BILL NO. 1006
(Committee on Appropriations)

DEPARTMENT OF HEALTH AND CONSOLIDATED LABORATORY SERVICES

AN ACT making an appropriation for defraying the expenses of the department of health and consolidated laboratory services of the state of North Dakota; to provide for a transfer from the abandoned motor vehicle disposal and state fire and tornado funds; and to amend and reenact sections 23-16-03 and 23-17.2-09 of the North Dakota Century Code, relating to the licensing of medical hospitals and application for certification of need for expansion of hospital facilities.

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 other income, to the department of health and consolidated laboratory services of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$14,686,372
Operating expenses	17,130,558
Data processing	421,703
Equipment	495,925
Grants, benefits, and claims	6,962,700
Abandoned motor vehicle	400,000
Total all funds	\$40,097,258
Less estimated income	26,993,093
Total general fund appropriation	\$13,104,165

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 any specific appropriation for any item should be held by the 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. APPROPRIATIONS. 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. APPROPRIATION - TRANSFER. The estimated income line item appropriated in section 1 of this Act includes \$400,000 which is hereby appropriated and shall be transferred to the department of health and consolidated laboratory services operating fund from the abandoned motor vehicle disposal fund pursuant to section 39-26-11 for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 5. APPROPRIATION - TRANSFER. The estimated income line item appropriated in section 1 of this Act includes \$200,000 which is hereby appropriated and shall be transferred to the department of health and consolidated laboratory services operating fund from the state fire and tornado fund for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 6. AMENDMENT. Section 23-16-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

23-16-03. Application for license - License fee. Applicants for license shall file applications under oath with the state department of health upon forms prescribed. Applications ~~shall~~ must be signed by the owner, or in the case of a corporation by two of its officers, or in the case of a county or municipal unit by the head ~~of such~~ the governmental department having jurisdiction over it. Applications ~~shall~~ must set forth the full name and address of the owner of the institution for which license is sought, the names of the persons in control thereof and such additional information as the state department of health may require, including affirmative evidence of ability to comply with such minimum standards, rules, and regulations as may be lawfully prescribed ~~hereunder~~ pursuant to this section. An application for a license for facilities not owned by the state or its political subdivisions must be accompanied by the following fees:

1. For each licensed acute care bed, ten dollars.
2. For each licensed skill care bed, seven dollars.
3. For each licensed intermediate care bed, five dollars.

License fees collected pursuant to this section must be deposited in the state department of health and consolidated laboratory services operating fund in the state treasury and any expenditure from the fund is subject to appropriation by the legislative assembly.

* SECTION 7. AMENDMENT. Section 23-17.2-09 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

23-17.2-09. Application for certificate of need - Filing fee. Applicants for certificate of need shall file notification of intent and applications under oath with the department upon forms prescribed. Notification of intent and applications ~~shall~~ must be signed by the owner, or in the case of a corporation by two of its officers, or in the case of a public institution by the head of ~~such~~ the governmental unit or agency having jurisdiction over it. Notification of intent and applications ~~shall~~ must set forth the full name and address of the owner of the institution for which certificate of need is sought, the names of the persons in control thereof, and such additional information as the department may require including affirmative evidence of ability to comply with licensing or certification requirements when the proposal is implemented. Applicants shall comply with criteria of rules and regulations as set forth therein. The health council shall provide by rule for a notification of intent filing fee not to exceed one hundred dollars for each notification of intent. An application for certificate of need must be accompanied by a fee equaling three-tenths of one percent of the total proposed capital expenditure which fee may not exceed ten thousand dollars and may not be less than five hundred dollars. Fees collected pursuant to this section must be deposited in the state department of health and consolidated laboratory services operating fund in the state treasury and any expenditure from the fund is subject to appropriation by the legislative assembly. The department shall consider the application and determine from its findings whether such application qualifies the applicant for certification of need under criteria as set forth in the rules and regulations. The determination shall be made after receipt of recommendations from the health systems agency in which the applicant is located and the determination ~~shall~~ must be communicated to the facility or its owners or operators, the respective health systems agency, and all persons filing an appearance immediately after being made. A notice of intent must be filed with the department when a health care facility is acquired.

Approved April 24, 1987
Filed April 27, 1987

* NOTE: Section 23-17.2-09 was also amended by section 6 of Senate Bill No. 2191, chapter 304.

CHAPTER 7

HOUSE BILL NO. 1007
(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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$169,727
Operating expenses	38,800
Equipment	550
Native American alcohol and drug abuse education	303,405
Grants, benefits, and claims	<u>168,000</u>
Total general fund appropriation	\$680,482

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 any specific appropriation for any item should be held by the 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 24, 1987
Filed April 27, 1987

CHAPTER 8

HOUSE BILL NO. 1008
(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 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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$ 323,729
Operating expenses	124,697
Data processing	1,395
Equipment	12,915
Capital improvements	555,000
Grants, benefits, and claims	<u>2,157,090</u>
Total all funds	\$3,174,826
Less estimated income	<u>2,624,826</u>
Total general fund transfer and appropriation	\$ 550,000

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 any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 21, 1987
Filed April 27, 1987

CHAPTER 9

HOUSE BILL NO. 1009
(Committee on Appropriations)

VETERANS' HOME AND VETERANS' AFFAIRS

AN ACT making an appropriation for defraying the expenses of the veterans' home and the department of veterans' affairs of the state of North Dakota; to provide for a transfer of principal and earnings from the veterans' postwar trust fund; and to amend and reenact section 37-14-14 of the North Dakota Century Code, relating to use of the veterans' postwar trust fund.

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 other income, to the veterans' home and 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, 1987, and ending June 30, 1989, as follows:

Subdivision 1.

	VETERANS' HOME	
Salaries and wages		\$1,578,272
Operating expenses		562,502
Equipment		<u>13,100</u>
Total special funds appropriation		\$2,153,874

Subdivision 2.

	VETERANS' AFFAIRS	
Salaries and wages		\$ 311,762
Operating expenses		64,630
Equipment		<u>2,400</u>
Total appropriation from veterans' postwar trust fund		\$ 378,792
Grand total special funds appropriated H.B. 1009		\$2,532,666
Grand total all funds appropriated H.B. 1009		\$2,532,666

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 any specific appropriation for any

item should be held by the 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 - TRANSFER. The amount appropriated in subdivision 1 of section 1 of this Act includes \$1,343,384 which is hereby appropriated and shall be transferred to the veterans' home operating fund from the veterans' postwar trust fund pursuant to section 37-14-14 for the biennium beginning July 1, 1987, and ending June 30, 1989.

* **SECTION 4. AMENDMENT.** Section 37-14-14 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

37-14-14. Veterans' postwar trust fund. The veterans' postwar trust fund shall consist of moneys transferred or credited to the fund, pursuant to the provisions of this chapter and of other laws. The fund shall be invested by the state treasurer in legal investments authorized by section 21-10-07. ~~All~~ The fund and all income received on the investments ~~is~~ are to be utilized in benefit and service to veterans as defined in section 37-01-40, or their dependents, as determined and appropriated by the legislative assembly.

SECTION 5. TRANSFER - VETERANS' POSTWAR TRUST FUND - GENERAL FUND. Notwithstanding the provisions of North Dakota Century Code section 37-14-14, the sum of \$2,000,000 from the veterans' postwar trust fund shall be transferred by the state treasurer to the general fund on July 1, 1987.

SECTION 6. LEGISLATIVE INTENT. It is the intent of the legislative assembly that in future bienniums the veterans' home and veterans' affairs be funded from the general fund.

Approved April 24, 1987

Filed April 27, 1987

* NOTE: Section 37-14-14 was also amended by section 12 of House Bill No. 1031, chapter 190.

CHAPTER 10

HOUSE BILL NO. 1010
(Committee on Appropriations)

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; to amend and reenact sections 6-01-17 and 6-09-29 of the North Dakota Century Code, and subsection 4 of section 6-06-08 of the North Dakota Century Code as amended by section 1 of House Bill No. 1218, as approved by the fiftieth legislative assembly, relating to yearly assessment and examination fees of banks and credit unions; and to provide an effective date.

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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$1,409,033
Operating expenses	299,031
Equipment	500
Total general fund appropriation	<u>\$1,708,564</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 any specific appropriation for any item should be held by the 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. APPROPRIATIONS. 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. AMENDMENT. Section 6-01-17 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-01-17. Yearly assessment of banks. Every state banking association and banking institution placed under the jurisdiction and control of the commissioner and the commissioner's deputy examiners by the provisions of this title shall pay into the state treasury ~~the following a~~ yearly assessment of one and ~~one-quarter~~ ~~one-half~~ hundredths of one percent of gross amount of the assets of said corporation or association on June thirtieth of each ~~that~~ year, exclusive of expenses, interest, and taxes paid, and inclusive of any valuation allowance or allowances deducted by a state banking association from any asset account. Such fee shall not be less than seven hundred fifty dollars ~~and not more than seven thousand five hundred dollars~~. Assessment fees shall not be computed on the combined assets of the bank and its trust department for those banks exercising trust powers. The minimum and maximum shall apply to the assets of the bank separate from the assets of the trust department, and fees for examination of the trust department shall be computed in accordance with section 6-05-28. The assessment shall be paid to the state treasurer within thirty days of each June thirtieth, ~~except that institutions whose examination has begun within the six months immediately prior to July 1, 1983, shall not have to pay the first yearly assessment~~. Institutions that have not been examined by the commissioner or the state banking board for three years prior to any assessment date shall not be required to pay the assessment. The state treasurer shall report such payments of fees to the state banking board, and if any such corporation or institution shall be delinquent more than twenty days in making such payment, the board may make an order suspending the functions of such delinquent corporation or institution until payment of the amount due, plus a penalty of five dollars a day additional for the delay.

SECTION 5. AMENDMENT. If House Bill No. 1218 becomes effective, then subsection 4 of section 6-06-08 of the North Dakota Century Code, as amended by section 1 of House Bill No. 1218, is hereby amended and reenacted to read as follows:

4. Every state credit union placed under the jurisdiction and control of the state credit union board and the commissioner by the provisions of this title shall pay into the state treasury ~~the following a~~ yearly assessment of one and one-half hundredths of one percent of the gross amount of the assets of the corporation or association on June thirtieth of each ~~that~~ year, exclusive of expenses, interest, and taxes paid, and inclusive of any valuation allowance or allowances deducted by the credit union from any asset account. The fee may not be less than three hundred dollars ~~and not more than seven thousand five hundred dollars~~. The assessment must be paid to the state

* NOTE: Section 6-01-17 was also amended by section 2 of Senate Bill No. 2135, chapter 120.

treasurer within thirty days of each June thirtieth, except that those credit unions whose examination has begun within the six months immediately prior to July 1, 1987, do not have to pay the first yearly assessment. Credit unions that have not been examined by the commissioner or the state credit union board for three years prior to any assessment date are not required to pay the assessment. The state treasurer shall report the payments of fees to the state credit union board, and if any credit union is delinquent more than twenty days in making payment, the board may make an order suspending the functions of the delinquent credit union until payment of the amount due, plus a penalty of five dollars a day additional for the delay. The examination fee for North Dakota central credit union shall be one hundred thirty-five dollars per examiner day for the time used charged by the department at an hourly rate to be set by the commissioner or other person or persons designated by the commissioner in making and otherwise preparing and typing the reports of, sufficient to cover all reasonable expenses of the department associated with the examination.

SECTION 6. AMENDMENT. Section 6-09-29 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09-29. Department of banking and financial institutions and the industrial commission responsible for examinations and audit reports. The industrial commission shall be responsible for contracting with a nongovernment certified public accounting firm to annually audit the Bank of North Dakota in accordance with generally accepted auditing standards, which shall include inspection and verification of the assets in its possession and under its control with sufficient thoroughness to ascertain with reasonable certainty whether the valuations are carried correctly on its books. The auditor so hired shall audit the Bank's methods of operation and accounting, shall report the results to the industrial commission as soon as practicable, and shall furnish one copy to the legislative assembly. The costs of such audit shall be paid for by the Bank of North Dakota. The department of banking and financial institutions, through the commissioner, shall be responsible for performing an examination of the Bank of North Dakota at least once each twenty-four months and for any investigation of the Bank which may be necessary. The examination results, and the results of any necessary investigation, shall be reported to the industrial commission as soon as practicable and to the legislative assembly. Fees for such examinations shall be charged by the department of banking and financial institutions for the examinations provided for by this section at the an hourly rate of one hundred thirty-five dollars per day for the time used to be set by the commissioner or other person designated by the commissioner in supervising, filing, and corresponding in connection with such examination and report of examination and for the time used by each deputy examiner, or other person or persons in making and otherwise preparing and typing the reports of examinations required, sufficient to cover all reasonable expenses of the department associated with the examinations provided for by this section.

SECTION 7. EFFECTIVE DATE. The first assessments under sections 4 and 5 of this Act apply to assets as of June 30, 1987.

Approved April 21, 1987
Filed April 27, 1987

CHAPTER 11

HOUSE BILL NO. 1011
(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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$329,948
Operating expenses	50,900
Equipment	<u>2,500</u>
Total general fund appropriation	\$383,348

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 any specific appropriation for any item should be held by the 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, 1987
Filed April 2, 1987

CHAPTER 12

HOUSE BILL NO. 1012
(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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$348,352
Operating expenses	138,834
Equipment	2,200
Total general fund appropriation	<u>\$489,386</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 any specific appropriation for any item should be held by the 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, 1987
Filed April 2, 1987

CHAPTER 13

HOUSE BILL NO. 1013
(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.

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 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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$290,469
Operating expenses	145,060
Equipment	4,277
Contingency	<u>5,000</u>
Total appropriation from milk stabilization fund	\$444,806

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 any specific appropriation for any item should be held by the 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, 1987
Filed April 2, 1987

CHAPTER 14

HOUSE BILL NO. 1014
(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; to provide legislative intent; and to declare 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 fair association of the state of North Dakota, for the purpose of defraying premium expenses, for the biennium beginning July 1, 1987, and ending June 30, 1989, as follows:

Capital improvements	\$210,000
Premiums	\$240,000
Total general fund appropriation	\$450,000

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 any specific appropriation for any item should be held by the 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 - CAPITAL IMPROVEMENTS. It is the intent of the legislative assembly that the \$210,000 contained in the state fair association capital improvements line item is for the beginning of the repayment of a \$3,000,000 loan for a state fair association cultural exhibit building and land acquisition.

SECTION 4. EMERGENCY. This Act is declared to be an emergency measure and is in effect upon its filing with the secretary of state or on a date specified in this Act.

Approved March 12, 1987
Filed March 16, 1987

CHAPTER 15

HOUSE BILL NO. 1015
(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 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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$ 260,816
Operating expenses	157,031
Equipment	700
Grants, benefits, and claims	<u>1,232,040</u>
Total all funds	\$1,650,587
Less estimated income	<u>1,204,424</u>
Total general fund appropriation	\$ 446,163

SECTION 2. 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 for the biennium beginning July 1, 1987, and ending June 30, 1989.

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 any specific appropriation for any item should be held by the 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 17, 1987

CHAPTER 16

HOUSE BILL NO. 1016
(Committee on Appropriations)

HIGHWAY PATROL

AN ACT making an appropriation for defraying the expenses of the highway patrol of the state of North Dakota and providing for a transfer of funds from the state highway fund.

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 not otherwise appropriated, from special funds derived from federal funds and 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, 1987, and ending June 30, 1989, as follows:

HIGHWAY PATROL	
Salaries and wages	\$12,436,424
Operating expenses	3,665,467
Data processing	145,934
Equipment	165,600
Capital improvements	45,500
Total special funds appropriation	<u>\$16,458,925</u>

SECTION 2. APPROPRIATION. Each patrolman of the state highway patrol shall receive from funds appropriated in the operating expenses line item in section 1 of this Act an amount not to exceed \$120 per month for the biennium beginning July 1, 1987, and ending June 30, 1989. 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. 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 any specific appropriation for any

item should be held by the 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 - TRANSFER. There is hereby appropriated in the special funds line item of section 1 of this Act, the sum of \$16,458,925, or so much thereof as may be necessary, from the state highway fund, to be transferred at the direction of the office of management and budget, for the purpose of defraying the expenses of the highway patrol during the biennium beginning July 1, 1987, and ending June 30, 1989.

Approved April 17, 1987
Filed April 20, 1987

CHAPTER 17

HOUSE BILL NO. 1017
(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 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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$ 58,722,599
Operating expenses	40,237,142
Data processing	2,273,753
Equipment	10,314,441
Grants, benefits, and claims	6,202,776
Capital improvements	228,942,201
Special contracts	960,000
Total all funds	\$347,652,912
Less estimated special funds	347,624,112
Total general fund appropriation	\$ 28,800

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 any specific appropriation for any item should be held by the 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 15, 1987
Filed April 15, 1987

CHAPTER 18

HOUSE BILL NO. 1018
(Committee on Appropriations)

**MOTOR VEHICLE DEPARTMENT AND MOTOR
VEHICLE REGISTRATION FEES**

AN ACT to amend and reenact subdivisions a, b, and c of subsection 2, and subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to vehicle registration fees; to provide an appropriation for defraying the expenses of the motor vehicle department of the state of North Dakota; to provide for application of this Act; to provide an effective date; and to provide an expiration date.

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

SECTION 1. AMENDMENT. If Senate Bill No. 2259 does not become effective, subdivisions a, b, and c of subsection 2, and subsection 5 of section 39-04-19 of the 1985 Supplement to the North Dakota Century Code are hereby amended and reenacted to read as follows:

- a. Passenger motor vehicles including buses for hire, hearses, and ambulances:

Gross Weights	YEARS REGISTERED			
	1st, 2nd, 3rd, and 4th Years	5th, 6th, and 7th Years	8th, 9th, and 10th Years	11th and Subsequent Years
Less than 3,200	\$ 44.00	\$ 36.00	\$ 28.00	\$20.00
3,200-4,499	64.00	52.00	40.00	28.00
4,500-4,999	82.00	65.00	50.00	34.00
5,000-5,999	113.00	91.00	69.00	47.00
6,000-6,999	146.00	117.00	88.00	60.00
7,000-7,999	179.00	143.00	108.00	73.00
8,000-8,999	212.00	170.00	128.00	86.00
9,000 and over	245.00	196.00	148.00	99.00
Less than 3,200	\$ 45.00	\$ 37.00	\$ 29.00	\$21.00
3,200-4,499	65.00	53.00	41.00	29.00
4,500-4,999	83.00	66.00	51.00	35.00
5,000-5,999	114.00	92.00	70.00	48.00
6,000-6,999	147.00	118.00	89.00	61.00
7,000-7,999	180.00	144.00	109.00	74.00

8,000-8,999	213.00	171.00	129.00	87.00
9,000 and over	246.00	197.00	149.00	100.00

A house car is subject to registration at the rates prescribed for other vehicles under this subdivision modified by using the weight applicable to a vehicle whose weight is forty percent of that of the house car, but not using a weight of less than four thousand pounds [1814.35 kilograms].

- b. Schoolbuses, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:

Gross Weights Net	YEARS REGISTERED			
	1st, 2nd, 3rd, and 4th Years	5th and 6th Years	7th and 8th Years	9th and Subsequent Years
over 4,000	\$42.00	\$29.00	\$24.00	\$21.00
4,001- 6,000	47.00	34.00	28.00	22.00
6,001- 8,000	52.00	39.00	32.00	23.00
8,001-10,000	57.00	44.00	36.00	25.00
10,001-12,000	62.00	49.00	40.00	27.00
12,001-14,000	67.00	54.00	44.00	30.00
14,001-16,000	72.00	59.00	48.00	33.00
16,001-18,000	77.00	64.00	52.00	35.00
18,001-20,000	80.00	67.00	54.00	36.00
Not over 4,000	\$43.00	\$30.00	\$25.00	\$22.00
4,001- 6,000	48.00	35.00	29.00	23.00
6,001- 8,000	53.00	40.00	33.00	24.00
8,001-10,000	58.00	45.00	37.00	26.00
10,001-12,000	63.00	50.00	41.00	28.00
12,001-14,000	68.00	55.00	45.00	31.00
14,001-16,000	73.00	60.00	49.00	34.00
16,001-18,000	78.00	65.00	53.00	36.00
18,001-20,000	81.00	68.00	55.00	37.00

Gross Weights	YEARS REGISTERED		
	1st, 2nd, 3rd, 4th, and 5th Years	6th, 7th, 8th, 9th, and 10th Years	11th and Subsequent Years
20,001- 22,000	\$ 110.00	\$ 84.00	\$ 71.00
22,001- 26,000	162.00	132.00	116.00
26,001- 30,000	223.00	181.00	159.00
30,001- 34,000	289.00	234.00	206.00
34,001- 38,000	350.00	283.00	249.00
38,001- 42,000	411.00	332.00	291.00

42,001-	46,000	472.00	380.00	334.00
46,001-	50,000	533.00	429.00	377.00
50,001-	54,000	603.00	487.00	428.00
54,001-	58,000	664.00	536.00	471.00
58,001-	62,000	725.00	585.00	514.00
62,001-	66,000	786.00	633.00	557.00
66,001-	70,000	847.00	682.00	599.00
70,001-	74,000	908.00	731.00	642.00
74,001-	78,000	969.00	780.00	685.00
78,001-	82,000	1,030.00	829.00	728.00
82,001-	86,000	1,153.00	934.00	815.00
86,001-	90,000	1,275.00	1,038.00	902.00
90,001-	94,000	1,397.00	1,143.00	989.00
94,001-	98,000	1,519.00	1,248.00	1,077.00
98,001-	102,000	1,641.00	1,352.00	1,164.00
102,001-	105,500	1,763.00	1,457.00	1,251.00
20,001-	22,000	\$ 111.00	\$ 85.00	\$ 72.00
22,001-	26,000	163.00	133.00	117.00
26,001-	30,000	224.00	182.00	160.00
30,001-	34,000	290.00	235.00	207.00
34,001-	38,000	351.00	284.00	250.00
38,001-	42,000	412.00	333.00	292.00
42,001-	46,000	473.00	381.00	335.00
46,001-	50,000	534.00	430.00	378.00
50,001-	54,000	604.00	488.00	429.00
54,001-	58,000	665.00	537.00	472.00
58,001-	62,000	726.00	586.00	515.00
62,001-	66,000	787.00	634.00	558.00
66,001-	70,000	848.00	683.00	600.00
70,001-	74,000	909.00	732.00	643.00
74,001-	78,000	970.00	781.00	686.00
78,001-	82,000	1,031.00	830.00	729.00
82,001-	86,000	1,154.00	935.00	816.00
86,001-	90,000	1,276.00	1,039.00	903.00
90,001-	94,000	1,398.00	1,144.00	990.00
94,001-	98,000	1,520.00	1,249.00	1,078.00
98,001-	102,000	1,642.00	1,353.00	1,165.00
102,001-	105,500	1,764.00	1,458.00	1,252.00

c. Motorcycles, ~~ten~~ eleven dollars.

5. Trucks or combinations of trucks and trailers weighing more than 20,000 but not more than 82,000 pounds [more than 9071.84 but not more than 37194.57 kilograms] which are used as farm vehicles only, are entitled to registration under the following fee schedule and the provisions of this subsection. Farm vehicles are considered, for the purpose of this subsection, as trucks or combinations of trucks and trailers weighing more than 20,000 but not more than 82,000 pounds [more than 9071.84 but not more than 37194.57 kilograms] owned, or leased for at least one year by a bona fide resident farmer who uses the vehicles exclusively for transporting the farmer's own property or other property on a farm work exchange basis

with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from those farms, nor otherwise for hire.

Gross Weights	YEARS REGISTERED			
	1st, 2nd, 3rd, and 4th Years	5th and 6th Years	7th and 8th Years	9th and Subsequent Years
20,001-22,000	\$ 83.00	\$ 69.00	\$ 55.00	\$ 37.00
22,001-24,000	88.00	73.00	58.00	39.00
24,001-26,000	96.00	79.00	62.00	41.00
26,001-28,000	106.00	87.00	68.00	45.00
28,001-30,000	116.00	95.00	74.00	49.00
30,001-32,000	131.00	108.00	85.00	58.00
32,001-34,000	141.00	116.00	91.00	62.00
34,001-36,000	151.00	124.00	97.00	66.00
36,001-38,000	161.00	132.00	103.00	70.00
38,001-40,000	171.00	140.00	109.00	74.00
40,001-42,000	181.00	148.00	115.00	78.00
42,001-44,000	191.00	156.00	121.00	82.00
44,001-46,000	201.00	164.00	127.00	86.00
46,001-48,000	211.00	172.00	133.00	90.00
48,001-50,000	221.00	180.00	139.00	94.00
50,001-52,000	241.00	198.00	155.00	108.00
52,001-54,000	251.00	206.00	161.00	112.00
54,001-56,000	261.00	214.00	167.00	116.00
56,001-58,000	271.00	222.00	173.00	120.00
58,001-60,000	281.00	230.00	179.00	124.00
60,001-62,000	291.00	238.00	185.00	128.00
62,001-64,000	301.00	246.00	191.00	132.00
64,001-66,000	311.00	254.00	197.00	136.00
66,001-68,000	321.00	262.00	203.00	140.00
68,001-70,000	331.00	270.00	209.00	144.00
70,001-72,000	341.00	278.00	215.00	148.00
72,001-74,000	351.00	286.00	221.00	152.00
74,001-76,000	361.00	294.00	227.00	156.00
76,001-78,000	371.00	302.00	233.00	160.00
78,001-80,000	381.00	310.00	239.00	164.00
80,001-82,000	391.00	318.00	245.00	168.00
20,001-22,000	\$ 84.00	\$ 70.00	\$ 56.00	\$ 38.00
22,001-24,000	89.00	74.00	59.00	40.00
24,001-26,000	97.00	80.00	63.00	42.00
26,001-28,000	107.00	88.00	69.00	46.00
28,001-30,000	117.00	96.00	75.00	50.00
30,001-32,000	132.00	109.00	86.00	59.00
32,001-34,000	142.00	117.00	92.00	63.00
34,001-36,000	152.00	125.00	98.00	67.00
36,001-38,000	162.00	133.00	104.00	71.00
38,001-40,000	172.00	141.00	110.00	75.00
40,001-42,000	182.00	149.00	116.00	79.00
42,001-44,000	192.00	157.00	122.00	83.00
44,001-46,000	202.00	165.00	128.00	87.00
46,001-48,000	212.00	173.00	134.00	91.00

48,001-50,000	222.00	181.00	140.00	95.00
50,001-52,000	242.00	199.00	156.00	109.00
52,001-54,000	252.00	207.00	162.00	113.00
54,001-56,000	262.00	215.00	168.00	117.00
56,001-58,000	272.00	223.00	174.00	121.00
58,001-60,000	282.00	231.00	180.00	125.00
60,001-62,000	292.00	239.00	186.00	129.00
62,001-64,000	302.00	247.00	192.00	133.00
64,001-66,000	312.00	255.00	198.00	137.00
66,001-68,000	322.00	263.00	204.00	141.00
68,001-70,000	332.00	271.00	210.00	145.00
70,001-72,000	342.00	279.00	216.00	149.00
72,001-74,000	352.00	287.00	222.00	153.00
74,001-76,000	362.00	295.00	228.00	157.00
76,001-78,000	372.00	303.00	234.00	161.00
78,001-80,000	382.00	311.00	240.00	165.00
80,001-82,000	392.00	319.00	246.00	169.00

SECTION 2. AMENDMENT. If Senate Bill No. 2259 becomes effective, subdivisions a, b, and c of subsection 2, and subsection 5 of section 39-04-19 of the 1985 Supplement to the North Dakota Century Code as amended by section 1 of Senate Bill No. 2259, as approved by the fiftieth legislative assembly, are hereby amended and reenacted to read as follows:

a. Passenger motor vehicles:

Gross Weights	YEARS REGISTERED			
	1st, 2nd, 3rd, 4th, and 5th Years	6th, 7th, and 8th Years	9th, 10th, and 11th Years	12th and Subsequent Years
Less than 3,200	\$ 47.75	\$ 39.75	\$ 31.75	\$ 23.75
3,200-4,499	67.75	55.75	43.75	31.75
4,500-4,999	85.75	68.75	53.75	37.75
5,000-5,999	116.75	94.75	72.75	50.75
6,000-6,999	149.75	120.75	91.75	63.75
7,000-7,999	182.75	146.75	111.75	76.75
8,000-8,999	215.75	173.75	131.75	89.75
9,000 and over	248.75	199.75	151.75	102.75
Less than 3,200	\$ 48.75	\$ 40.75	\$ 32.75	\$ 24.75
3,200-4,499	68.75	56.75	44.75	32.75
4,500-4,999	86.75	69.75	54.75	38.75
5,000-5,999	117.75	95.75	73.75	51.75
6,000-6,999	150.75	121.75	92.75	64.75
7,000-7,999	183.75	147.75	112.75	77.75
8,000-8,999	216.75	174.75	132.75	90.75
9,000 and over	249.75	200.75	152.75	103.75

A house car is subject to registration at the rates prescribed for other vehicles under this subdivision modified by using the weight applicable to a vehicle whose weight is forty percent of that of the house car, but not using a weight of less than four thousand pounds [1814.35 kilograms].

b. Schoolbuses, buses for hire, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:

Gross Weights Net	YEARS REGISTERED				
	1st, 2nd, 3rd, and 5th Years	2nd, 3rd, 4th, and 5th Years	6th and 7th Years	8th and 9th Years	10th and Subsequent Years
over 4,000	\$45.75		\$32.75	\$27.75	\$24.75
4,001- 6,000	50.75		37.75	31.75	25.75
6,001- 8,000	55.75		42.75	35.75	26.75
8,001-10,000	60.75		47.75	39.75	28.75
10,001-12,000	65.75		52.75	43.75	30.75
12,001-14,000	70.75		57.75	47.75	33.75
14,001-16,000	75.75		62.75	51.75	36.75
16,001-18,000	80.75		67.75	55.75	38.75
18,001-20,000	83.75		70.75	57.75	39.75
Not over 4,000	\$46.75		\$33.75	\$28.75	\$25.75
4,001- 6,000	51.75		38.75	32.75	26.75
6,001- 8,000	56.75		43.75	36.75	27.75
8,001-10,000	61.75		48.75	40.75	29.75
10,001-12,000	66.75		53.75	44.75	31.75
12,001-14,000	71.75		58.75	48.75	34.75
14,001-16,000	76.75		63.75	52.75	37.75
16,001-18,000	81.75		68.75	56.75	39.75
18,001-20,000	84.75		71.75	58.75	40.75

Gross Weights	YEARS REGISTERED			
	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th, 8th, 9th, 10th, and 11th Years	12th and Subsequent Years	
20,001- 22,000	\$ 113.75	\$ 87.75	\$ 74.75	
22,001- 26,000	165.75	135.75	119.75	
26,001- 30,000	226.75	184.75	162.75	
30,001- 34,000	292.75	237.75	209.75	
34,001- 38,000	353.75	286.75	252.75	
38,001- 42,000	414.75	335.75	294.75	
42,001- 46,000	475.75	383.75	337.75	
46,001- 50,000	536.75	432.75	380.75	
50,001- 54,000	606.75	490.75	431.75	
54,001- 58,000	667.75	539.75	474.75	
58,001- 62,000	728.75	588.75	517.75	
62,001- 66,000	789.75	636.75	560.75	
66,001- 70,000	850.75	685.75	602.75	
70,001- 74,000	911.75	734.75	645.75	
74,001- 78,000	972.75	783.75	688.75	
78,001- 82,000	1,033.75	832.75	731.75	

82,001- 86,000	1,156.75	937.75	818.75
86,001- 90,000	1,278.75	1,041.75	905.75
90,001- 94,000	1,400.75	1,146.75	992.75
94,001- 98,000	1,522.75	1,251.75	1,080.75
98,001-102,000	1,644.75	1,355.75	1,167.75
102,001-105,500	1,766.75	1,460.75	1,254.75
20,001- 22,000	\$ 114.75	\$ 88.75	\$ 75.75
22,001- 26,000	166.75	136.75	120.75
26,001- 30,000	227.75	185.75	163.75
30,001- 34,000	293.75	238.75	210.75
34,001- 38,000	354.75	287.75	253.75
38,001- 42,000	415.75	336.75	295.75
42,001- 46,000	476.75	384.75	338.75
46,001- 50,000	537.75	433.75	381.75
50,001- 54,000	607.75	491.75	432.75
54,001- 58,000	668.75	540.75	475.75
58,001- 62,000	729.75	589.75	518.75
62,001- 66,000	790.75	637.75	561.75
66,001- 70,000	851.75	686.75	603.75
70,001- 74,000	912.75	735.75	646.75
74,001- 78,000	973.75	784.75	689.75
78,001- 82,000	1,034.75	833.75	732.75
82,001- 86,000	1,157.75	938.75	819.75
86,001- 90,000	1,279.75	1,042.75	906.75
90,001- 94,000	1,401.75	1,147.75	993.75
94,001- 98,000	1,523.75	1,252.75	1,081.75
98,001-102,000	1,645.75	1,356.75	1,168.75
102,001-105,500	1,767.75	1,461.75	1,255.75

c. Motorcycles, thirteen fourteen dollars and seventy-five cents.

5. Trucks or combinations of trucks and trailers weighing more than 20,000 but not more than 82,000 pounds [more than 9071.84 but not more than 37194.57 kilograms] which are used as farm vehicles only, are entitled to registration under the following fee schedule and the provisions of this subsection. Farm vehicles are considered, for the purpose of this subsection, as trucks or combinations of trucks and trailers weighing more than 20,000 but not more than 82,000 pounds [more than 9071.84 but not more than 37194.57 kilograms] owned, or leased for at least one year by a bona fide resident farmer who uses the vehicles exclusively for transporting the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from those farms, nor otherwise for hire.

Gross Weights	YEARS REGISTERED			
	1st, 2nd, 3rd, 4th, and 5th Years	6th and 7th Years	8th and 9th Years	10th and Subsequent Years

20,001-22,000	\$ 86.75	\$ 72.75	\$ 58.75	\$ 40.75
22,001-24,000	91.75	76.75	61.75	42.75
24,001-26,000	99.75	82.75	65.75	44.75
26,001-28,000	109.75	90.75	71.75	48.75
28,001-30,000	119.75	98.75	77.75	52.75
30,001-32,000	134.75	111.75	88.75	61.75
32,001-34,000	144.75	119.75	94.75	65.75
34,001-36,000	154.75	127.75	100.75	69.75
36,001-38,000	164.75	135.75	106.75	73.75
38,001-40,000	174.75	143.75	112.75	77.75
40,001-42,000	184.75	151.75	118.75	81.75
42,001-44,000	194.75	159.75	124.75	85.75
44,001-46,000	204.75	167.75	130.75	89.75
46,001-48,000	214.75	175.75	136.75	93.75
48,001-50,000	224.75	183.75	142.75	97.75
50,001-52,000	244.75	201.75	158.75	111.75
52,001-54,000	254.75	209.75	164.75	115.75
54,001-56,000	264.75	217.75	170.75	119.75
56,001-58,000	274.75	225.75	176.75	123.75
58,001-60,000	284.75	233.75	182.75	127.75
60,001-62,000	294.75	241.75	188.75	131.75
62,001-64,000	304.75	249.75	194.75	135.75
64,001-66,000	314.75	257.75	200.75	139.75
66,001-68,000	324.75	265.75	206.75	143.75
68,001-70,000	334.75	273.75	212.75	147.75
70,001-72,000	344.75	281.75	218.75	151.75
72,001-74,000	354.75	289.75	224.75	155.75
74,001-76,000	364.75	297.75	230.75	159.75
76,001-78,000	374.75	305.75	236.75	163.75
78,001-80,000	384.75	313.75	242.75	167.75
80,001-82,000	394.75	321.75	248.75	171.75
20,001-22,000	\$ 87.75	\$ 73.75	\$ 59.75	\$ 41.75
22,001-24,000	92.75	77.75	62.75	43.75
24,001-26,000	100.75	83.75	66.75	45.75
26,001-28,000	110.75	91.75	72.75	49.75
28,001-30,000	120.75	99.75	78.75	53.75
30,001-32,000	135.75	112.75	89.75	62.75
32,001-34,000	145.75	120.75	95.75	66.75
34,001-36,000	155.75	128.75	101.75	70.75
36,001-38,000	165.75	136.75	107.75	74.75
38,001-40,000	175.75	144.75	113.75	78.75
40,001-42,000	185.75	152.75	119.75	82.75
42,001-44,000	195.75	160.75	125.75	86.75
44,001-46,000	205.75	168.75	131.75	90.75
46,001-48,000	215.75	176.75	137.75	94.75
48,001-50,000	225.75	184.75	143.75	98.75
50,001-52,000	245.75	202.75	159.75	112.75
52,001-54,000	255.75	210.75	165.75	116.75
54,001-56,000	265.75	218.75	171.75	120.75
56,001-58,000	275.75	226.75	177.75	124.75
58,001-60,000	285.75	234.75	183.75	128.75
60,001-62,000	295.75	242.75	189.75	132.75
62,001-64,000	305.75	250.75	195.75	136.75
64,001-66,000	315.75	258.75	201.75	140.75

66,001-68,000	325.75	266.75	207.75	144.75
68,001-70,000	335.75	274.75	213.75	148.75
70,001-72,000	345.75	282.75	219.75	152.75
72,001-74,000	355.75	290.75	225.75	156.75
74,001-76,000	365.75	298.75	231.75	160.75
76,001-78,000	375.75	306.75	237.75	164.75
78,001-80,000	385.75	314.75	243.75	168.75
80,001-82,000	395.75	322.75	249.75	172.75

SECTION 3. AMENDMENT. If Senate Bill No. 2259 becomes effective, subdivisions a, b, and c of subsection 2, and subsection 5 of section 39-04-19 of the 1985 Supplement to the North Dakota Century Code, as amended by section 2 of Senate Bill No. 2259, as approved by the fiftieth legislative assembly, are hereby amended and reenacted to read as follows:

a. Passenger motor vehicles:

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th, and 5th Years	6th, 7th, and 8th Years	9th, 10th, and 11th Years	12th and Subsequent Years	
Less than 3,200	\$ 49.00	\$ 41.00	\$ 33.00	\$25.00	
3,200-4,499	69.00	57.00	45.00	33.00	
4,500-4,999	87.00	70.00	55.00	39.00	
5,000-5,999	118.00	96.00	74.00	52.00	
6,000-6,999	151.00	122.00	93.00	65.00	
7,000-7,999	184.00	148.00	113.00	78.00	
8,000-8,999	217.00	175.00	133.00	91.00	
9,000 and over	250.00	201.00	153.00	104.00	
Less than 3,200	\$ 50.00	\$ 42.00	\$ 34.00	\$26.00	
3,200-4,499	70.00	58.00	46.00	34.00	
4,500-4,999	88.00	71.00	56.00	40.00	
5,000-5,999	119.00	97.00	75.00	53.00	
6,000-6,999	152.00	123.00	94.00	66.00	
7,000-7,999	185.00	149.00	114.00	79.00	
8,000-8,999	218.00	176.00	134.00	92.00	
9,000 and over	251.00	202.00	154.00	105.00	

A house car is subject to registration at the rates prescribed for other vehicles under this subdivision modified by using the weight applicable to a vehicle whose weight is forty percent of that of the house car, but not using a weight of less than four thousand pounds [1814.35 kilograms].

- b. Schoolbuses, buses for hire, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:

Gross Weights	YEARS REGISTERED			
	1st, 2nd, 3rd, 4th, and 5th Years	6th and 7th Years	8th and 9th Years	10th and Subsequent Years
over 4,000	\$47.00	\$34.00	\$29.00	\$26.00
4,001- 6,000	52.00	39.00	33.00	27.00
6,001- 8,000	57.00	44.00	37.00	28.00
8,001-10,000	62.00	49.00	41.00	30.00
10,001-12,000	67.00	54.00	45.00	32.00
12,001-14,000	72.00	59.00	49.00	35.00
14,001-16,000	77.00	64.00	53.00	38.00
16,001-18,000	82.00	69.00	57.00	40.00
18,001-20,000	85.00	72.00	59.00	41.00
<u>Not over 4,000</u>	<u>\$48.00</u>	<u>\$35.00</u>	<u>\$30.00</u>	<u>\$27.00</u>
4,001- 6,000	53.00	40.00	34.00	28.00
6,001- 8,000	58.00	45.00	38.00	29.00
8,001-10,000	63.00	50.00	42.00	31.00
10,001-12,000	68.00	55.00	46.00	33.00
12,001-14,000	73.00	60.00	50.00	36.00
14,001-16,000	78.00	65.00	54.00	39.00
16,001-18,000	83.00	70.00	58.00	41.00
18,001-20,000	86.00	73.00	60.00	42.00

Gross Weights	YEARS REGISTERED			
	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th, 8th, 9th, 10th, and 11th Years	12th and Subsequent Years	
20,001- 22,000	\$ 115.00	\$ 89.00	\$ 76.00	
22,001- 26,000	167.00	137.00	121.00	
26,001- 30,000	228.00	186.00	164.00	
30,001- 34,000	294.00	239.00	211.00	
34,001- 38,000	355.00	288.00	254.00	
38,001- 42,000	416.00	337.00	296.00	
42,001- 46,000	477.00	385.00	339.00	
46,001- 50,000	538.00	434.00	382.00	
50,001- 54,000	608.00	492.00	433.00	
54,001- 58,000	669.00	541.00	476.00	
58,001- 62,000	730.00	590.00	519.00	
62,001- 66,000	791.00	638.00	562.00	
66,001- 70,000	852.00	687.00	604.00	
70,001- 74,000	913.00	736.00	647.00	
74,001- 78,000	974.00	785.00	690.00	
78,001- 82,000	1,035.00	834.00	733.00	
82,001- 86,000	1,158.00	939.00	820.00	
86,001- 90,000	1,280.00	1,043.00	907.00	
90,001- 94,000	1,402.00	1,148.00	994.00	
94,001- 98,000	1,524.00	1,253.00	1,082.00	
98,001-102,000	1,646.00	1,357.00	1,169.00	
102,001-105,500	1,768.00	1,462.00	1,256.00	
20,001- 22,000	\$ 116.00	\$ 90.00	\$ 77.00	
22,001- 26,000	168.00	138.00	122.00	
26,001- 30,000	229.00	187.00	165.00	

30,001- 34,000	295.00	240.00	212.00
34,001- 38,000	356.00	289.00	255.00
38,001- 42,000	417.00	338.00	297.00
42,001- 46,000	478.00	386.00	340.00
46,001- 50,000	539.00	435.00	383.00
50,001- 54,000	609.00	493.00	434.00
54,001- 58,000	670.00	542.00	477.00
58,001- 62,000	731.00	591.00	520.00
62,001- 66,000	792.00	639.00	563.00
66,001- 70,000	853.00	688.00	605.00
70,001- 74,000	914.00	737.00	648.00
74,001- 78,000	975.00	786.00	691.00
78,001- 82,000	1,036.00	835.00	734.00
82,001- 86,000	1,159.00	940.00	821.00
86,001- 90,000	1,281.00	1,044.00	908.00
90,001- 94,000	1,403.00	1,149.00	995.00
94,001- 98,000	1,525.00	1,254.00	1,083.00
98,001-102,000	1,647.00	1,358.00	1,170.00
102,001-105,500	1,769.00	1,463.00	1,257.00

c. Motorcycles, ~~fifteen~~ sixteen dollars.

5. Trucks or combinations of trucks and trailers weighing more than 20,000 but not more than 82,000 pounds [more than 9071.84 but not more than 37194.57 kilograms] which are used as farm vehicles only, are entitled to registration under the following fee schedule and the provisions of this subsection. Farm vehicles are considered, for the purpose of this subsection, as trucks or combinations of trucks and trailers weighing more than 20,000 but not more than 82,000 pounds [more than 9071.84 but not more than 37194.57 kilograms] owned, or leased for at least one year by a bona fide resident farmer who uses the vehicles exclusively for transporting the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from those farms, nor otherwise for hire.

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th, and 5th Years	6th and 7th Years	8th and 9th Years	10th and Subsequent Years	
20,001-22,000	\$ 88-00	\$ 74-00	\$ 60-00	\$ 42-00	
22,001-24,000	93-00	78-00	63-00	44-00	
24,001-26,000	101-00	84-00	67-00	46-00	
26,001-28,000	111-00	92-00	73-00	50-00	
28,001-30,000	121-00	100-00	79-00	54-00	
30,001-32,000	136-00	113-00	90-00	63-00	
32,001-34,000	146-00	121-00	96-00	67-00	
34,001-36,000	156-00	129-00	102-00	71-00	
36,001-38,000	166-00	137-00	108-00	75-00	
38,001-40,000	176-00	145-00	114-00	79-00	

40,001-42,000	186.00	153.00	120.00	83.00
42,001-44,000	196.00	161.00	126.00	87.00
44,001-46,000	206.00	169.00	132.00	91.00
46,001-48,000	216.00	177.00	138.00	95.00
48,001-50,000	226.00	185.00	144.00	99.00
50,001-52,000	246.00	203.00	160.00	113.00
52,001-54,000	256.00	211.00	166.00	117.00
54,001-56,000	266.00	219.00	172.00	121.00
56,001-58,000	276.00	227.00	178.00	125.00
58,001-60,000	286.00	235.00	184.00	129.00
60,001-62,000	296.00	243.00	190.00	133.00
62,001-64,000	306.00	251.00	196.00	137.00
64,001-66,000	316.00	259.00	202.00	141.00
66,001-68,000	326.00	267.00	208.00	145.00
68,001-70,000	336.00	275.00	214.00	149.00
70,001-72,000	346.00	283.00	220.00	153.00
72,001-74,000	356.00	291.00	226.00	157.00
74,001-76,000	366.00	299.00	232.00	161.00
76,001-78,000	376.00	307.00	238.00	165.00
78,001-80,000	386.00	315.00	244.00	169.00
80,001-82,000	396.00	323.00	250.00	173.00
20,001-22,000	\$ 89.00	\$ 75.00	\$ 61.00	\$ 43.00
22,001-24,000	94.00	79.00	64.00	45.00
24,001-26,000	102.00	85.00	68.00	47.00
26,001-28,000	112.00	93.00	74.00	51.00
28,001-30,000	122.00	101.00	80.00	55.00
30,001-32,000	137.00	114.00	91.00	64.00
32,001-34,000	147.00	122.00	97.00	68.00
34,001-36,000	157.00	130.00	103.00	72.00
36,001-38,000	167.00	138.00	109.00	76.00
38,001-40,000	177.00	146.00	115.00	80.00
40,001-42,000	187.00	154.00	121.00	84.00
42,001-44,000	197.00	162.00	127.00	88.00
44,001-46,000	207.00	170.00	133.00	92.00
46,001-48,000	217.00	178.00	139.00	96.00
48,001-50,000	227.00	186.00	145.00	100.00
50,001-52,000	247.00	204.00	161.00	114.00
52,001-54,000	257.00	212.00	167.00	118.00
54,001-56,000	267.00	220.00	173.00	122.00
56,001-58,000	277.00	228.00	179.00	126.00
58,001-60,000	287.00	236.00	185.00	130.00
60,001-62,000	297.00	244.00	191.00	134.00
62,001-64,000	307.00	252.00	197.00	138.00
64,001-66,000	317.00	260.00	203.00	142.00
66,001-68,000	327.00	268.00	209.00	146.00
68,001-70,000	337.00	276.00	215.00	150.00
70,001-72,000	347.00	284.00	221.00	154.00
72,001-74,000	357.00	292.00	227.00	158.00
74,001-76,000	367.00	300.00	233.00	162.00
76,001-78,000	377.00	308.00	239.00	166.00
78,001-80,000	387.00	316.00	245.00	170.00
80,001-82,000	397.00	324.00	251.00	174.00

SECTION 4. 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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$2,207,038
Operating expenses	1,512,594
Data processing	502,777
License plates and tabs	2,402,481
Equipment	37,500
Special refunds	25,700
Contingency fund	100,000
Total appropriation from motor vehicle registration fund	\$6,788,090

SECTION 5. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 6. APPLICATION OF ACT. If Senate Bill No. 2259 does not become effective, section 1 of this Act applies to vehicle registration periods beginning after December 31, 1987, and before January 1, 1990. If Senate Bill No. 2259 becomes effective, section 2 of this Act applies to vehicle registration periods beginning after December 31, 1987, and before January 1, 1989, and section 3 of this Act applies to vehicle registration periods beginning after December 31, 1988, and before January 1, 1990.

SECTION 7. EFFECTIVE DATE - EXPIRATION DATE. Sections 1, 2, and 3 of this Act are effective as provided in section 6 and are ineffective after December 31, 1989.

Approved April 24, 1987
 Filed April 27, 1987

CHAPTER 19

HOUSE BILL NO. 1019
(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; to authorize the industrial commission acting as the North Dakota building authority to issue evidences of indebtedness for payment of the loans, accrued interest, and special assessments on the old Dickinson experiment station; to provide for a transfer from the lignite research fund; and to declare 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 from special funds derived from the state lands maintenance fund and other income 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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$ 785,037
Operating expenses	275,271
Data processing	135,985
Equipment	23,078
Other grants	100,000
Foreclosed properties management	89,000
Contingency fund	20,000
Total special funds	<u>\$1,428,371</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 any specific appropriation for any item should be held by the 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 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. PROJECT AUTHORIZATION - APPROPRIATION. The industrial commission may issue evidences of indebtedness under North Dakota Century Code chapter 54-17.2 in any amount up to but not exceeding \$7,204,000, to defray project costs associated with the payment of the loans, accrued interest, and special assessments on the old Dickinson experiment station, now known as the state addition to the city of Dickinson, and the working ranch unit, hereby declared to be in the public interest, during the biennium beginning on the effective date of this section, and ending June 30, 1989. For purposes of this Act, the term "project", as defined by section 54-17.2-01, includes the payment of the loans, accrued interest, and special assessments on the old Dickinson experiment station and working ranch unit. The evidences of indebtedness must be secured by the real estate of the various experiment stations under the direction of the board of higher education and are not a general obligation of the state of North Dakota. The proceeds received by the industrial commission from the sale of evidences of indebtedness and lease rental payments, and any other moneys received by the industrial commission or the state from revenue generated by the project authorized by this section are hereby appropriated for the project and the payment of lease rentals for the project. Proceeds from the sale of the old Dickinson experiment station pursuant to section 6 of this Act must be used for the payment of the authorized evidences of indebtedness. The industrial commission, board of higher education, and board of university and school lands shall execute all transactions, and exercise all powers and functions, necessary and appropriate to carry out the purposes of this section.

* **SECTION 5. LIGNITE DEVELOPMENT RESEARCH - APPROPRIATION - TRANSFER.** There is hereby appropriated and transferred by the industrial commission, at the direction of the office of management and budget, from the lignite research fund as created by the 1987 legislative assembly, to the university of North Dakota, the sum of \$250,000, or so much thereof as may be necessary, for lignite development research projects for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 6. LEGISLATIVE INTENT REGARDING SALE OF OLD DICKINSON EXPERIMENT STATION PROPERTY. The legislative assembly urges the board of university and school lands to sell the old Dickinson experiment station property at public auction to the highest bidder or bidders.

SECTION 7. EMERGENCY. Section 4 of this Act is hereby declared to be an emergency measure and is in effect upon the filing of this Act with the secretary of state.

Approved April 29, 1987
Filed April 30, 1987

* NOTE: Section 5 of House Bill No. 1019 was vetoed - see Session Laws chapter 767.

CHAPTER 20

HOUSE BILL NO. 1020
(Committee on Appropriations)

GEOLOGICAL SURVEY

AN ACT making an appropriation for defraying the expenses of the geological survey 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 geological survey under the supervision of the board of higher education of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$1,381,697
Operating expenses	296,208
Equipment	20,300
Total general fund appropriation	<u>\$1,698,205</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 any specific appropriation for any item should be held by the 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. There is hereby appropriated to the geological survey any federal funds that become available for the purposes of monitoring the underground injection control program, monitoring coal exploration drilling, and participating in the COGEO MAP program with the U.S. Geological Survey for the biennium beginning July 1, 1987, and ending June 30, 1989.

Approved April 15, 1987
Filed April 15, 1987

CHAPTER 21

HOUSE BILL NO. 1021
(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 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, 1987, and ending June 30, 1989, as follows:

Subdivision 1.

INDUSTRIAL COMMISSION

Salaries and wages	\$ 2,128,159
Operating expenses	608,505
Data processing	121,980
Equipment	47,980
Interest buydown	2,000,000
Contingency	10,000
Total all funds	\$ 4,916,624
Less estimated income	2,010,000
Total general fund appropriation	\$ 2,906,624

Subdivision 2.

BANK OF NORTH DAKOTA

Salaries and wages	\$ 8,007,177
Operating expenses	4,909,577
Data processing	3,267,380
Equipment	544,725
Contingency	300,000

Total appropriation from Bank of North Dakota fund \$17,028,859

Subdivision 3.

MILL AND ELEVATOR ASSOCIATION

Salaries and wages	\$ 8,675,097
Operating expenses	5,644,163
Agriculture promotion	75,000
Export trading company	200,000
Emergency fund	500,000
Total appropriation from mill and elevator fund	<u>\$15,094,260</u>

Subdivision 4.

HOUSING FINANCE AGENCY

Salaries and wages	\$ 1,770,838
Operating expenses	575,421
Data processing	226,493
Equipment	19,796
Grants	27,700,000
HFA contingency	100,000
HFA reserve	1,300,000
Total special funds appropriation	<u>\$31,692,548</u>
Grand total general fund appropriation H.B. 1021	\$ 2,906,624
Grand total special funds appropriation H.B. 1021	\$65,875,667
Grand total all funds appropriation H.B. 1021	\$68,782,291

SECTION 2. APPROPRIATION. There is hereby appropriated from the abandoned oil and gas well plugging and site restoration fund in the state treasury all funds available and which may become available, or so much thereof as may be necessary, to the state industrial commission, for the purpose of entering into contracts for the plugging or replugging of oil and gas wells and the reclamation of abandoned well sites for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 3. APPROPRIATION. In addition to the amount appropriated to the housing finance agency in subdivision 4 of section 1 of this Act, there is hereby appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 4. APPROPRIATION. In addition to the amount appropriated to the industrial commission in subdivision 1 of section 1 of this Act, there is hereby appropriated with the approval of the emergency commission, the sum of \$50,000, or so much thereof as may be necessary, which may become available to the commission from bonds issued under chapters 4-36 and 54-17.2 and section 54-17-25 of the North Dakota Century Code, for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 5. APPROPRIATION - TRANSFER. The amount appropriated in subdivision 1 of section 1 of this Act to the industrial commission for the salaries and wages line item includes

\$10,000 which shall be transferred from the lands and minerals trust fund for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 6. 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 7. TRANSFER. There is hereby authorized the transfer to the general fund in the state treasury, the sum of \$3,000,000 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, 1987, and ending June 30, 1989, upon order of the industrial commission, with one-half of the transfer to be made no later than June 30, 1988.

SECTION 8. TRANSFER. The amount of \$2,000,000, or so much thereof as is necessary, for the line item entitled interest buydown and included in the estimated income line item in section 1 of this Act is hereby appropriated and transferred from the fire and tornado fund to the interest rate buydown fund for the biennium beginning July 1, 1987, and ending June 30, 1989. Upon expiration of this appropriation, the funds which remain in the interest rate buydown fund must be returned to the fire and tornado fund. Any interest generated from the interest rate buydown fund must be transferred to the fire and tornado fund upon expiration of this appropriation.

SECTION 9. TRANSFER. There is hereby authorized the transfer to the general fund in the state treasury, the sum of \$12,000,000 from the accumulated and undivided profits of the Bank of North Dakota. Such moneys shall be transferred during the biennium beginning July 1, 1987, and ending June 30, 1989, upon order of the industrial commission.

SECTION 10. 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 any specific appropriation for any item should be held by the 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 17, 1987
Filed April 17, 1987

CHAPTER 22

HOUSE BILL NO. 1022
(Committee on Appropriations)

STATE HISTORICAL BOARD

AN ACT making an appropriation for defraying the expenses of the state historical board of the state of North Dakota; and to authorize the industrial commission to obtain financing from the Bank of North Dakota for international peace garden projects.

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 other income, to the state historical 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, 1987, and ending June 30, 1989, as follows:

Subdivision 1.

STATE HISTORICAL BOARD

Salaries and wages	\$2,668,403
Operating expenses	864,784
Data processing	14,100
Equipment	16,895
Capital improvements	88,800
Grants, benefits, and claims	500,000
Total all funds	\$4,152,982
Less estimated income	940,352
Total general fund appropriation	\$3,212,630

Subdivision 2.

INTERNATIONAL PEACE GARDEN

Grants, benefits, and claims	\$ 628,592
Total general fund appropriation	\$ 628,592
Grand total general fund appropriation H.B. 1022	\$3,841,222
Grand total special fund appropriation H.B. 1022	\$ 940,352
Grand total all funds H.B. 1022	\$4,781,574

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 any specific appropriation for any item should be held by the 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 superintendent of the North Dakota state historical board is authorized to offer up to \$50,000 of the operating expenses line item appropriated in section 1 of this Act to the North Dakota humanities council, inc., in expectation of return of the appropriation and matching funds from the national endowment for the humanities. Any such funds that may be received by the superintendent are hereby appropriated, subject to emergency commission approval, to the state historical board for the development of exhibits at the heritage center.

SECTION 4. PROJECT AUTHORIZATION - BANK OF NORTH DAKOTA PURCHASE OF EVIDENCES OF INDEBTEDNESS - APPROPRIATION. The industrial commission, acting as the state building authority, shall arrange for the funding of the projects authorized by this section, hereby declared to be in the public interest, including utilization of \$257,000 in general fund appropriations contained in subdivision 2 of section 1 of this Act, any federal or other funds made available for the construction of the projects, and issuance of evidences of indebtedness under North Dakota Century Code chapter 54-17.2, during the biennium beginning July 1, 1987, and ending June 30, 1989. The industrial commission may offer evidences of indebtedness issued under this section for sale only to the Bank of North Dakota at a price that is as representative as possible of the current market interest rates for comparable securities purchased by the Bank of North Dakota, taking into consideration in the determination of price the costs of issuance including future administrative and other costs associated with credit enhancements. The proceeds of the evidences of indebtedness and other available funds are hereby appropriated during the biennium beginning July 1, 1987, and ending June 30, 1989, for the following projects:

AGENCY	TYPE OF FACILITY	ACQUISITION FUNDS
State historical society	International peace garden - renovation of food service facility	\$430,000
State historical society	International peace garden - wastewater disposal system	185,000
Total capital improvements		<hr/> \$615,000

Approved April 21, 1987
 Filed April 27, 1987

CHAPTER 23

HOUSE BILL NO. 1023
(Committee on Appropriations)

PUBLIC EMPLOYEES RETIREMENT SYSTEM

AN ACT making an appropriation for defraying the administrative costs of the public employees retirement system of the state of North Dakota; to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to the uniform group health insurance program; and to declare 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 public employees retirement fund in the state treasury, not otherwise appropriated, to the public employees retirement system of the state of North Dakota for the purpose of defraying the administrative costs of the divisions thereof, for the biennium beginning July 1, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$ 885,644
Operating expenses	314,044
Data processing	416,022
Equipment	6,000
Contingency	50,000
Total appropriation from public employees retirement fund	\$1,671,710

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 any specific appropriation for any item should be held by the 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 3. A new section to chapter 54-52.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Ownership and confidentiality of the uniform group health insurance medical records of employees, retirees, and dependents. The medical records and related data of the employees, retirees, and dependents, obtained as the result of enrollment in the uniform group insurance program, are the property of the public employees retirement system. The records and data are confidential and are not public records. However, the board may allow administrators of administrative services only contracts or third-party administrators contracts access to the records and data where it is required in the performance of the administrator's duties pursuant to the contract. No administrator may be held liable for furnishing to the board information with respect to any patient, or any physician, hospital, or other health care provider.

SECTION 4. EMERGENCY. Section 3 of this Act is declared to be an emergency measure and is in effect upon its filing with the secretary of state or on a date specified in this Act.

Approved April 17, 1987
Filed April 17, 1987

CHAPTER 24

HOUSE BILL NO. 1024
(Committee on Appropriations)

TEACHERS' FUND FOR RETIREMENT

AN ACT making an appropriation for defraying the administrative costs 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. The 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 administrative costs thereof, for the biennium beginning July 1, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$ 478,679
Operating expenses	315,247
Data processing	184,741
Equipment	4,737
Contingency	50,000
Total appropriation from teachers' fund for retirement	<u>\$1,033,404</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 any specific appropriation for any item should be held by the 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. APPROPRIATIONS. 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.

Approved April 1, 1987
Filed April 2, 1987

CHAPTER 25

HOUSE BILL NO. 1025
(Committee on Appropriations)

JOB SERVICE NORTH DAKOTA

AN ACT making an appropriation for defraying the expenses of 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 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, 1987, and ending June 30, 1989, as follows:

Subdivision 1.

JOB SERVICE NORTH DAKOTA	
Salaries and wages	\$25,987,971
Operating expenses	5,765,049
Equipment	680,000
Grants	<u>10,070,000</u>
Total special funds appropriation	\$42,503,020

Subdivision 2.

NORTH DAKOTA OASIS AND SOCIAL SECURITY	
Salaries and wages	\$ 166,433
Operating expenses	102,300
Equipment	<u>2,000</u>
Total appropriation from social security contribution fund	\$ 270,733
Grand total special funds appropriation H.B. 1025	\$42,773,753

SECTION 2. APPROPRIATION. All federal funds received by job service North Dakota in excess of those funds appropriated in subdivision 1 of section 1 of this Act are hereby appropriated for the biennium beginning July 1, 1987, and ending June 30, 1989.

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 any specific appropriation for any item should be held by the 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 12, 1987
Filed March 16, 1987

CHAPTER 26

HOUSE BILL NO. 1026
(Committee on Appropriations)

WORKER'S COMPENSATION BUREAU

AN ACT making an appropriation for defraying the expenses of the workmen's compensation bureau and the 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 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, 1987, and ending June 30, 1989, as follows:

Subdivision 1.

WORKMEN'S COMPENSATION BUREAU

Salaries and wages	\$3,281,357
Operating expenses	1,535,501
Data processing	684,114
Equipment	179,176
Contingency	45,000
Total appropriation from workmen's compensation fund	<u>\$5,725,148</u>

Subdivision 2.

CRIME VICTIMS REPARATION

Grants	<u>\$ 314,160</u>
Total	\$ 314,160
Less estimated income	90,000
Total general fund appropriation	<u>\$ 224,160</u>
Grand total general fund appropriation H.B. 1026	\$ 224,160
Grand total special funds appropriation H.B. 1026	\$5,815,148
Grand total all funds appropriation H.B. 1026	<u>\$6,039,308</u>

SECTION 2. APPROPRIATIONS. 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 any specific appropriation for any item should be held by the 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 21, 1987
Filed April 27, 1987

CHAPTER 27

HOUSE BILL NO. 1027
(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, 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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$304,368
Operating expenses	270,277
Data processing	200
Equipment	1,500
Grants, benefits, and claims	<u>286,123</u>
Total general fund appropriation	\$862,468

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 any specific appropriation for any item 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 24, 1987
Filed April 27, 1987

CHAPTER 28

HOUSE BILL NO. 1028
(Committee on Appropriations)

VARIOUS DEPARTMENTS AND INSTITUTIONS

AN ACT making an appropriation for defraying the expenses of various departments and institutions of the state of North Dakota; to provide for authorization to accept and expend income; to provide legislative intent regarding deinstitutionalization court monitor expenses; 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 other income, the sums as hereinafter provided or so much thereof as may be necessary. These sums shall increase the general fund and special funds appropriation authority enacted by the forty-ninth legislative assembly of the state of North Dakota as adjusted by the allotment process 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, 1987, and ending June 30, 1989, as follows:

Subdivision 1.

SECRETARY OF STATE

Central notice system	\$ 150,000
Total special funds appropriation	<u>\$ 150,000</u>

Subdivision 2.

JOB SERVICE NORTH DAKOTA

Operating expenses	\$ 130,000
Total general fund appropriation	<u>\$ 130,000</u>

Subdivision 3.

GRAFTON STATE SCHOOL

Salaries and wages	\$2,686,245
Operating expenses	<u>1,272,738</u>
Total special funds appropriation	<u>\$3,958,983</u>

Subdivision 4.

SAN HAVEN

Salaries and wages	\$ 414,144
Operating expenses	<u>276,296</u>
Total special funds appropriation	\$ 690,440
Grand total general fund appropriation H.B. 1028	\$ 130,000
Grand total special funds appropriation H.B. 1028	\$4,799,423
Grand total all funds appropriation H.B. 1028	\$4,929,423

SECTION 2. INCOME AUTHORITY. The state treasurer is hereby authorized to accept income from the sale of liquor decals required by administrative rule for liquor and beer destined for delivery to a federal enclave in North Dakota for domestic consumption and not transported through a licensed North Dakota wholesaler. This income may be expended for the administration of this requirement with the authorization of the emergency commission for the period beginning January 1, 1987, and ending June 30, 1989.

SECTION 3. LEGISLATIVE INTENT - COURT MONITOR EXPENSES. It is the intent of the legislative assembly that any additional payments required for the expenses of the deinstitutionalization court monitor for the period January 1, 1987, to June 30, 1987, be paid from funds on deposit with the university of North Dakota medical center accumulated from previous state payments made for the deinstitutionalization court monitor.

SECTION 4. EMERGENCY. This Act is hereby declared to be an emergency measure.

Approved April 14, 1987
Filed April 15, 1987

CHAPTER 29

HOUSE BILL NO. 1058
(Legislative Council)
(Interim Legislative Procedure and Arrangements Committee)

LEGISLATIVE WING IMPROVEMENTS

AN ACT providing an appropriation to the legislative assembly for improvements to 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 interest and income fund of the capitol building fund in the state treasury, not otherwise appropriated, the sum of \$55,880, or so much thereof as may be necessary, to the legislative assembly for improvements to the legislative wing of the state capitol. The legislative council or its designee shall administer this Act. The provisions of chapter 48-10 and section 54-44.1-11 do not apply to this appropriation.

SECTION 2. EMERGENCY. This Act is declared to be an emergency measure and is in effect upon its filing with the secretary of state or on a date specified in this Act.

Approved February 11, 1987
Filed February 12, 1987

CHAPTER 30

HOUSE BILL NO. 1222
(Committee on Appropriations)
(At the request of the North Dakota Centennial Commission)

CENTENNIAL COMMISSION GRANTS

AN ACT making an appropriation to the North Dakota centennial commission for the purpose of making grants to centennial projects.

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

SECTION 1. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000, or so much thereof as may be necessary, to the North Dakota centennial commission for the purpose of making grants, to be allocated among the counties in the state for distribution for projects within the county, to finance centennial projects for the biennium beginning July 1, 1987, and ending June 30, 1989.

Approved April 1, 1987
Filed April 2, 1987

CHAPTER 31

HOUSE BILL NO. 1295
(Representatives O. Hanson, Watne, Gunsch)
(Senators W. Meyer, Lips)

LEAFY SPURGE CONTROL

AN ACT to amend and reenact subsection 4 of section 63-01.1-06.2 of the North Dakota Century Code, relating to the use of funds appropriated for the leafy spurge control program; and to provide an appropriation.

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

SECTION 1. AMENDMENT. Subsection 4 of section 63-01.1-06.2 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4. Any legislative appropriation for the leafy spurge control program of sections 63-01.1-06.1 through 63-01.1-06.3 shall be expended ~~only~~ for reimbursement of the cost of leafy spurge control according to this section to private landowners, including lessees, tenants, renters, or operators of private land, county weed boards, or cities, and for other leafy spurge programs as the commissioner determines to be necessary.

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 \$540,000, or so much thereof as may be necessary, to the commissioner of agriculture for the purpose of defraying the expenses of the leafy spurge control program, for the biennium beginning July 1, 1987, and ending June 30, 1989.

Approved April 21, 1987
Filed April 27, 1987

CHAPTER 32

HOUSE BILL NO. 1516
(Representatives Laughlin, Larson)
(Senator Wogsland)

PRIDE OF DAKOTA LOGO

AN ACT to provide an appropriation to the commissioner of agriculture for the Pride of Dakota logo promotion program.

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 \$5,000, or so much thereof as may be necessary, to the commissioner of agriculture for administration of the Pride of Dakota logo promotion program for the biennium beginning July 1, 1987, and ending June 30, 1989.

Approved March 12, 1987
Filed March 16, 1987

CHAPTER 33

HOUSE BILL NO. 1534
(Hill, C. Nelson)

ELECTRONIC MEDIA COURSES

AN ACT providing an appropriation to the superintendent of public instruction for the purpose of establishing programs offering school districts the funds to provide instructional courses by electronic media.

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 \$50,000, or so much thereof as necessary, to the superintendent of public instruction to offer school districts the funds to establish programs in rural areas to provide foreign language, math, science, and other courses through programs transmitted by electronic media during the period beginning July 1, 1987, and ending June 30, 1989.

SECTION 2. PROGRAM AND SCHOOL DISTRICT SELECTION. The North Dakota curriculum council shall advise the superintendent of public instruction on the selection of electronic media programs to be purchased and on the selection of school districts that will receive funds pursuant to this Act.

SECTION 3. LEGISLATIVE INTENT. It is the intent of the legislative assembly that appropriated funds be used to assist school districts in purchasing equipment and programs for instruction via electronic media.

Approved April 1, 1987
Filed April 2, 1987

CHAPTER 34

HOUSE BILL NO. 1544
(Gunsch, Knell, O. Hanson, Anderson, Goetz)

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, providing legislative intent regarding energy development impact grants and the energy development impact office, and providing for a contingency loan from the coal trust fund.

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, not otherwise appropriated, to the energy development impact office of the state of North Dakota, for the purpose of defraying the expenses of that office, for the biennium beginning July 1, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$ 151,972
Operating expenses	32,721
Grants	2,000,000
ANG plant closure contingency	5,000,000
Total all funds	\$7,184,693
Less estimated income	5,000,000
Total general fund appropriation	\$2,184,693

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 any specific appropriation for any item should be held by the 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. Section 54-44.1-11 of the North Dakota Century Code shall not apply to appropriations made for grants in section 1 of this Act nor to the grants line item in chapter 28 of the 1985 Session Laws.

SECTION 4. CONTINGENCY LOAN. The amount of \$5,000,000 appropriated in section 1 of this Act for an ANG plant closure contingency line item shall be made available to the energy development impact office only if the ANG plant closes. If the ANG plant closes, the board of university and school lands shall lend \$5,000,000 from the coal trust fund, or so much thereof as may be necessary, to the energy development impact office for the purpose of providing grants to political subdivisions which are affected by the plant closure.

SECTION 5. LEGISLATIVE INTENT - ENERGY DEVELOPMENT IMPACT OFFICE. It is the intent of the legislative assembly that the energy development impact office continue to function as a separate state agency during the 1987-89 biennium.

SECTION 6. LEGISLATIVE INTENT - GRANTS LINE ITEM. The grants line item in section 1 of this Act totaling \$2,000,000 from the general fund is to be used for oil development impact grants.

Approved April 24, 1987
Filed April 27, 1987

CHAPTER 35

HOUSE BILL NO. 1590
(Representatives Peterson, Kingsbury, Nowatzki)
(Senators Nelson, Lips)

REVENUE SHARING AND PERSONAL PROPERTY TAX REPLACEMENT

AN ACT to provide for allocation of a portion of sales, use, and motor vehicle excise tax collections to personal property tax replacement and state revenue sharing; to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to personal property tax replacement; to repeal section 54-27-20.1 of the North Dakota Century Code, relating to determination of state revenue sharing; to provide an appropriation; and to provide an effective date.

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

SECTION 1. Allocation of sales, use, and motor vehicle excise tax revenues to revenue sharing and personal property tax replacement. Notwithstanding any other provision of law, a portion of sales, use, and motor vehicle excise tax collections equal to sixty percent of an amount determined by multiplying the quotient of one percent divided by the general sales tax rate, that was in effect when the taxes were collected, times the net sales, use, and motor vehicle excise tax collections under chapters 57-39.2, 57-40.2, and 57-40.3 must be deposited by the state treasurer in the state aid distribution fund. The state tax commissioner shall certify to the state treasurer the portion of sales, use, and motor vehicle excise tax net revenues that must be deposited in the state aid distribution fund as determined under this section. The state aid distribution fund must be allocated, subject to legislative appropriation, as follows:

1. Fifty percent of the revenues must be allocated in the last month of each quarterly period for state revenue sharing as provided in sections 54-27-20.2 and 54-27-20.3.
2. Fifty percent of the revenues must be allocated for personal property tax replacement as provided in section 57-58-01.

SECTION 2. AMENDMENT. Section 57-58-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-58-01. Distribution to counties and local subdivisions. It is hereby provided that any political subdivision which has an existing bonded indebtedness for which a tax levy must be made in 1970 or any year thereafter, shall reduce its levy in each such year for current operating purposes by the amount which its tax levy on taxable property in that year for retirement of the bonded indebtedness is increased because of the exemption of personal property by subsection 25 of section 57-02-08. On or before February 1, 1971, the county auditor of each county shall certify to the state tax commissioner the total amount of taxes levied in the year 1968 for the state, county, cities, park boards, school districts, airport authorities, townships, and all other units of government having the authority to levy taxes, and levies voted by the people, new or present levies increased by legislative action of such county on those items of personal property exempt under the provisions of section 57-02-08, and, in addition, the total valuation of real estate and taxes levied on real estate for the year 1968. On or before June 1, 1980, and each year thereafter, the state tax commissioner shall certify for payment to the state treasurer an amount, for payment by the state treasurer to each county, determined to be due such county based upon the personal property taxes levied in the year 1968 for the political subdivisions herein mentioned on the items of personal property exempt from the personal property tax under the provisions of section 57-02-08, the per capita school tax under the provisions of former section 57-15-23, and the grain tax under the provisions of former chapter 57-03, together with any adjustments to be made in the manner hereinafter provided. Within sixty days after the receipt of the revenue as provided by this section, the county treasurer shall allocate and remit to the county, cities, park boards, school districts, airport authorities, townships, and all other units of government having the authority to levy taxes that amount of revenue which is received from the state in the same ratio as he would have distributed the revenue from the personal property tax, adjusting such amount by any increase or decrease in real property taxes as levied by each taxing authority according to the formula hereinafter provided. Any amount that would be apportioned and credited to the retirement of a bonded indebtedness existing in 1970 for which a tax levy was made in 1970 and in any year thereafter, shall be credited to the general fund of the political subdivision. In the years after 1971, payments to the counties under this section shall be made based upon ninety-five percent of such payment for 1971 together with a growth factor which shall be based upon the dollar amount of increase or decrease in real property taxes levied within each county. For each seven dollar increase in real property taxation within a county, the state shall contribute an additional one dollar over that amount which equals ninety-five percent of such payment in the base year. For each seven dollar decrease in real property taxation within a county, the state shall contribute one dollar less than that amount which equals ninety-five percent of such payment in the base year.

On or before June 1, 1980, and each year thereafter, the state tax commissioner shall certify to the state treasurer the amount determined to be due to the state based upon the personal property

taxes levied in the year 1968 for the North Dakota state medical center. The amount so certified shall be computed in accordance with the formula provided in this section for computing the amounts to be certified and paid to the counties. The state treasurer upon receiving the certification from the tax commissioner shall transfer from the general fund to the credit of the North Dakota state medical center the amount so certified.

Any political subdivision which levied taxes on taxable property in the year 1970 for a specific fund or purpose for which a levy was not made by it in the year 1968 shall be entitled to a distribution of revenue from the state in the year 1971 for any such levy. The amount of such distribution shall be determined as follows: the county auditor shall certify to the state tax commissioner as soon as possible after March 30, 1971, the amount of each such levy made by and spread for each political subdivision on taxable real property in the county in the year 1970; the tax commissioner shall forthwith determine the correctness of such amounts and certify to the state treasurer for immediate payment to the county an amount that is determined by dividing the total of such levies made and spread in 1970 on taxable real property in the county by the growth factor that is provided in the first paragraph of this section; the county treasurer within fifteen days after the receipt of such revenue from the state treasurer shall allocate and remit to each political subdivision its proportionate amount of that revenue.

If the classification of any property for taxation purposes is changed from real to personal property or from personal to real property because of legislative or judicial action, the county auditor of the county in which the property is located shall forthwith certify to the tax commissioner the amount of real estate taxes or personal property taxes that was levied on all such property by each taxing district in the year 1968 and in any other year thereafter that the tax commissioner may request. The tax commissioner, in determining the amount to be certified to the state treasurer for payment to the county pursuant to this section, shall adjust the amounts of taxes certified by the county auditor as levied on real property and on personal property in 1968 and in any other year as may be necessary by adding to or subtracting from each such amount the taxes on the reclassified property so that the distribution by the state to the county will be determined as though such property had been taxed in 1968 and all later years in the classification into which it was reclassified.

Notwithstanding the other provisions of this section, personal property tax replacement is an amount as determined under section 1 of this Act, subject to legislative appropriation. If moneys appropriated by the legislative assembly for personal property tax replacement are not in the amount that would be provided under this section for distribution, the tax commissioner and the state treasurer shall provide for pro rata distribution of available funds on the basis of the formula contained in this section.

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 \$42,735,900, or so much thereof as may be necessary, to the state treasurer for distribution in equal amounts with fifty percent allocated for state revenue sharing and fifty percent allocated for personal property tax replacement for the biennium beginning July 1, 1987, and ending June 30, 1989. If moneys appropriated in this section for personal property tax replacement are not in the amount that would be provided for distribution under section 57-58-01, the tax commissioner and the state treasurer shall provide for pro rata distribution of available funds on the basis of the distribution formula in section 57-58-01.

SECTION 4. LEGISLATIVE INTENT. It is the intent of the legislative assembly that revenue sharing allocations for the fiscal year beginning July 1, 1987, be made in a manner that provides greater allocations to political subdivisions during the first two quarters of the fiscal year than during the second two quarters of the fiscal year.

SECTION 5. REPEAL. Section 54-27-20.1 of the 1985 Supplement to the North Dakota Century Code is hereby repealed.

SECTION 6. EFFECTIVE DATE. Section 1 of this Act is effective for sales, use, and motor vehicle excise tax collections received by the state tax commissioner after June 30, 1989. Section 2 of this Act is effective July 1, 1989.

Approved April 24, 1987
Filed April 27, 1987

CHAPTER 36

HOUSE BILL NO. 1674
(Representatives Kingsbury, Hoffner)
(Senators Stenehjem, Shea)
(Approved by the Committee on Delayed Bills)

UND AEROSPACE SCIENCE TRAINING FACILITY

AN ACT to authorize the state board of higher education to issue and sell self-liquidating, tax-exempt bonds or utilize private, federal, or other sources of funds for the construction of an aerospace science training facility at the university of North Dakota; to provide an appropriation; and to declare an emergency.

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

SECTION 1. BOARD OF HIGHER EDUCATION - AUTHORIZATION TO CONSTRUCT AEROSPACE SCIENCE TRAINING FACILITY WITH PRIVATE, FEDERAL, OR OTHER SOURCES OF FUNDS - APPROPRIATION. The state board of higher education may utilize private, federal, or other sources of funds, including the execution of a loan from the Bank of North Dakota, to construct an aerospace science training facility at the university of North Dakota. There is hereby appropriated to the state board of higher education from any moneys that become available from private, federal, or other sources of funds the sum of \$4,500,000, or so much thereof as may be necessary, for the purpose of constructing an aerospace science training facility at the university of North Dakota for the biennium beginning on the effective date of this Act, and ending June 30, 1989.

SECTION 2. BOARD OF HIGHER EDUCATION - BOND ISSUANCE - APPROPRIATION. As an alternative to the funding provided in section 1 of this Act, the state board of higher education, in accordance with chapter 15-55, may issue and sell self-liquidating, tax-exempt bonds in any amount up to but not exceeding \$4,500,000, for the purpose of constructing a revenue-producing aerospace science training facility at the university of North Dakota. Bonds issued pursuant to this section are not a general obligation of the state of North Dakota. The proceeds resulting from the sale of bonds, or so much thereof as may be necessary, are hereby appropriated for the purpose of constructing an aerospace science training facility at the university of North Dakota for the biennium beginning on the effective date of this Act, and ending June 30, 1989. Any unexpended balances for the sale of bonds authorized by this section must be placed in sinking funds for the retirement of the authorized bonds.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure and is in effect upon its filing with the secretary of state or on a date specified in this Act.

Approved April 17, 1987
Filed April 17, 1987

CHAPTER 37

HOUSE BILL NO. 1902
(Select Committee on Appropriations)
(At the request of the Director of Institutions)
(Approved by the Committee on Delayed Bills)

**GRAFTON STATE SCHOOL — SAN HAVEN REVENUE
TRANSFER**

AN ACT to provide authority to the Grafton State School to transfer excess revenue to San Haven; and to provide an effective date.

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

SECTION 1. Authority to transfer excess revenue. The authority is hereby granted for the transfer of any excess revenue received by the Grafton State School to San Haven up to the appropriation authority granted San Haven for the 1985-87 biennium. This authority is granted in the event that the amount of other income received by San Haven is less than the amount included in its appropriation for the 1985-87 biennium, including any deficiency appropriation that may be passed for the 1985-87 biennium.

SECTION 2. EFFECTIVE DATE. This Act is retroactively effective on December 1, 1986.

Approved December 5, 1986
Filed December 8, 1986

CHAPTER 38

SENATE BILL NO. 2002
(Committee on Appropriations)

SUPERINTENDENT OF PUBLIC INSTRUCTION

AN ACT to provide an appropriation for defraying the expenses of the superintendent of public instruction of the state of North Dakota; to provide for a transfer of funds from the displaced homemaker fund; to provide an appropriation for establishing electronic media instruction in school districts and to provide for a transfer of funds from the interest income of the state school construction fund; to provide an appropriation for developing computer software to promote the study of North Dakota and to provide for a transfer from the interest income of the state school construction fund; to provide for a legislative council study of education finance issues; to create and enact a new section to chapter 15-21 and a new subsection to section 15-60-03 of the North Dakota Century Code, providing for an adult basic and secondary education fund and a continuing appropriation and relating to use of interest income from the state school construction fund; to amend and reenact subsection 2 of section 15-40.1-06 of the North Dakota Century Code as amended by Senate Bill No. 2904 as approved by the fiftieth legislative assembly, and sections 15-40.1-16 and 57-19-06 of the North Dakota Century Code, relating to the educational support per pupil and state transportation aid payments to schools, and school district authority to withdraw from the special reserve fund; and to provide an expiration date.

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 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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$ 4,712,629
Operating expenses	3,006,752
Data processing	349,125
Equipment	50,742
Grants - foundation aid	354,609,408
Grants - tuition apportionment	43,100,000
Grants - special education	24,176,529
Grants - school food program	1,116,000
Grants - adult basic education	400,000
Grants - motorcycle safety	350,000
Grants - displaced homemakers	235,246
Grants - chemical abuse	20,000
Grants - boarding care	1,180,650
Grants - other grants	61,383,036
Teacher center network	200,000
Total all funds	\$495,590,117
Less estimated income	111,413,253
Total general fund appropriation	\$384,176,864

SECTION 2. INTENT. It is the intent of the legislative assembly that the sum of \$43,100,000, or such greater or lesser sums as become available, included in the grants - tuition apportionment and estimated income line items in section 1 of this Act, be distributed by the office of management and budget out of any moneys in the state tuition fund in the state treasury to the public schools of this state as provided in section 2 of article IX of the Constitution of North Dakota and North Dakota Century Code chapter 15-44 for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 3. APPROPRIATION - TRANSFER. The amount of \$247,630, or so much thereof as is necessary, included in the estimated income line item in section 1 of this Act is hereby appropriated and shall be transferred to the superintendent of public instruction for the purpose of providing services for displaced homemakers as provided in North Dakota Century Code chapter 14-06.1 for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 4. APPROPRIATION - TRANSFER. There is hereby appropriated, and shall be transferred, out of any interest income in the state school construction fund, not otherwise appropriated, the sum of \$400,000, or so much thereof as may be necessary, to the superintendent of public instruction for the purpose of making grants to school districts for electronic media instruction for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 5. APPROPRIATION - TRANSFER. There is hereby appropriated, and shall be transferred, out of any interest income in the state school construction fund, not otherwise appropriated, the sum of \$100,000, or so much thereof as may be necessary, to the superintendent of public instruction for the purpose of developing computer software to promote the study of North Dakota in light of

the 1989 centennial celebration for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 6. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the 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 7. ADDITIONAL INCOME. The superintendent of public instruction may seek additional federal and other income for support of the teacher center network and to establish programs to provide instructional courses by electronic media for the biennium beginning July 1, 1987, and ending June 30, 1989. The sum of \$200,000, or so much thereof as may be necessary, received for these projects can be expended only by authorization of the emergency commission.

SECTION 8. A new section to chapter 15-21 of the North Dakota Century Code is hereby created and enacted to read as follows:

Adult basic and secondary education fund - Continuing appropriation. The superintendent of public instruction may receive and accept any grant, gift, devise, or bequest of any money from any private or public source for adult basic and secondary education programs. Any money received for adult basic and secondary education programs by grant, gift, devise, or bequest not specifically appropriated by the legislative assembly must be deposited in the adult basic and secondary education fund in the state treasury. All moneys in the fund, and any interest upon moneys in the fund, are hereby appropriated to the superintendent of public instruction for the purpose of administering and implementing adult basic and secondary education programs. Any funds appropriated under this section are not subject to section 54-44.1-11.

SECTION 9. AMENDMENT. Subsection 2 of section 15-40.1-06 of the 1985 Supplement to the North Dakota Century Code as amended by Senate Bill No. 2904, as approved by the fiftieth legislative assembly, is hereby amended and reenacted to read as follows:

2. a. The educational support per pupil during the first year of the ~~1985-87~~ 1987-89 biennium shall be one thousand four hundred ~~twenty-five~~ dollars and for the second year of the biennium the educational support per pupil shall be one thousand ~~three~~ four hundred ~~seventy twelve~~ dollars and shall be the basis for calculating grants-in-aid on a per-pupil basis as provided in sections 15-40.1-07 and 15-40.1-08.
- b. School districts operating high schools not meeting the minimum curriculum as provided in section 15-41-24 or the teacher qualifications in section 15-41-25

shall be supported in the amount of two hundred twenty dollars, which shall be the basis for calculating grants-in-aid on a per-pupil basis as provided in section 15-40.1-07.

SECTION 10. AMENDMENT. Section 15-40.1-16 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40.1-16. Aid for transportation. There shall be paid from state funds to each school district providing schoolbus transportation in contract schoolbuses or in district-owned and operated schoolbuses, and to school districts with students riding commercial buses to and from school within the incorporated limits of a city, the following amounts:

1. For schoolbuses and school vehicles transporting pupils who live outside the incorporated limits of the city in which the school the pupil is enrolled is located, a sum equal to ~~thirty-eight~~ thirty-five and one-half cents during each year of the ~~1985-87~~ 1987-89 biennium for vehicles having a capacity of nine or fewer pupils and ~~seventy-six~~ seventy-two cents per mile [1.61 kilometers] for each year of the ~~1985-87~~ 1987-89 biennium for schoolbuses having a capacity of ten or more pupils. In addition, those school districts qualifying for payments for buses having a capacity of ten or more pupils shall be entitled to an amount equal to nineteen cents per day for each public school pupil living outside the city limits who is transported in such buses.
2. For pupils who ride schoolbuses or commercial buses to or from school and who live within the incorporated limits of the city in which the school the pupil is enrolled is located, a sum equal to nine and one-half cents per pupil per one-way trip. However, no payment shall be made under this subsection for a student who rode on a vehicle for which payments are claimed under subsection 1.

The mileage payments provided for in this section shall be made to each school district for transporting pupils to and from school. Such payments shall be made only to school districts operating schoolbuses in accordance with the laws of this state relating to standards for schoolbuses, and to the qualifications of schoolbus drivers. Certification as to the compliance with the laws of this state in regard to schoolbuses and their drivers shall be made in such manner and in such detail as the superintendent of public instruction may require at the time an application is made for payments provided under this section. The superintendent of public instruction shall do an onsite audit of the books and records, regarding transportation cost, pupils transported and miles traveled, of at least ten school districts each fiscal year to verify compliance with section 15-40.1-16.

SECTION 11. A new subsection to section 15-60-03 of the 1985 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

Interest income from the state school construction fund may be used to promote the study of North Dakota and to make grants to school districts within the limits of legislative appropriations to enable school districts to establish electronic media instruction. The state board of public school education shall establish the criteria for making grants to school districts. No grant may exceed fifty percent of the cost of implementing electronic media instruction. To be eligible to receive a grant, a school district must provide fifty percent matching funds. The superintendent of public instruction shall administer the grants.

SECTION 12. Section 57-19-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-19-06. Special reserve fund - How and when used.

1. Whenever collections from the taxes levied for the current budget are insufficient to meet the requirements of such the budget for teacher salaries, heat, light, and fuel, a majority of the governing body of the school district, by resolution, may provide for the issuance of vouchers directed to the county treasurer, drawing on funds in said the special reserve fund of such the district. Such The voucher may be substantially in the same form as a warrant, but shall may not be a negotiable instrument, and shall must direct the county treasurer to pay over to the school district from the special reserve fund the amount of money specified in the voucher. Subject to the limitations in the next section 57-19-07, the county treasurer shall transfer from the special reserve fund to the school district general fund the sum so specified, and shall enter such the voucher in a book to be known as the special reserve fund voucher register in the order in which they are issued.
2. The governing body of the school district, by resolution, may withdraw without repayment fifty percent of the funds from the special reserve fund of the school district.

SECTION 13. LEGISLATIVE COUNCIL STUDY OF EDUCATION FINANCE ISSUES. An interim legislative council committee, consisting of eight members of the legislative assembly and three professional educators, including one educator from each of the following: a small, medium, and large school district, to be selected by the legislative council, shall conduct a study during the 1987-88 interim of education finance issues, including but not limited to the issues of adequate funding for school districts, the amount of money spent by school districts for noninstructional purposes,

inequities in the distribution of transportation aid to schools, local effort in support of schools, other funding sources including federal programs and energy taxes revenue, and the special needs of schools in sparsely populated areas of the state.

SECTION 14. CONTINGENT SEPARATE AND ADDITIONAL PER-PUPIL PAYMENT. The superintendent of public instruction shall distribute a separate and additional per-pupil payment from any unspent amount appropriated to the grants - foundation aid program for the biennium beginning July 1, 1987, and ending June 30, 1989, in the May 1, 1989, foundation aid payment to schools. Any payment made under this section must be on a weighted basis to be determined according to chapter 15-40.1.

SECTION 15. APPROPRIATION - TRANSFER TO REVOLVING PRINTING FUND. The amount appropriated in section 1 of this Act for the operating expenses line item includes \$10,000 from the general fund which is to be transferred to the revolving printing fund to print and distribute the North Dakota school code supplement for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 16. LEGISLATIVE INTENT - NORTH DAKOTA SCHOOL CODE SUPPLEMENT. The superintendent of public instruction shall issue one set of the North Dakota school code supplement to each North Dakota school district without charge and may issue the supplement to other interested parties for the cost of printing and distribution of the supplement. The amount received for sale of the supplement must be deposited in the superintendent of public instruction revolving printing fund.

SECTION 17. EXPIRATION DATE. Sections 11 and 12 of this Act are effective through June 30, 1989, and after that date are ineffective.

Approved April 24, 1987
Filed April 27, 1987

CHAPTER 39

SENATE BILL NO. 2003
(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; and to amend and reenact section 15-19-04 of the North Dakota Century Code, relating to oversight of the high school correspondence program.

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 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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$1,228,992
Operating expenses	354,171
Equipment	100,000
Total all funds	<u>\$1,683,163</u>
Less estimated income	<u>1,174,271</u>
Total general fund appropriation	\$ 508,892

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 any specific appropriation for any item should be held by the 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 15-19-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-19-04. Duty of teachers, county and state officers, and institutions. The state board of public school education and the superintendent or

a member of the department of public instruction designated by ~~him~~ the superintendent shall approve the content of courses offered, requirements for certification of teachers, credits granted for each course, and all other things necessary to integrate the correspondence program into other high school programs administered or supervised by the department of public instruction. The division of independent study may advertise its correspondence program, however, the state board of public school education and the superintendent of public instruction shall ensure that the program shall in no way compete with the public schools of this state for the enrollment of students, encourage students to leave the public schools, or duplicate the facilities of the public schools through offering high school correspondence courses to students having access to such courses in the public schools.

Approved April 10, 1987
Filed April 14, 1987

CHAPTER 40

SENATE BILL NO. 2004
(Committee on Appropriations)

OFFICE OF MANAGEMENT AND BUDGET

AN ACT making an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget of the state of North Dakota; providing an exemption to the provisions of section 54-44.1-11 of the North Dakota Century Code; and to amend and reenact sections 54-16-11.1 and 54-27-23 of the North Dakota Century Code, relating to the emergency commission authority to increase revenue appropriation authority for intergovernmental service fund agencies and budget section approval of office of management and budget cash flow financing.

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 other income, to the various divisions under the supervision of the director of the office of management and budget of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1987, and ending June 30, 1989, as follows:

Subdivision 1.

OFFICE OF MANAGEMENT AND BUDGET

Salaries and wages	\$ 4,292,929
Operating expenses	3,556,302
Data processing	2,220,573
Equipment	58,975
Grants	25,014,450
Boys and girls clubwork	53,000
State memberships	173,154
Total all funds	<u>\$35,369,383</u>
Less estimated income	29,087,856
Total general fund appropriation	<u>\$ 6,281,527</u>

Subdivision 2.

CENTRAL DATA PROCESSING

Salaries and wages	\$ 6,753,150
Operating expenses	21,764,014
Equipment	1,504,340
Total special funds appropriation	<u>\$30,021,504</u>

Subdivision 3.

CENTRAL DUPLICATING SERVICES

Salaries and wages	\$ 723,308
Operating expenses	1,437,329
Data processing	25,000
Equipment	27,000
Total special funds appropriation	<u>\$ 2,212,637</u>
Grand total general fund appropriation S.B. 2004	\$ 6,281,527
Grand total special funds appropriation S.B. 2004	\$61,821,997
Grand total all funds appropriation S.B. 2004	\$68,103,524

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 any specific appropriation for any item should be held by the 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. TRANSFER AUTHORITY. Upon approval of the emergency commission, the director of the office of management and budget may transfer appropriation authority contained in the various subdivisions in section 1 of this Act.

SECTION 4. AMENDMENT. Section 54-16-11.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-16-11.1. Emergency commission may increase revenues and appropriation authority for intergovernmental service fund agencies. Upon presentation of the verified petition provided for in section 54-16-10, the emergency commission shall meet to determine if additional demand from state agencies requires an increase in appropriation authority and revenue receipts for intergovernmental service agencies. Such agencies are limited to central duplicating, central data processing, state communications, surplus property, and central microfilm.

SECTION 5. AMENDMENT. Section 54-27-23 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-27-23. Cash flow financing. In order to effectively meet the cyclical cash flow needs of state government, the office of management and budget upon approval of the emergency commission is hereby authorized to issue certificates in anticipation of revenue, notes, or bonds, to special funds on deposit in the state treasury.

Any issue of such certificates, notes, or bonds must be approved by the emergency commission and are to be used for cash flow financing only, and not to offset projected deficits in state finances unless first approved by the budget section of the legislative council. The budget section may approve additional cash flow financing not to exceed eighty percent of estimated general fund revenues relating to sales or production occurring prior to June thirtieth, to be collected in July and August after the end of the biennium. Such additional cash flow financing is only effective for sixty days unless an extension or reapproval is received from the budget section. If a revenue shortfall of greater than five percent occurs, the office of management and budget must order budget allotments under section 54-44.1-12 prior to approval by the budget section of such additional cash flow financing. It is the intent of the legislative assembly that all borrowing must be repaid by the end of biennium. The terms of any specific issue of such certificates, notes, or bonds may not exceed one hundred eighty days from the date of issuance whereupon the principal and interest on the certificates, notes, or bonds shall be paid in full from the state general fund or from another issue of a similar nature. All principal and interest on such issues made during a biennial period shall be repaid in full at the close of the biennial period from the state general fund. When certificates, notes, or bonds are issued for cash flow purposes to funds which otherwise would be invested, with the investment income accruing to the special fund, the certificate shall bear an investment rate of return which shall be agreed upon by the state investment board, and shall be at a level commensurate with the yield to be reasonably expected by such fund if invested in alternate securities.

SECTION 6. ADDITIONAL INCOME. There is hereby appropriated \$500,000 from income in excess of estimated income in the budget appropriated by the legislative assembly to the office of management and budget for the biennium beginning July 1, 1987, and ending June 30, 1989, for deposit in the appropriate operating funds in the state treasury to be expended with the authorization of the emergency commission.

SECTION 7. EXEMPTION. The data processing appropriation contained in section 1 of chapter 3 of the 1985 Session Laws shall not be subject to the provisions of section 54-44.1-11 of the North Dakota Century Code and any unexpended funds from this appropriation shall be available for continued development and operation of the accounting, management, and payroll systems during the biennium beginning July 1, 1987, and ending June 30, 1989.

Approved April 24, 1987
Filed April 27, 1987

CHAPTER 41

SENATE BILL NO. 2005
(Committee on Appropriations)

DIRECTOR OF INSTITUTIONS

AN ACT making an appropriation for defraying the expenses of the director of institutions of the state of North Dakota and providing for a transfer from the capitol building fund.

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 other income to the director of institutions of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$3,103,333
Operating expenses	3,112,489
Institutional medical fees	300,000
Equipment	28,110
Capital improvements	<u>1,146,300</u>
Total all funds	\$7,690,232
Less estimated income	<u>1,076,300</u>
Total general fund appropriation	\$6,613,932

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 any specific appropriation for any item should be held by the 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. TRANSFER. The amount of \$1,076,300, or so much thereof as is necessary, included in the estimated income line item in section 1 of this Act is hereby appropriated and shall be transferred by the office of management and budget from the capitol building fund to the director of institutions for the biennium

beginning July 1, 1987, and ending June 30, 1989. However, the amount of the transfer shall be reduced to the extent of private grants and donations received for repairs to the governor's residence.

SECTION 4. CAPITOL BUILDING ADDITION - FEASIBILITY STUDY - COST ESTIMATES. Included in the capital improvements line item in section 1 of this Act is \$15,000 from the capitol building fund to be used for a feasibility study including preliminary drawings and cost estimates for a capitol building addition for additional committee rooms. The director of institutions shall contract for the services and provide progress reports and the final report to the capitol grounds planning commission and the legislative council's legislative procedure and arrangements committee during the 1987-89 biennium.

Approved April 21, 1987
Filed April 27, 1987

CHAPTER 42

SENATE BILL NO. 2006
(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.

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 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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$4,218,552
Operating expenses	906,298
Equipment	32,044
Capital improvements	981,700
Total all funds	\$6,138,594
Less estimated income	2,276,813
Total general fund appropriation	\$3,861,781

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 any specific appropriation for any item should be held by the 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. PROJECT AUTHORIZATION. The industrial commission may construct and acquire, and issue evidences of indebtedness under North Dakota Century Code chapter 54-17.2 as necessary to defray that portion of the project costs associated with the construction of the following project, hereby declared to be in the public interest, during the biennium beginning July 1, 1987, and ending

June 30, 1989. This project is included in the capital improvements and estimated income line item of section 1 of this Act.

NAME OF AGENCY, DEPARTMENT, OR INSTITUTION	TYPE OF FACILITY	CONSTRUCTION FUNDS
State Industrial School	Kitchen/Dining Facility	\$950,000

The industrial commission shall issue evidences of indebtedness authorized under this section with the condition that lease rental payments need not begin until July 1, 1989. The authority of the industrial commission to issue evidences of indebtedness authorized by this Act ends on June 30, 1989, but the industrial commission shall have continued authority to exercise all other powers granted to it under this Act and to comply with any covenants entered into before that date.

SECTION 4. CONTINUING APPROPRIATION. The moneys received by the industrial commission and the state agencies and institutions from the sale of evidences of indebtedness, lease rental payments, and from revenue generated by projects authorized under section 3 of this Act are hereby appropriated as a continuing appropriation for the acquisition of these authorized projects and the payment of lease rentals for these projects.

Approved April 13, 1987
Filed April 14, 1987

CHAPTER 43

SENATE BILL NO. 2007
(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.

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 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, 1987, and ending June 30, 1989, as follows:

Subdivision 1.

SCHOOL FOR THE DEAF

Salaries and wages	\$3,050,609
Operating expenses	742,569
Equipment	29,075
Capital improvements	60,000
Total all funds	<u>\$3,882,253</u>
Less estimated income	<u>413,340</u>
Total general fund appropriation	<u>\$3,468,913</u>

Subdivision 2.

SCHOOL FOR THE BLIND

Salaries and wages	\$2,048,830
Operating expenses	437,255
Equipment	12,800
Capital improvements	29,000
Total all funds	<u>\$2,527,885</u>
Less estimated income	<u>358,428</u>
Total general fund appropriation	<u>\$2,169,457</u>
Grand total general fund appropriation S.B. 2007	<u>\$5,638,370</u>

Grand total special funds appropriated S.B. 2007 \$ 771,768
Grand total all funds appropriated S.B. 2007 \$6,410,138

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 any specific appropriation for any item should be held by the 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 7, 1987
Filed April 9, 1987

CHAPTER 44

SENATE BILL NO. 2008
(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 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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$1,118,032
Operating expenses	787,462
Data processing	8,369
Equipment	2,580
Grants, benefits, and claims	<u>1,064,000</u>
Total all funds	\$2,980,443
Less estimated income	<u>806,304</u>
Total general fund appropriation	\$2,174,139

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 any specific appropriation for any item should be held by the 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 line item entitled grants, benefits, and claims in section 1 of this Act includes \$1,014,000 for aid to public libraries of which no more than one-half is to be expended during the fiscal year ending June 30, 1988.

Approved April 21, 1987
Filed April 27, 1987

CHAPTER 45

SENATE BILL NO. 2009
(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 providing for a transfer from the North Dakota state penitentiary land fund.

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 other income to the state penitentiary and 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, 1987, and ending June 30, 1989, as follows:

Subdivision 1.

STATE PENITENTIARY	
Salaries and wages	\$ 8,272,786
Operating expenses	4,379,621
Equipment	86,164
Capital improvements	<u>2,132,214</u>
Total all funds	\$14,870,785
Less estimated income	<u>1,629,856</u>
Total general fund appropriation	<u>\$13,240,929</u>

Subdivision 2.

ROUGH RIDER INDUSTRIES	
Salaries and wages	\$ 1,266,798
Operating expenses	4,944,390
Equipment	754,000
Capital improvements	<u>700,000</u>
Total special fund appropriation	<u>\$ 7,665,188</u>

Grand total general fund appropriation S.B. 2009	\$13,240,929
Grand total special funds appropriation S.B. 2009	\$ 9,295,044
Grand total all funds appropriation S.B. 2009	\$22,535,973

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. LEGISLATIVE INTENT - AUTHORIZATION. It is the intent of the legislative assembly that if the North Dakota state penitentiary annual rodeo fails to generate sufficient revenue to meet rodeo expenses due to unforeseen circumstances, the state penitentiary is authorized to use funds in its operating expenses line item to meet any such deficit.

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 any specific appropriation for any item should be held by the 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. APPROPRIATION - TRANSFER. The amount appropriated for capital improvements in subdivision 1 of section 1 of this Act includes \$170,000 which is hereby appropriated and shall be transferred by the office of management and budget from the North Dakota state penitentiary land fund for the biennium beginning July 1, 1987, and ending June 30, 1989, as required for disbursement by the director of institutions.

SECTION 6. LEGISLATIVE INTENT - BONDING PAYMENTS. It is the intent of the legislative assembly that the amount appropriated for capital improvements in subdivision 1 of section 1 of this Act includes \$1,809,714 for payment of construction bonds issued in accordance with chapter 571 of the 1985 Session Laws.

SECTION 7. CONTINGENT APPROPRIATION. Subdivision 2 of section 1 of this Act includes \$1,900,000, including \$195,000 in salaries and wages, \$1,160,000 in operating expenses, and \$545,000 in equipment, which is appropriated for the 1987-89 biennium for a license plate manufacturing program only if the one dollar motor vehicle license fee increase for distribution of a license plate issue included in House Bill No. 1018 is approved by the 1987 legislative assembly.

Approved April 24, 1987
Filed April 27, 1987

CHAPTER 46

SENATE BILL NO. 2010
(Committee on Appropriations)

RADIO COMMUNICATIONS DEPARTMENT

AN ACT making an appropriation for defraying the expenses of the radio communications department of the state of North Dakota and providing for a transfer from the state highway fund.

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 from special funds derived from federal funds and 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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$1,458,797
Operating expenses	1,937,310
Data processing	262,071
Equipment	<u>20,429</u>
Total special fund appropriation	\$3,678,607

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 any specific appropriation for any item should be held by the 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 - TRANSFER. The amount of \$3,438,607, or so much thereof as is necessary, is hereby appropriated and shall be transferred from the state highway fund to the state radio communications department as directed by the office of management and budget during the biennium beginning July 1, 1987, and ending June 30, 1989.

Approved April 15, 1987
Filed April 15, 1987

CHAPTER 47

SENATE BILL NO. 2011
(Committee on Appropriations)

DIVISION OF EMERGENCY MANAGEMENT

AN ACT making an appropriation for defraying the expenses of the division of emergency management 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 other income, to the division of emergency management 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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$1,103,508
Operating expenses	389,496
Equipment	<u>32,440</u>
Total all funds	\$1,525,444
Less estimated income	<u>1,170,657</u>
Total general fund appropriation	\$ 354,787

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 any specific appropriation for any item should be held by the 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 15, 1987
Filed April 15, 1987

CHAPTER 48

SENATE BILL NO. 2012
 (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, 1987, and ending June 30, 1989, as follows:

Subdivision 1.

PARDON BOARD

Operating expenses	\$ 1,709
Total general fund appropriation	\$ 1,709

Subdivision 2.

PAROLE AND PROBATION OFFICE

Salaries and wages	\$1,678,788
Operating expenses	218,656
Equipment	10,807
Total general fund appropriation	\$1,908,251
Grand total general fund appropriation S.B. 2012	\$1,909,960

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 any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 21, 1987
 Filed April 27, 1987

CHAPTER 49

SENATE BILL NO. 2013
(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 to provide for an appropriation and transfer of funds from the national guard tuition trust fund; to amend and reenact section 37-07.1-06.1 of the North Dakota Century Code, relating to the North Dakota national guard tuition trust fund; and to declare 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 or other income, to the adjutant general's office for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$ 952,455
Operating expenses	1,113,489
Equipment	38,300
Grants	600,712
Inauguration	1,750
Recruiting and retention	30,000
Army guard contract	3,500,000
Tuition fees	750,000
Air guard contract	<u>2,525,100</u>
Total all funds	\$9,511,806
Less estimated income	<u>6,435,100</u>
Total general fund appropriation	\$3,076,706

SECTION 2. APPROPRIATION - TRANSFER. The amount of \$750,000, or so much thereof as is necessary, for the line item entitled tuition fees and included in the estimated income line item in section 1 of this Act is hereby appropriated and shall be transferred from the accumulated earnings of the national guard tuition trust fund to the adjutant general for the tuition programs

provided for in North Dakota Century Code chapters 37-07.1 and 37-07.2 for the biennium beginning July 1, 1987, and ending June 30, 1989.

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 any specific appropriation for any item should be held by the 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. APPROPRIATIONS. 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 5. APPROPRIATION - TRANSFER. The amount of \$500,000 or so much thereof as is necessary, for the line item entitled operating expenses and included in the estimated income line item in section 1 of this Act is hereby appropriated and shall be transferred from the principal of the national guard tuition trust fund to the adjutant general for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 6. AMENDMENT. Section 37-07.1-06.1 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

37-07.1-06.1. 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~~ The fund and 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, work study programs, ~~and~~ other programs to encourage membership in the national guard, and national guard operations. 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 investment board and interest earned by the fund shall be credited to the fund. On July 1, 1999, any unobligated balance in the fund shall be transferred to the general fund.

SECTION 7. LEGISLATIVE INTENT - NATIONAL GUARD ARMORIES. It is the intent of the legislative assembly that the adjutant general not vacate any armories prior to July 1, 1987, and that the adjutant general receive the approval of the budget section of the legislative council prior to vacating any armories during the period beginning July 1, 1987, and ending June 30, 1989.

SECTION 8. EMERGENCY - LEGISLATIVE INTENT. Section 7 of this Act is declared to be an emergency measure and is in effect upon its filing with the secretary of state.

Approved April 21, 1987
Filed April 27, 1987

CHAPTER 50

SENATE BILL NO. 2014
(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, 1987, and ending June 30, 1989, as follows:

Salaries and Wages	\$ 44,309
Operating expenses	<u>62,280</u>
Total general fund appropriation	\$106,589

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 any specific appropriation for any item should be held by the 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 4, 1987
Filed April 6, 1987

CHAPTER 51

SENATE BILL NO. 2015
(Committee on Appropriations)**HUMAN SERVICES, STATE HOSPITAL, AND
GOVERNOR'S COUNCIL ON HUMAN RESOURCES**

AN ACT making an appropriation for defraying the expenses of the department of human services, state hospital, and the governor's council on human resources; making an appropriation and transfer from the lands and minerals trust fund to the common schools trust fund; making an appropriation of excess revenues generated by human service centers; providing the emergency commission with appropriation transfer authority; to amend and reenact section 50-01-09.2 of the North Dakota Century Code, relating to poor relief expenditures; and to provide legislative intent statements relating to inspection of care and survey functions, DUI evaluation program reductions, human service center operating expenses, and the use of capital improvement appropriations for payment of construction bonds.

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 other income, to the department of human services and its various divisions for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1987, and ending June 30, 1989, as follows:

Subdivision 1.

DEPARTMENT OF HUMAN SERVICES

Salaries and wages	\$ 45,442,896
Operating expenses	23,101,331
Data processing	8,586,681
Equipment	508,095
Grants, benefits, and claims	460,976,011
Total all funds	\$538,615,014
Less estimated income	365,695,285
Total general fund appropriation	\$172,919,729

Subdivision 2.

GOVERNOR'S COUNCIL ON HUMAN RESOURCES

Salaries and wages	\$	188,248
Operating expenses		132,786
Grants, benefits, and claims		533,840
Child abuse program		200,000
Total all funds	\$	1,054,874
Less estimated income		851,344
Total general fund appropriation	\$	203,530

Subdivision 3.

STATE HOSPITAL

Salaries and wages	\$	36,345,255
Operating expenses		6,459,375
Data processing		842,529
Equipment		293,085
Capital improvements		1,128,233
Total all funds	\$	45,068,477
Less estimated income		13,432,617
Total general fund appropriation	\$	31,635,860

SECTION 2. APPROPRIATION - TRANSFER. There is hereby appropriated out of any moneys in the lands and minerals trust fund, not otherwise appropriated, the sum of \$1,797,142, or so much thereof as may be necessary, for the purpose of making payments of principal and interest to the common schools trust fund on any loans made from it pursuant to the developmentally disabled facility loan fund program no. 2 and 3 for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 3. APPROPRIATION. There is 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 other income, the sum of \$6,813,440 including general fund moneys of \$4,070,515 and \$2,742,925 of special funds. These funds shall be available to the Grafton state school, the department of human services, and the state hospital for the purpose of ensuring compliance with the A.R.C. lawsuit. These funds shall be allocated to the Grafton state school, the department of human services, and the state hospital upon approval of the governor for the biennium beginning July 1, 1987, and ending June 30, 1989.

Grand total general fund appropriation S.B. 2015	\$208,829,634
Grand total special funds appropriation S.B. 2015	\$384,519,313
Grand total all funds appropriation S.B. 2015	\$593,348,947

SECTION 4. AMENDMENT. Section 50-01-09.2 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-01-09.2. Reimbursement Allocation to counties by state for general assistance provided poor relief expenditures. Within the limits of legislative appropriations, the department of human services shall reimburse each county upon claim being made by the

county, for one-half of the amounts expended on behalf of persons unable to provide themselves with a reasonable subsistence compatible with decency and health and who are not otherwise provided for under the laws of this state. Claim for reimbursement along with a certification of amounts paid shall be presented quarterly by the board of county commissioners to the department of human services. An amount not to exceed one-half of the sums so certified shall be paid to the county by the department of human services, except that beginning July 1, 1986, the department shall reimburse the county for sixty-five percent, and beginning July 1, 1987, the department shall reimburse the county for eighty percent of the cost of supplementary payments to or on behalf of these individuals residing in adult family care homes and custodial care homes who are in receipt of supplemental security income benefits under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.) and who are determined by the department to need assistance to enable them to meet the reasonable costs of custodial care in these homes, upon the audit and approval of the claim in the manner provided by law allocate and distribute to each county social service board a proportionate share of funds appropriated for the purpose of assisting county social service boards in the furnishing of poor relief. The department shall make quarterly allocations and distributions on or before the last day of the first month of each quarter. The department shall allocate to the county social service board of each county the proportion that the county social service board's expenditures for poor relief in the previous quarter is of all county social service boards' expenditures for poor relief in that quarter.

SECTION 5. EMERGENCY COMMISSION - TRANSFERS. The emergency commission, notwithstanding section 54-16-04, shall have the authority during the biennium beginning July 1, 1987, to approve the transfer of appropriations made to the Grafton state school to the department of human services to the extent necessary to match federal medicaid funds in excess of the amounts included in section 1 of this Act for that purpose. The emergency commission shall also have the authority to approve the transfer of previously referred appropriations back to the Grafton state school not considered necessary at a later time by the department of human services for this purpose.

SECTION 6. INTEGRATION OF INSPECTION OF CARE AND SURVEY FUNCTIONS. It is the intent of the legislative assembly that the department of human services and the state department of health continue in their cooperative efforts to integrate the medicaid inspection of care responsibilities and the health facility certification survey functions as they relate to long-term care facilities, including skilled nursing facilities, intermediate care facilities, and intermediate care facilities for the developmentally disabled. Upon approval of the budget section of the legislative council, the department of human services may make expenditures from the appropriations contained in subdivision 1 of section 1 of this Act to the state department of health for purposes of unifying the

certification survey and inspection of care functions during the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 7. LEGISLATIVE INTENT - DUI EVALUATION PROGRAM REDUCTIONS. It is the intent of the legislative assembly that the department of human services eliminate by July 1, 1989, the provision of alcohol and drug evaluations for persons resulting from violations of the state's driving under the influence laws and other criminal violations.

SECTION 8. LEGISLATIVE INTENT - HUMAN SERVICE CENTER OPERATING EXPENSES. The legislative assembly recognizes that funds appropriated in subdivision 1 of section 1 of this Act for defraying operating expenses in human service centers during the biennium beginning July 1, 1987, and ending June 30, 1989, are insufficient to fulfill otherwise ongoing obligations, including certain lease commitments, that are conditioned upon legislative appropriations. It is the intent of the legislative assembly that the department of human services take such actions as may be necessary to curtail or modify otherwise ongoing obligations so as to operate within the appropriations contained in subdivision 1 of section 1 of this Act for purposes of defraying human service center operating expenses.

SECTION 9. 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 10. 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 any specific appropriation for any item should be held by the 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 11. TRANSFER AUTHORIZATION. Notwithstanding section 54-16-04, the department, subject to the approval of the emergency commission, may make such transfers between line items in section 1 of this Act as may be necessary to effectively and efficiently meet the overall departmental requirements; and the emergency commission is hereby authorized to consider and act upon such requests.

SECTION 12. LEGISLATIVE INTENT - BONDING PAYMENTS. It is the intent of the legislative assembly that the amount appropriated for capital improvements in subdivision 3 of section 1 of this Act includes \$828,233 for payment of construction bonds issued in accordance with chapter 571 of the 1985 Session Laws.

SECTION 13. APPROPRIATION. All collections from nonfederal sources by human service centers in excess of amounts included as revenue in section 1 of this Act are hereby appropriated to the department of human services for the purpose of staff development, training, or other purposes approved by the executive director and can only be expended by authorization of the emergency commission.

Approved April 24, 1987
Filed April 27, 1987

CHAPTER 52

SENATE BILL NO. 2016
(Committee on Appropriations)

GRAFTON STATE SCHOOL, COURT MONITOR, AND PROTECTION AND ADVOCACY PROJECT

AN ACT making an appropriation for defraying the expenses of the Grafton state school, protection and advocacy project, and deinstitutionalization court monitor of the state of North Dakota; authorizing the director of institutions to sell, lease, exchange, or transfer title or use of the properties of San Haven; to provide administrative supervision of the protection and advocacy project; to provide legislative intent regarding federally funded positions in the protection and advocacy project; to require emergency commission approval of new positions; and to provide an expiration date.

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 other income to the Grafton state school under the supervision of the director of institutions, the Protection and Advocacy Project and the Court Monitor of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1987, and ending June 30, 1989, as follows:

Subdivision 1.	GRAFTON STATE SCHOOL	
Salaries and wages		\$45,561,339
Operating expenses		8,660,873
Data processing		12,550
Equipment		325,464
Capital improvements		<u>1,719,172</u>
Total all funds		\$56,279,398
Less estimated income		<u>47,105,143</u>
Total general fund appropriation		\$ 9,174,255

Subdivision 2.

PROTECTION AND ADVOCACY PROJECT	
Salaries and wages	\$ 1,360,923
Operating expenses	411,238
Data processing	500
Grants, benefits, and claims	11,000
Equipment	16,291
Total all funds	\$ 1,799,952
Less estimated income	578,690
Total general fund appropriation	\$ 1,221,262

Subdivision 3.

DEINSTITUTIONALIZATION - COURT MONITOR	
Operating expenses	\$ 192,000
Total general fund appropriation	\$ 192,000
Grand total general fund appropriation S.B. 2016	\$10,587,517
Grand total special funds appropriation S.B. 2016	\$47,683,833
Grand total all funds appropriation S.B. 2016	\$58,271,350

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 any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 4. LEGISLATIVE INTENT - BONDING PAYMENTS. It is the intent of the legislative assembly that the amount appropriated for capital improvements in subdivision 1 of section 1 of this Act includes \$949,172 for payment of construction bonds issued in accordance with chapter 571 of the 1985 Session Laws.

SECTION 5. EMERGENCY COMMISSION - TRANSFERS - APPROPRIATION. The emergency commission, notwithstanding North Dakota Century Code section 54-16-04, shall have the authority during the biennium beginning July 1, 1987, to approve the transfer of appropriations made to Grafton state school to the department of human services to the extent necessary to match federal medicaid funds in excess of the amounts included in subdivision 1 of section 1 of this Act for that purpose. The emergency commission shall also have the authority to approve the transfer of appropriations back to the Grafton state school not considered necessary at a later time. All income in excess of estimated income included in subdivision 1 of section 1 of this Act must be deposited in the Grafton State School operating fund and is hereby appropriated and can be expended only by authorization of the emergency commission.

SECTION 6. Director may sell, lease, exchange, or transfer title or use to all or part of the San Haven properties. The director of institutions, with the approval of the governor and the budget section, is authorized to sell, lease, exchange, or transfer title or use of any part or all of the San Haven facilities and properties, located in sections nineteen, twenty-nine, and thirty, township one hundred sixty-two north, range seventy-two west, located in Hill Side Township in Rolette County, North Dakota, to the federal government or any public or private agency, organization, or business enterprise for any native American project or program or any other worthy undertaking, under the following provisions:

1. The transaction is exempt from the provisions of sections 54-01-05.2 and 54-01-05.5.
2. The transaction must be with the technical assistance and advice of the commissioner of university and school lands.
3. All required legal documents, papers, and instruments in any transaction must be reviewed and approved as to form and legality by the attorney general.
4. Any funds realized by any transaction must be deposited in the state's general fund.

SECTION 7. PROTECTION AND ADVOCACY PROJECT - SUPERVISION. The activities of the protection and advocacy project shall be monitored by the office of management and budget, which shall make administrative recommendations to the project which the legislative assembly urges the protection and advocacy project to implement.

SECTION 8. LEGISLATIVE INTENT - PROTECTION AND ADVOCACY PROJECT - FEDERALLY FUNDED POSITIONS. It is the intent of the legislative assembly that if federal funds do not become available for the positions in the protection and advocacy project expected to be funded from that source during the 1987-89 biennium, the positions shall not be funded from the general fund and if other funds are not available, the positions shall be discontinued.

SECTION 9. EMERGENCY COMMISSION APPROVAL - PROTECTION AND ADVOCACY PROJECT. The funding for the five new regional advocates in the amount of \$342,990 contained in subdivision 2 of section 1 of this Act shall be for temporary staff and may be expended only upon the approval of the emergency commission.

SECTION 10. EXPIRATION DATE. Section 6 of this Act is effective through June 30, 1989, and after that date is ineffective.

Approved April 24, 1987
Filed April 27, 1987

CHAPTER 53

SENATE BILL NO. 2017
(Committee on Appropriations)

ATMOSPHERIC RESOURCE BOARD

AN ACT making an appropriation for defraying the expenses of the atmospheric resource board of the state of North Dakota; to provide for changing the name of the North Dakota weather modification board to the North Dakota atmospheric resource board; and to amend and reenact subsection 3 of section 61-04.1-24, sections 61-04.1-26 and 61-04.1-32 of the North Dakota Century Code, relating to mill levies for weather modification.

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 other income, to the atmospheric resource board of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$ 299,799
Operating expenses	1,343,433
Equipment	11,872
Data processing	23,000
Research - weather modification	1,050,000
Total all funds	<u>\$2,728,104</u>
Less estimated income	<u>2,194,464</u>
Total general fund appropriation	\$ 533,640

SECTION 2. APPROPRIATION. There is hereby appropriated \$2,000,000, or so much thereof as may be necessary, from additional special funds derived from federal funds and other income during the biennium beginning July 1, 1987, and ending June 30, 1989, to the atmospheric resource board of the state of North Dakota.

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 any specific appropriation for any item should be held by the 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. ATMOSPHERIC RESOURCE BOARD. The North Dakota legislative council is hereby authorized to delete, where appropriate, "weather modification board" wherever it appears in the North Dakota Century Code or in the supplements thereto and to insert in lieu of each deletion "atmospheric resource board". Such changes are to be made when any volume or supplement of the North Dakota Century Code is being reprinted. It is the intent of the legislative assembly that the atmospheric resource board shall be substituted for, shall take any action previously to be taken by, and shall perform any duties previously to be performed by the weather modification board.

SECTION 5. AMENDMENT. Subsection 3 of section 61-04.1-24 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. The following paragraph: We, the undersigned qualified electors of the (name of county), state of North Dakota, are notified hereby that the creation of the (name of county) weather modification authority and the appointment of its commissioners by the (name of county) board of county commissioners will grant unto the authority by law the power to certify to the board of county commissioners a mill levy tax not to exceed ~~four~~ seven mills upon the taxable valuation of property in said county for a weather modification fund, which tax may be levied in excess of the mill levy limit fixed by law for taxes for general county purposes and that such fund shall be used for weather modification activities in conjunction with the state of North Dakota. We, the undersigned, understand that the authority requested in this petition expires ten years after the creation of the weather modification authority, except that the board of county commissioners may by resolution create a weather modification authority and all its powers, including the power to certify a tax levy as provided by North Dakota Century Code section 61-04.1-26, for five-year periods in accordance with North Dakota Century Code section 61-04.1-27.

SECTION 6. AMENDMENT. Section 61-04.1-26 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-04.1-26. Tax may be certified by weather modification authority. The weather modification authority may certify annually to the board of county commissioners a tax of not to exceed ~~four~~ seven mills upon the taxable valuation of the property in the county for a "weather modification" fund. The tax shall be levied by the board of county

commissioners and may be levied in excess of the mill levy limit fixed by law for taxes for general county purposes. The weather modification fund shall be used only for weather modification activities in conjunction with the state of North Dakota. The tax certified by the weather modification authority is limited to the period of existence of the weather modification authority as provided for in this chapter.

SECTION 7. AMENDMENT. Section 61-04.1-32 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-04.1-32. County budget may be waived for first appropriation - Conditions. The provisions of chapter 11-23 shall not apply to appropriations made under the provisions of this chapter. However, immediately after a weather modification authority has been created by resolution of the board of county commissioners, and after certification of a mill levy by the weather modification authority, and only for the initial or first appropriation for the authority, the county commissioners may, at their discretion, appropriate from moneys, not otherwise appropriated, in the general fund, such moneys as are necessary for carrying out the provisions of this chapter. However, the appropriation shall not exceed an amount equal to what funds would be raised by a ~~four-mill~~ seven-mill levy upon the taxable valuation of the property in the county.

Approved April 15, 1987
Filed April 15, 1987

CHAPTER 54

SENATE BILL NO. 2018
(Committee on Appropriations)

MISCELLANEOUS REFUNDS AND COMMISSIONS

AN ACT making an appropriation for defraying expenses of various commissions, departments, and divisions 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 the purpose of defraying the expenses for the biennium beginning July 1, 1987, and ending June 30, 1989, as follows:

Subdivision 1.

EMERGENCY COMMISSION

State contingencies	\$ 700,000
Total general fund appropriation	<u>\$ 700,000</u>

Subdivision 2.

UNEMPLOYMENT INSURANCE

Grants, benefits, and claims	\$2,000,000
Total special funds appropriation	<u>\$2,000,000</u>

Subdivision 3.

CAPITOL GROUNDS PLANNING COMMISSION

Operating expenses	\$ 73,000
Total capitol building fund appropriation	<u>\$ 73,000</u>

Subdivision 4.

YELLOWSTONE - MISSOURI - FORT UNION COMMISSION

Operating expenses	\$ 9,500
Total general fund appropriation	<u>\$ 9,500</u>

Subdivision 5.

STATE FIREMEN'S ASSOCIATION

Grants, benefits, and claims	\$ 49,500
Total appropriation from the state fire and tornado fund	<u>\$ 49,500</u>

Subdivision 6.

MISCELLANEOUS REFUNDS

Grants, benefits, and claims	\$ 195,250
Total general fund appropriation	<u>\$ 195,250</u>
Grand total general fund appropriation S.B. 2018	\$ 904,750
Grand total special funds appropriation S.B. 2018	\$2,122,500
Grand total all funds appropriation S.B. 2018	<u>\$3,027,250</u>

SECTION 2. EXEMPTION. The funds herein appropriated for subdivisions 3 and 4 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 any specific appropriation for any item should be held by the 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. DISASTER EXPENSES. The funds appropriated in subdivision 1 of section 1 of this Act shall also be available to defray the costs of state agencies and institutions which arise as a result of natural disasters and to match federal disaster relief funds.

Approved April 14, 1987
Filed April 15, 1987

CHAPTER 55

SENATE BILL NO. 2019
(Committee on Appropriations)

INSURANCE PREMIUM TAX DISTRIBUTION

AN ACT making an appropriation for insurance premium tax payments distribution to fire departments.

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 state fire and tornado fund in the state treasury, not otherwise appropriated, the sum of \$5,200,000, or so much thereof as may be necessary, to the commissioner of insurance for the purpose of making payments of insurance premiums to fire departments, for the biennium beginning July 1, 1987, and ending June 30, 1989.

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 any specific appropriation for any item should be held by the 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 4, 1987
Filed April 6, 1987

CHAPTER 56

SENATE BILL NO. 2020
(Committee on Appropriations)

HOMESTEAD TAX CREDIT

AN ACT making an appropriation for the homestead tax credit.

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, 1987, and ending June 30, 1989, as follows:

Grants, benefits, and claims	<u>\$4,250,000</u>
Total general fund appropriation	<u>\$4,250,000</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 any specific appropriation for any item should be held by the 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 1, 1987
Filed April 2, 1987

CHAPTER 57

SENATE BILL NO. 2023
(Committee on Appropriations)

CENTENNIAL COMMISSION

AN ACT making an appropriation for defraying the expenses of the centennial commission of the state of North Dakota; and to declare 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 \$292,500, or so much thereof as may be necessary, to the centennial commission for the period beginning with the effective date of this Act and ending June 30, 1989.

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 any specific appropriation for any item should be held by the 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. EMERGENCY. This Act is declared to be an emergency measure and is in effect upon its filing with the secretary of state or on a date specified in this Act.

Approved April 9, 1987
Filed April 9, 1987

CHAPTER 58

SENATE BILL NO. 2024
(Committee on Appropriations)

INSURANCE COMMISSIONER

AN ACT making an appropriation for defraying the expenses of the various divisions under the supervision of the commissioner of insurance of the state of North Dakota; to create and enact three new sections to chapter 26.1-01 and a new subsection to section 26.1-01-07 of the North Dakota Century Code, relating to the establishment of an insurance regulatory trust fund; to amend and reenact subsections 2 and 11 of section 26.1-01-07 and section 26.1-03-20 of the North Dakota Century Code, relating to fees charged by the commissioner of insurance; and to provide for transfers from the unsatisfied judgment and state bonding funds.

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 other income, to the various divisions 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, 1987, and ending June 30, 1989, as follows:

Subdivision 1.		
	INSURANCE COMMISSIONER	
Salaries and wages		\$1,459,053
Operating expenses		387,884
Data processing		3,673
Equipment		13,138
Total appropriation from the insurance regulatory trust fund		<u>\$1,863,748</u>
Subdivision 2.		
	BONDING FUND	
Salaries and wages		\$ 32,832
Operating expenses		9,634
Data processing		1,792

Equipment	7,000
Total appropriation from state bonding fund	\$ 51,258

Subdivision 3.

FIRE AND TORNADO FUND

Salaries and wages	\$ 184,849
Operating expenses	52,623
Data processing	9,500
Equipment	17,786
Total appropriation from state fire and tornado fund	\$ 264,758

Grand total special funds appropriation S.B. 2024 \$2,279,764

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 any specific appropriation for any item should be held by the 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 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. APPROPRIATION - TRANSFER. The amount of \$750,000, or so much thereof as is necessary, included in the total amount appropriated in subdivision 1 of section 1 of this Act, is hereby appropriated and shall be transferred from the state bonding fund to the insurance commissioner for the purpose of defraying the expenses of the insurance commissioner for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 5. APPROPRIATION - TRANSFER. The amount of \$52,455, or so much thereof as is necessary, included in the total amount appropriated in subdivision 1 of section 1 of this Act, is hereby appropriated and shall be transferred from the unsatisfied judgment fund to the insurance commissioner for the purpose of defraying the expenses of the insurance commissioner for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 6. A new section to chapter 26.1-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

Insurance regulatory trust fund established.

1. There is hereby created a trust fund designated "insurance regulatory trust fund". The following amounts must be deposited in the insurance regulatory trust fund:

- a. All sums received under section 26.1-01-07.
 - b. All sums received under section 7 of this Act from the insurance regulatory trust fund investments.
 - c. All retaliatory fees imposed upon persons by the insurance department as authorized by law.
 - d. Any other amounts provided by legislative appropriation.
2. The moneys so received and deposited in the insurance regulatory trust fund are reserved for use by the department of insurance to defray the expenses of the department in the discharge of its administrative and regulatory powers and duties as prescribed by law subject to the applicable laws relating to the appropriations of state funds and to the deposit and expenditure of state moneys. The department of insurance is responsible for the proper expenditure of these moneys as provided by law.
 3. Any cash balance in the insurance regulatory trust fund after all current biennium expenditures are met must be carried forward in the insurance regulatory trust fund for the next succeeding biennium, except when the balance at the end of the biennium exceeds two million dollars, any excess will be transferred to the general fund in the state treasury.

SECTION 7. A new section to chapter 26.1-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

Insurance regulatory trust fund investment.

1. It is the responsibility of the department of insurance, charged with the administration of the insurance regulatory trust fund, to make such moneys available for investment as fully as is consistent with the cash requirements of the fund and to authorize investment of such moneys by the state investment board.
2. The department of insurance shall monthly notify the state investment board of the amount available for investment, and the moneys must be invested by the investing authority according to the laws relating to state investments. Such notification must include the name and number of the fund for which the investments are to be made and the life of the investment if the principal sum is to be required for meeting obligations.
3. All earnings derived from such investments must be paid into the insurance regulatory trust fund.

SECTION 8. A new section to chapter 26.1-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

Cash flow financing. In order to effectively meet the cyclical cash flow needs of the insurance regulatory trust fund, the office of management and budget upon approval of the emergency commission is hereby authorized to issue certificates in anticipation of revenue, notes, or bonds, to funds on deposit in the state treasury. Any issue of such certificates, notes, or bonds, must be approved by the emergency commission and are to be used for cash flow financing only, and not to offset projected deficits in the insurance regulatory trust fund. The terms of any specific issue of such certificates, notes, or bonds may not exceed one hundred eighty days from the date of issuance whereupon the principal and interest on the certificates, notes, or bonds must be paid in full from the insurance regulatory trust fund or from another issue of a similar nature. All principal and interest on such issues made during a biennial period must be repaid in full at the close of the biennial period from the insurance regulatory trust fund. When certificates, notes, or bonds are issued for cash flow purposes to funds which otherwise would be invested, with the investment income accruing to the fund, the certificate shall bear an investment rate of return which must be agreed upon by the state investment board, and must be at a level commensurate with the yield to be reasonably expected by such fund if invested in alternate securities.

SECTION 9. A new subsection to section 26.1-01-07 of the North Dakota Century Code is hereby created and enacted to read as follows:

For each company application for admission, five hundred dollars, except applications for admission for county mutual, fraternal benefit, and surplus lines companies must be one hundred dollars.

SECTION 10. AMENDMENT. Subsections 2 and 11 of section 26.1-01-07 of the 1985 Supplement to the North Dakota Century Code are hereby amended and reenacted to read as follows:

2. For each original certificate of authority issued upon admittance, fifty one hundred dollars and for renewal of certificate of authority, amendment to certificate of authority, or certified copy thereof, twenty-five fifty dollars.
11. For an official examination, the actual expense and per diem incurred, but the per diem charge may not exceed thirty-five dollars the expenses of the examination at the rate adopted by the department. The rates must be reasonably related to the direct and indirect costs of the examination, including but not limited to actual travel expenses, including hotel and other living expenses,

compensation of the examiner and other persons making the examination, and necessary attendant administrative costs of the department directly related to the examination and must be paid by the examined insurer together with compensation upon presentation by the department to the insurer of a detailed account of the charges and expenses after a detailed statement has been filed by the examiner and approved by the department.

SECTION 11. AMENDMENT. Section 26.1-03-20 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

26.1-03-20. Examinations - By whom conducted - Compensation to be paid into state treasury. Qualified regular employees of the commissioner shall conduct all examinations of an insurance company required or permitted by law to be conducted by the commissioner, whether or not the examinations are convention examinations called in accordance with rules promulgated by the national association of insurance commissioners. Their compensation is to be paid out of the appropriation for the commissioner's office. Any sums paid to the employees or to the commissioner by the company examined, as an examination fee or otherwise, is state money, and forthwith shall be paid into the state treasury insurance regulatory trust fund. Any sums paid to the employee or the commissioner as expense money for the examiner may be paid directly to the employee, and no employee may charge or collect from the state any expenses incurred in connection with any examination for or during which expenses or any part thereof have been paid by any other person, firm, or corporation.

SECTION 12. APPROPRIATION. There is hereby appropriated out of any moneys in the insurance regulatory trust fund in the state treasury, not otherwise appropriated, the sum of \$100,000 or so much thereof as may be necessary to pay interest costs on any moneys borrowed under the provisions of section 8 of this Act. This appropriation authority shall expire on June 30, 1989.

Approved April 13, 1987
Filed April 14, 1987

CHAPTER 59

SENATE BILL NO. 2025
(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 from special funds derived from federal funds and 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, 1987, and ending June 30, 1989, as follows:

Subdivision 1.

EDIBLE BEAN COUNCIL

Operating expenses	\$ 400,000
Total appropriation from edible bean fund	<u>\$ 400,000</u>

Subdivision 2.

SUNFLOWER COUNCIL

Salaries and wages	\$ 37,445
Operating expenses	705,555
Equipment	<u>7,000</u>
Total appropriation from sunflower fund	<u>\$ 750,000</u>

Subdivision 3.

HONEY PROMOTION FUND

Operating expenses	\$ 36,000
Total appropriation from honey promotion fund	<u>\$ 36,000</u>

Subdivision 4.

STATE POTATO COUNCIL

Operating expenses	\$ 850,000
Total appropriation from spud fund	<u>\$ 850,000</u>

Subdivision 5.

TURKEY FUND

Operating expenses	\$ 34,000
Total appropriation from turkey promotion fund	\$ 34,000

Subdivision 6.

STATE WHEAT COMMISSION

Salaries and wages	\$ 542,023
Operating expenses	2,402,204
Data processing	6,000
Equipment	20,000
Total appropriation from wheat promotion fund	\$2,970,227

Subdivision 7.

AGRICULTURAL PRODUCTS UTILIZATION COMMISSION

Salaries and wages	\$ 116,058
Operating expenses	65,805
Grants, benefits, and claims	326,930
Total appropriation from agriculturally derived fuel tax fund	\$ 508,793
Grand total special funds appropriation S.B. 2025	\$5,549,020

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 any specific appropriation for any item should be held by the 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 3. APPROPRIATION. There is hereby appropriated in addition to the appropriations provided in section 1 of this Act, all funds as may be on deposit in the various special funds for which appropriations are made in section 1 for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 4. CONTINUING APPROPRIATION - HONEY PROMOTION FUND. The moneys received by the honey promotion fund from sales of the honey cookbooks are hereby appropriated for cookbook publication expenses for the biennium beginning July 1, 1987, and ending June 30, 1989.

Approved April 4, 1987
 Filed April 6, 1987

CHAPTER 60

SENATE BILL NO. 2026 (Committee on Appropriations)

STATE SEED DEPARTMENT

AN ACT making an appropriation for defraying the expenses of the state seed 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 from special funds derived from income, to the state seed 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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$1,986,673
Operating expenses	626,271
Equipment	18,859
Capital improvements	5,070
Grants	60,000
Contingency	85,798
Total appropriation from seed department fund	<u>\$2,782,671</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 any specific appropriation for any item should be held by the 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 26, 1987
Filed March 30, 1987

CHAPTER 61

SENATE BILL NO. 2027
(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.

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 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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$ 6,743,017
Operating expenses	4,174,654
Data processing	294,150
Equipment	631,062
Capital improvements	2,231,012
Grants, benefits, and claims	1,598,300
Deer depredation	1,000,000
Noxious weed control	144,595
Wildlife habitat	600,000
In lieu of taxes	350,000
Total special funds appropriation	<u>\$17,826,790</u>

The sum of \$60,000, or so much thereof as may be necessary, from gifts and donations from private sources received by the game and fish department is hereby appropriated for the purpose designated in the gift, grant, or donation.

SECTION 2. HABITAT RESTORATION - TRANSFER. The amount of \$600,000, or such lesser amount as may be available, for the line item entitled wildlife habitat in section 1 of this Act shall be transferred from the habitat restoration fund from the collection of the habitat restoration stamp fee, to the game and fish department to lease privately owned lands for wildlife habitat to reestablish

wildlife population for the biennium beginning July 1, 1987, and ending June 30, 1989. These funds shall be spent only for the purposes and utilizing guidelines as outlined in section 20.1-03-12.1.

SECTION 3. PRIVATE HABITAT AND DEER DEPREDAATION - TRANSFER.

The amount of \$1,000,000, or such lesser amount as may be available, for the line item entitled deer depredation in section 1 of this Act, shall be transferred from the private land habitat improvement fund, to the game and fish department, to improve wildlife habitat on private land and alleviate depredation as provided in section 20.1-02-05 for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 4. APPROPRIATION - NONGAME WILDLIFE. There is hereby appropriated out of any moneys in the nongame wildlife fund in the state treasury, not otherwise appropriated, the sum of \$25,000, and from federal funds the sum of \$25,000, or so much thereof as may be necessary, to the game and fish department for the biennium beginning July 1, 1987, and ending June 30, 1989, for the purposes of preservation, inventory, perpetuation, and conservation of nongame wildlife, natural areas, and nature preserves in this state.

SECTION 5. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 6. APPROPRIATIONS. 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.

Approved April 10, 1987
Filed April 14, 1987

CHAPTER 62

SENATE BILL NO. 2028
(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 and providing for a transfer from the snowmobile fund and the trail tax transfer fund.

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 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, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$2,848,903
Operating expenses	1,692,550
Data processing	200
Equipment	293,682
Capital improvements	502,281
State games	75,000
Grants, benefits, and claims	<u>1,880,641</u>
Total all funds	<u>\$7,293,257</u>
Less estimated income	<u>3,085,524</u>
Total general fund transfer and appropriation	\$4,207,733

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 any specific appropriation for any item should be held by the 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. CAPITAL IMPROVEMENTS AND GRANTS, BENEFITS, AND CLAIMS. It is intended that the appropriation for capital

improvements be expended at the discretion of the parks and recreation department and that the appropriation for grants, benefits, and claims be expended at the discretion of the parks and recreation department and the state outdoor recreation interagency council.

SECTION 4. APPROPRIATIONS. 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 5. APPROPRIATION - TRANSFER. The amount of \$100,000, or so much thereof as is necessary, included in the estimated income line item, is hereby appropriated and shall be transferred by the office of management and budget from the snowmobile fund to the parks and recreation department for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 6. APPROPRIATION - TRANSFER. The amount of \$45,000, or so much thereof as is necessary, included in the estimated income line item, is hereby appropriated and shall be transferred by the office of management and budget from the trail tax transfer fund to the parks and recreation department for the biennium beginning July 1, 1987, and ending June 30, 1989.

Approved April 13, 1987
Filed April 14, 1987

CHAPTER 63

SENATE BILL NO. 2029
(Committee on Appropriations)

STATE WATER COMMISSION

AN ACT making an appropriation for defraying the expenses of the various divisions of the state water commission of the state of North Dakota; and providing for an appropriation and transfer of funds from the resources trust fund, bond guarantee fund, the water use fund, and the lands and minerals trust fund.

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 other income, to the various divisions of 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, 1987, and ending June 30, 1989, as follows:

Subdivision 1.	STATE WATER COMMISSION	
Salaries and wages		\$ 4,449,187
Operating expenses		1,067,686
Data processing		103,100
Equipment		124,480
Grants		6,989,993
Total all funds		<u>\$12,734,446</u>
Less estimated income		<u>7,102,601</u>
Total general fund appropriation		\$ 5,631,845
Subdivision 2.	SOUTHWEST WATER PIPELINE	
Salaries and wages		\$ 277,372
Operating expenses		1,809,562
Equipment		20,500
Capital improvements		<u>23,748,000</u>
Total special funds appropriation		\$25,855,434

Grand total general fund appropriation S.B. 2029	\$ 5,631,845
Grand total special funds appropriation S.B. 2029	\$35,753,870
Grand total all funds appropriation S.B. 2029	\$41,385,715

SECTION 2. APPROPRIATION - TRANSFER. The amount of \$6,704,165, or so much thereof as is necessary, included in the estimated income line item in subdivision 1 of section 1 of this Act is hereby appropriated and shall be transferred by the office of management and budget from the resources trust fund to the state water commission for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 3. APPROPRIATION - TRANSFER. The amount of \$95,000, or so much thereof as is necessary, included in the estimated income line item in subdivision 1 of section 1 of this Act is hereby appropriated and shall be transferred by the office of management and budget from the state water use fund to the state water commission for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 4. APPROPRIATION - TRANSFER. The amount of \$7,000, or so much thereof as is necessary, included in the estimated income line item in subdivision 1 of section 1 of this Act is hereby appropriated and shall be transferred by the office of management and budget from the state water commission construction bond guarantee fund to the state water commission for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 5. APPROPRIATION - TRANSFER. The amount of \$1,860,057, or so much thereof as is necessary, included in the estimated income line item in subdivision 2 of section 1 of this Act is hereby appropriated and shall be transferred by the office of management and budget from the land and minerals trust fund to the southwest water pipeline under the supervision of the state water commission for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 6. GRANTS. Section 54-44.1-11 of the North Dakota Century Code shall not apply to appropriations made for grants in this Act. However, this exclusion shall only be in effect for the two-year period after June 30, 1989. Any unexpended funds after that period has elapsed shall be transferred to the resources trust fund.

SECTION 7. RESOURCES TRUST FUND APPROPRIATION - ADJUSTMENT. In the event the resources trust fund contains moneys in excess of the \$6,704,165 in section 2 of this Act, any excess, up to \$2,795,835, or so much thereof as is necessary, is hereby appropriated and shall be transferred by the office of management and budget from the resources trust fund to the state water commission for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 8. ALLOCATION OF GRANT FUNDS. The funds appropriated in the grants line item in subdivision 1 of section 1 shall be disbursed by the commission in accordance with North Dakota Century Code section 61-02-64.1.

SECTION 9. 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 any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 21, 1987
Filed April 27, 1987

CHAPTER 64

SENATE BILL NO. 2030 (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 from the state highway fund.

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 other income to the economic development commission of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1987, and ending June 30, 1989, as follows:

Salaries and wages	\$1,795,684
Operating expenses	2,753,110
Equipment	60,293
Grants	492,000
San Haven redevelopment	52,062
Data processing	17,780
Total all funds	<u>\$5,170,929</u>
Less estimated income	<u>2,738,437</u>
Total general fund appropriation	<u>\$2,432,492</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 any specific appropriation for any item should be held by the 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. TRANSFER. The amount of \$1,801,628 included in the estimated income line item in section 1 of this Act shall be transferred from the state highway fund to the economic development commission operating fund as directed by the office of management and budget during the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 4. 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.

Approved April 24, 1987
Filed April 27, 1987

CHAPTER 65

SENATE BILL NO. 2031
(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, 1987, and ending June 30, 1989, as follows:

Operating expenses	\$ 5,000
Grants	<u>215,000</u>
Total general fund appropriation	\$220,000

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 any specific appropriation for any item should be held by the 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. DISTRIBUTION. The distribution of the grants line item appropriated under section 1 of this Act, during the year ending June 30, 1988, shall not exceed one-half of the total grants line item appropriation provided for in this Act.

Approved April 7, 1987
Filed April 9, 1987

CHAPTER 66

SENATE BILL NO. 2121
(Committee on State and Federal Government)
(At the request of the Director of Institutions)

INDUSTRIAL SCHOOL SHOP FUND

AN ACT to create a vocational shop revolving fund at the state industrial school; and to provide an appropriation.

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

SECTION 1. State industrial school vocational shop revolving fund. There must be maintained in the Bank of North Dakota by the state industrial school a vocational shop revolving fund to purchase required parts and supplies for student vocational training projects. The amounts taken from the fund must be paid back to the fund from collections made on these projects. The provisions of section 54-27-10 do not apply to this fund and no part of the fund reverts at the expiration of any biennium.

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 \$1,500, or so much thereof as may be necessary, to the state industrial school for the purpose of establishment of a vocational shop revolving fund as provided in this Act for the biennium beginning July 1, 1987, and ending June 30, 1989.

Approved March 12, 1987
Filed March 16, 1987

CHAPTER 67

SENATE BILL NO. 2283
 (Senators Waldera, Satrom, Thane)
 (Representatives Kelly, Wentz, Haugland)

CONSTITUTIONAL CELEBRATION COMMITTEE

AN ACT making an appropriation to pay for the expenses of the constitutional celebration committee.

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, from special funds derived from federal funds or other income, to the North Dakota supreme court for the purpose of defraying the expenses of the constitutional celebration committee for the celebration of the bicentennial of the United States Constitution and the centennial of the North Dakota Constitution for the biennium beginning July 1, 1987, and ending June 30, 1989, as follows:

Operating expenses	\$ 70,000
Equipment	5,000
Grants, benefits, and claims	25,000
Total all funds	<u>\$ 100,000</u>
Less estimated income	<u>50,000</u>
Total general fund appropriation	<u>\$ 50,000</u>

Approved March 20, 1987
 Filed March 23, 1987

CHAPTER 68

**SENATE BILL NO. 2296
(Heigaard)**

APPROPRIATION AUTHORITY REDUCTIONS

AN ACT to provide for certain reductions in general fund appropriation authority; to provide for a reduction in insurance tax to fire districts appropriation authority; to provide for a transfer of fire and tornado funds; to provide for a transfer of coal development impact funds; to provide for a contingent appropriation to the department of human services; to provide an effective date; and to declare an emergency.

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

SECTION 1. IMPLEMENTATION - INTENT. The appropriation authority reductions and transfers contained herein are to be in addition to those contained in Senate Bill No. 2904, as approved by the fiftieth legislative assembly, and in addition to the adjustments in appropriation authority made by the governor through the allotment process.

SECTION 2. The sums hereinafter listed shall reduce the general fund appropriation authority enacted by the forty-ninth legislative assembly of the state of North Dakota after consideration of the adjustments described in section 1 of this Act for the various agencies and institutions named herein for the period beginning January 1, 1987, and ending June 30, 1987:

AGENCY OR INSTITUTION	GENERAL FUND REDUCTION
Personal property tax replacement	\$ 325,000
State revenue sharing	325,000
Legislative council	146,000
Legislative assembly	204,000
District courts	200,000
Department of public instruction	1,250,000
Educational broadcasting council	2,000
Indian affairs commission	5,000
Department of human services	1,000,000
Protection and advocacy	25,000
Securities commission	40,250

Crime victims reparation	50,000
Parole office	5,000
Highway patrol	150,000
Radio communications	5,000
Predatory animal control	25,000
Historical society	30,000
Total general fund reductions	\$4,537,250

The director of each agency or institution listed herein shall inform the director of the office of management and budget as to the resulting line item reduction for accounting purposes.

SECTION 3. The appropriation authority enacted by the forty-ninth legislative assembly of the state of North Dakota from the fire and tornado fund, after consideration of the adjustments described in section 1, is hereby reduced by the sum of \$250,000 to the insurance tax to fire districts budget for the period beginning January 1, 1987, and ending June 30, 1987.

SECTION 4. APPROPRIATION - TRANSFER TO GENERAL FUND. There is hereby appropriated \$250,000 from the fire and tornado fund to the general fund in the state treasury for the period beginning January 1, 1987, and ending June 30, 1987. The office of management and budget shall make such transfers when it determines it is appropriate.

SECTION 5. APPROPRIATION - TRANSFER TO GENERAL FUND. There is hereby appropriated \$250,000 from the coal development impact fund to the general fund in the state treasury for the period beginning January 1, 1987, and ending June 30, 1987. The office of management and budget shall make such transfers when it determines it is appropriate.

SECTION 6. APPROPRIATION REDUCTION - INSTITUTIONS UNDER THE CONTROL OF THE BOARD OF HIGHER EDUCATION. The state board of higher education shall reduce the appropriations of the board of higher education and institutions under the board's control, including the agricultural experiment stations and extension division, by \$750,000 for the period beginning January 1, 1987, and ending June 30, 1987.

SECTION 7. CONTINGENT APPROPRIATION - RECEIPT OF OTHER REVENUE - DEPARTMENT OF HUMAN SERVICES. There is hereby appropriated to the department of human services \$2,000,000, or so much as may become available from additional child support collected, for the period beginning January 1, 1987, and ending June 30, 1987.

SECTION 8. EFFECTIVE DATE. This Act is retroactively effective on January 1, 1987.

SECTION 9. EMERGENCY. This Act is declared to be an emergency measure and is in effect upon its filing with the secretary of state or on a date specified in this Act.

Approved February 10, 1987
 Filed February 10, 1987

CHAPTER 69

SENATE BILL NO. 2354
(Senators Olson, Reiten)
(Representatives Koland, Kloubec, Strinden)

FEDERAL ADVANCE INTEREST REPAYMENT FUND

AN ACT to require job service North Dakota to conditionally direct the state treasurer to transfer moneys from the federal advance interest repayment fund to the general fund; or, in the alternative, if Senate Bill No. 2127 is approved by the fiftieth legislative assembly, to require job service North Dakota to unconditionally direct the state treasurer to transfer moneys from the federal advance interest repayment fund to the general fund.

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

SECTION 1. CONDITIONAL TRANSFER TO GENERAL FUND. If Senate Bill No. 2127 is not approved by the fiftieth legislative assembly, then job service North Dakota shall direct the state treasurer to transfer from the federal advance interest repayment fund to the general fund in the state treasury the sum of \$136,249.90, or so much thereof as may be available during the biennium beginning July 1, 1987, and ending June 30, 1989, after sufficient collections have accrued to the federal advance interest repayment fund for payment of all known interest charges on federal advances to the state unemployment trust fund. The purpose of the transfer is to restore to the general fund those moneys transferred during the biennium beginning July 1, 1985, and ending June 30, 1987, from the state contingency fund to the federal advance interest repayment fund for payment of interest charges on federal advances to the state unemployment trust fund.

SECTION 2. UNCONDITIONAL TRANSFER TO GENERAL FUND. If Senate Bill No. 2127 is approved by the fiftieth legislative assembly, then job service North Dakota shall direct the state treasurer during the biennium beginning July 1, 1987, and ending June 30, 1989, to transfer from the federal advance interest repayment fund to the general fund in the state treasury the sum of \$136,249.90, for the purpose of restoring to the general fund those moneys transferred during the biennium beginning July 1, 1985, and ending June 30, 1987, from the state contingency fund to the federal advance interest repayment fund for payment of interest charges on federal advances to the state unemployment trust fund.

Approved April 1, 1987
Filed April 2, 1987

CHAPTER 70

SENATE BILL NO. 2523
(Committee on Appropriations)
(Tallackson)

ELECTED OFFICIALS

AN ACT making an appropriation for defraying the expenses of various elected officials of the state of North Dakota; to provide for transfers; to create and enact a new section to chapter 18-01 of the North Dakota Century Code, relating to fire safety inspections performed by the fire marshal at the request of the department of human services; and to amend and reenact sections 49-05-05, 49-18-32, 49-18-41.1, 60-02-07, and 64-02-10 of the North Dakota Century Code, and section 51-05.1-01.1 of the North Dakota Century Code as created by section 3 of House Bill No. 1223, as approved by the fiftieth legislative assembly, relating to fees charged by the public service commission; and to declare 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 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, 1987, and ending June 30, 1989, as follows:

Subdivision 1.

	GOVERNOR'S OFFICE	
Salaries and wages		\$ 950,749
Operating expenses		310,253
Equipment		2,400
Governor's office contingency		5,720
Presidential electors expense		800
Roughrider awards		4,800
Total general fund appropriation		<u>\$ 1,274,722</u>

Subdivision 2.

LIEUTENANT GOVERNOR

Salaries and wages	\$ 161,653
Operating expenses	11,878
Equipment	1,000
Lieutenant governor contingency	6,893
Total general fund appropriation	<u>\$ 181,424</u>

Subdivision 3.

SECRETARY OF STATE

Salaries and wages	\$ 1,128,825
Operating expenses	317,133
Equipment	34,311
Data processing	379,114
Petition review	4,800
Total all funds	<u>\$ 1,864,183</u>
Less estimated income	717,308
Total general fund appropriation	<u>\$ 1,146,875</u>

Subdivision 4.

SECRETARY OF STATE - PUBLIC PRINTING

Operating expenses	\$ 287,403
Total general fund appropriation	<u>\$ 287,403</u>

Subdivision 5.

ATTORNEY GENERAL

Salaries and wages	\$ 7,109,959
Operating expenses	1,508,109
Data processing	324,529
Controlled substances board	4,000
Equipment	127,506
Arrest and return of fugitives	14,560
Grants	830,120
ARC legal fees	45,000
Litigation fees	100,000
Total all funds	<u>\$10,063,783</u>
Less estimated income	3,531,342
Total general fund appropriation	<u>\$ 6,532,441</u>

Subdivision 6.

STATE AUDITOR

Salaries and wages	\$ 3,150,141
Operating expenses	416,505
Data processing	27,000
Equipment	29,000
Total all funds	<u>\$ 3,622,646</u>
Less estimated income	361,016
Total general fund appropriation	<u>\$ 3,261,630</u>

Subdivision 7.

STATE TREASURER

Salaries and wages	\$ 499,525
Operating expenses	67,393
Data processing	24,983
Equipment	2,825
Total general fund appropriation	<u>\$ 594,726</u>

Subdivision 8.

	STATE TAX COMMISSIONER	
Salaries and wages		\$ 8,328,723
Operating expenses		1,901,395
Data processing		1,223,977
Equipment		<u>44,095</u>
Total general fund appropriation		<u>\$11,498,190</u>

Subdivision 9.

	LABOR COMMISSIONER	
Salaries and wages		\$ 463,929
Operating expenses		82,425
Equipment		<u>3,665</u>
Total all funds		\$ 550,019
Less estimated income		<u>85,250</u>
Total general fund appropriation		\$ 464,769

Subdivision 10.

	PUBLIC SERVICE COMMISSION	
Salaries and wages		\$ 3,917,249
Operating expenses		3,973,391
Data processing		405,960
Gas price intervention		50,000
Equipment		<u>143,530</u>
Total all funds		\$ 8,490,130
Less estimated income		<u>4,503,775</u>
Total general fund appropriation		\$ 3,986,355

Subdivision 11.

	AGRICULTURE COMMISSIONER	
Salaries and wages		\$ 1,791,368
Operating expenses		1,323,543
Equipment		15,000
Grants		50,000
Data processing		51,820
Agriculture in the classroom		25,000
Waterbank program		10,000
Pride of Dakota		70,000
Farm credit counseling		<u>1,100,000</u>
Total all funds		\$ 4,436,731
Less estimated income		<u>1,461,958</u>
Total general fund appropriation		\$ 2,974,773
Grand total general fund appropriation S.B. 2523		\$32,253,308
Grand total special funds appropriation S.B. 2523		\$11,471,649
Grand total all funds S.B. 2523		\$43,724,957

SECTION 2. 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 3. APPROPRIATION. There is hereby appropriated, upon the approval of the emergency commission, from special funds derived from federal funds and other income, the sum of \$200,000 or so much thereof as may become available during the biennium beginning July 1, 1987, and ending June 30, 1989, to the public service commission of the state of North Dakota, for the purpose of increasing the level of the abandoned mine lands program, and for the purpose of increasing the hydrology monitoring and water sampling and analysis pass-through funds to the United States geological survey.

SECTION 4. APPROPRIATION - AGRICULTURE COMMISSIONER. There is hereby appropriated, upon the approval of the emergency commission, from special funds derived from federal funds and other income, the sum of \$200,000 or so much thereof as may become available during the biennium beginning July 1, 1987, and ending June 30, 1989, to the commissioner of agriculture for the state waterbank program.

SECTION 5. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 6. EXEMPTION. The funds herein appropriated for subdivisions 2 and 4 of 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 7. APPROPRIATION - AUTHORIZATION - GOVERNOR'S OFFICE. The governor's office is hereby authorized to receive and expend any federal or private funds which are hereby appropriated that become available during the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 8. APPROPRIATION - TRANSFER - ATTORNEY GENERAL. There is hereby authorized, as included in the appropriation for the attorney general in subdivision 5 of section 1 of this Act, a transfer of \$475,742, or so much thereof as may be necessary, from the state fire and tornado fund for the purpose of defraying the expenses related to the state fire marshal program including the hazardous material control officer. Such funds shall be transferred by the office of management and budget only at such times as the moneys are required for disbursement by the attorney general.

SECTION 9. INCOME AUTHORIZATION - TAX COMMISSIONER. Notwithstanding section 57-01-02.1 or any other provision to the contrary, income of up to \$400,000 received from administrative fees generated through tax collection agreements with counties or other political subdivisions initiating taxes during the biennium ending

June 30, 1989, will be deposited in the tax commissioner's operating fund. All fees collected over \$400,000 will be deposited in the general fund. Funds under this section are hereby appropriated for purposes of this section.

SECTION 10. TRANSFER. There is hereby transferred to the general fund in the state treasury, out of motor vehicle fuel taxes revenue, collected pursuant to section 57-43.1-02 of the North Dakota Century Code, the sum of \$835,300 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.

SECTION 11. TRANSFER. The amount of \$1,100,000, or so much thereof as may be necessary, included in the estimated income line item in subdivision 11 of this Act, is hereby appropriated and shall be transferred to the department of agriculture from the home-quarter fund in quarterly installments of \$100,000, or so much thereof as is determined by the commissioner of agriculture to be necessary for the purpose of providing farm credit counseling and negotiation services for the biennium beginning July 1, 1987, and ending June 30, 1989. Transfers in excess of \$100,000 per quarter, not to exceed the total of \$1,100,000, may be authorized by the credit review board.

SECTION 12. A new section to chapter 18-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

Inspections - Department of human services. The fire marshal and the fire marshal's deputies may perform fire safety inspections of those facilities required to be inspected under administrative rules of the department of human services. The fire marshal shall charge a fee not to exceed fifty dollars for conducting these fire safety inspections in an amount determined by administrative rules adopted by the fire marshal. Inspection fees received by the fire marshal must be deposited into the attorney general's operating fund.

SECTION 13. AMENDMENT. Section 49-05-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-05-05. Changes in tariff rates - Notice to commission - Filing fee. No change shall be made by any public utility in any tariffs, rates, joint rates, fares, tolls, schedules, classifications, or service which have been filed and published by any public utility, except after thirty days' notice to the commission. ~~Such~~ The notice shall state plainly the changes proposed and except for services must be accompanied by a fifty dollar filing fee. The commission for a good cause shown, may allow changes upon less than the notice herein specified, either in particular instances or by a general order applicable to special or peculiar circumstances or conditions.

SECTION 14. AMENDMENT. Section 49-18-32 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-18-32. Fees - Common or contract motor carrier. Every common motor carrier and every contract carrier of property or passengers now operating, or which hereafter shall operate, as such common or contract carrier in this state, at the time of making application for a certificate of public convenience and necessity or permit, and annually thereafter, on or before April fifteenth of each calendar year, shall pay a fee of not less than ~~fifteen~~ eighty-five dollars nor more than ~~one~~ two hundred fifty dollars, to be fixed by the commission in each instance. Miscellaneous nonrefundable fees shall be as follows:

- 1. Application for transfer of certificate of public convenience and necessity \$50-~~00~~ 100.00
- 2. Application for the mortgaging of a certificate of public convenience and necessity 10.00
- 3. Application for the issuance of a duplicate certificate of public convenience and necessity 5.00
- 4. Copy of all records of the commission pertaining to auto transportation companies, per one hundred words or portion thereof50

SECTION 15. AMENDMENT. Section 49-18-41.1 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-18-41.1. Interstate carrier registration and identification. The public service commission is authorized to collect such fees a seven dollar per vehicle fee as it may establish provided by rule for the registration and identification of interstate motor carriers operating within this state. ~~Such fees~~ The fee shall not exceed the maximums provided for by the laws of the United States ~~and shall be credited to the general fund pursuant to section 49-18-42.~~

SECTION 16. AMENDMENT. Section 51-05.1-01.1 of the North Dakota Century Code as created by Section 3 of House Bill No. 1223, as approved by the fiftieth legislative assembly, is hereby amended and reenacted to read as follows:

51-05.1-01.1. Auctioneer's license - Clerk's license - Fees - Bonds. Application for an annual auctioneer's or clerk's license must be in writing, verified, and must show the name, residence, and address of the applicant. An application must be filed at least ten days prior to the first auction sale the applicant is to conduct or clerk. Application for renewal of an annual license must be on forms

designated by the commission. The fee for the annual license or renewal is ~~twenty-five~~ thirty-five dollars and must accompany the application. The name and license number must appear on all advertising of sales conducted by an auctioneer or clerk.

When filing an application an auctioneer or clerk must file a corporate surety bond of three thousand dollars for an auctioneer and ten thousand dollars for a clerk with the state of North Dakota as obligee for the benefit of any person injured by the licensee's improper conduct.

SECTION 17. AMENDMENT. Section 60-02-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

60-02-07. Public warehouse license - How obtained - Fee. A license must be obtained through the commission for each public warehouse in operation in this state. No license so issued shall describe more than one public warehouse nor grant permission to operate any public warehouse other than the one described therein. The annual license fee for a public warehouse shall be one hundred thirty dollars for a warehouse of a bushel capacity of two hundred thousand [7047.8 cubic meters] or less, two hundred sixty dollars for a warehouse of a bushel capacity of two hundred thousand and one to and including five hundred thousand [7047.83 to and including 17,619.54 cubic meters], and ~~two three~~ thirty fourty dollars for a warehouse of a bushel capacity of five hundred thousand and one [17,619.57 cubic meters] or more. The fees collected under this section shall be paid into the state treasury and credited to the general fund of the state. If a public warehouseman operates two or more warehouses in the same city or siding, in conjunction with each other and with the same working force, and where but one set of books and records is kept for all such warehouses, and scale tickets, warehouse receipts, checks, and credit-sale contracts of but one series are issued for the grain stored and purchased therein, only one license shall be required for the operation of all such warehouses. Where two or more warehouses are operated under one license, the license fee shall be based upon the combined bushel capacity of said warehouses.

SECTION 18. AMENDMENT. Section 64-02-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

64-02-10. Fee schedule for inspection of weighing and measuring devices. The director or other employee of the department of weights and measures shall charge and collect fees in accordance with the following schedule:

1. For inspecting railroad track scales ~~\$75-00~~ 80.00
2. For inspecting livestock and vehicle scales eight thousand pounds [3628.74 kilograms] capacity and under 35.00

3. For inspecting livestock and vehicle scales over eight thousand pounds [3628.74 kilograms] capacity ~~75-00~~ 80.00

4. For inspecting livestock scales under the jurisdiction of Packers and Stockers Act of the federal department of agriculture ~~75-00~~ 80.00

5. For inspecting livestock scales under the jurisdiction of Packers and Stockers Act of the federal department of agriculture, where in the discretion of the director of weights and measures or his employee, the sales ring or buying station scale owner transports to the scale and furnishes all test weights and manpower needed to properly test the scale 45.00

6. For inspecting auxiliary beam on livestock, motor truck, motor truck dump scales 15.00

7. For inspecting road construction truck scales ~~75-00~~ 80.00

8. For inspection of road construction hopper scales, six thousand and one pounds [2722.01 kilograms] capacity and over 35.00

9. For inspecting overhead track scales, hopper scales, dormant scales, and hanging scales six thousand pounds [2721.55 kilograms] capacity and over 35.00

For inspecting overhead track scales, dormant scales, hanging scales, and hopper scales five thousand nine hundred ninety-nine pounds [2721.10 kilograms] and less capacity, each 20.00

10. For inspecting movable platform scales 6.00

11.	For inspecting all counter and computing scales	5-00	<u>6.00</u>
12.	For inspecting every patent balance, beam steel yard, or other instrument used for weighing other than the above enumerated, each	5-00	<u>6.00</u>
13.	For inspecting any two-bushel [70.48 liter] or one-bushel [35.24 liter] measure	5-00	<u>6.00</u>
14.	For inspecting any other dry measure, each	5-00	<u>6.00</u>
15.	For inspecting any board of cloth measure, each	5-00	<u>6.00</u>
16.	For inspecting any liquid measure or computing pump	5-00	<u>6.00</u>
17.	For each inspection of any liquid measure or computing pump in addition to the regularly scheduled annual inspection, including inspections made for new equipment which replaces a rejected measuring device	5-00	<u>6.00</u>
18.	For inspecting liquid measures of five gallons [18.93 liters] or less capacity, each	5-00	<u>6.00</u>
19.	For inspecting gasoline and fuel oil meters	12-00	<u>15.00</u>
20.	For inspecting gasoline and fuel oil meters on common carrier pipelines, and any other meters used in loading railway cars, transports, or other conveyances	30-00	<u>35.00</u>
21.	For inspecting propane and liquid fertilizer meters	20-00	<u>25.00</u>
22.	For calibrating truck tanks of one thousand gallons [3785.41 liters] capacity and under		30.00

Truck tanks between one thousand and one gallons [3789.10 liters] and six thousand gallons [22,712.47 liters] 40.00

Truck tanks above six thousand gallons [22,712.47 liters] 50.00

23. For inspection of Crane scales six thousand pounds [2721.55 kilograms] and less capacity, each 30.00

For inspection of Crane scales six thousand and one pounds [2722.01 kilograms] capacity and over, each 50.00

Where a rejected weighing and measuring device has been reconditioned or replaced by new equipment, the same must be reinspected and a certificate issued before being put into use, and except as otherwise provided above, the fee charged for such reinspection and certification shall be the same as for the first inspection and certification. When the director or other employee of the department of weights and measures finds any of the instruments or articles used in weighing or measuring to be out of allowable tolerance set by the commission, the director or other employee shall inform the owner or operator that his weighing or measuring equipment is out of tolerance and to instruct him that a competent serviceman is to be called to service the device and bring said device to allowable tolerance.

Whenever a special inspection of any measuring device is required, in addition to the regularly scheduled annual inspection made by the department, a charge of fifty cents per mile [1.61 kilometers] will be made unless the motor vehicle, including the testing equipment necessary to perform such special inspection, weighs less than ten thousand pounds [4535.92 kilograms] gross. If the motor vehicle weighs less than ten thousand pounds [4535.92 kilograms] gross, a charge of twenty-five cents per mile [1.61 kilometers] will be made, and all such mileage charges shall be in addition to the regular inspection fee to cover the costs of the additional travel by the director or employee occasioned by such special inspection. Where a special inspection has been requested and the person requesting such special inspection fails to appear at the arranged hour, or fails to have the weighing or measuring device in readiness for inspection or for repair or maintenance work at the arranged hour, there shall be a charge of thirty dollars an hour for the time interval between the arranged hour and the hour at which the inspection can be commenced.

SECTION 19. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$50,000, 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 with the effective date of this Act and ending June 30, 1989.

SECTION 20. DUTIES OF THE SECRETARY OF STATE.

1. In organizing and preparing the content of the Centennial edition of the North Dakota Blue Book, the secretary of state shall consult with representatives from the North Dakota library community.
2. Printing and binding of the North Dakota Centennial edition of the Blue Book must be let as a special class of printing upon competitive bidding to the lowest bidder.
3. The North Dakota Centennial edition of the Blue Book must include color photograph reproductions where appropriate including one of Representative Haugland, and it may not contain more than six hundred pages and the number to be printed may not exceed four thousand volumes.
4. The secretary of state shall print, furnish, and distribute the North Dakota Blue Book as follows:
 - a. One copy to each member of the legislative assembly.
 - b. Three copies to the state historical society.
 - c. Two copies to the state law library.
 - d. Two copies to each of the college and university libraries in the state.
 - e. Ten copies to the legislative council.
 - f. One copy to each public institution maintained by the state.
 - g. One copy to each elective and appointive state officer.
 - h. One copy to each public library in the state.
 - i. One copy to each county auditor.
 - j. One copy to each public high school and junior high school in the state.
 - k. One copy to each supreme court justice.

1. One copy to each district judge.
5. After making the distribution required by subsection 4, the secretary of state shall provide for the sale of the Blue Book through state agencies and may negotiate with North Dakota licensed private vendors and state agencies to allow for sales at various locations throughout the state. The secretary of state shall establish the price of the Blue Book. All proceeds received by the state must be deposited in the state general fund.

SECTION 21. LEGISLATIVE INTENT CONCERNING REPLICATION OF BLUE BOOK. The fiftieth legislative assembly dedicates this republication of the North Dakota Blue Book in the honor of the North Dakota Centennial to be observed in 1989. The fiftieth legislative assembly wishes to recognize the following:

1. The Centennial is a most appropriate time to recognize the accomplishments of North Dakota citizens by reviewing:
 - a. Events of historic significance in the continuing evolution of the state.
 - b. The relationship of the state to its political subdivisions and to the federal government.
 - c. Functions of the executive, legislative, and judicial branches of state government including the place of past and present leaders.
 - d. The development of counties, cities, townships, and special districts.
 - e. The diversity of the state's social and cultural heritage.
 - f. The basis for the primary components of the state's economy.
 - g. The condition of the state's physical environment.
 - h. Places, emblems, symbols, and awards unique to North Dakota.
2. The Centennial is a most appropriate time to celebrate the pride North Dakotans harbor for their state.
3. The Centennial is a time to reflect on the good and sometimes difficult times that North Dakota citizens have had in the past 100 years.
4. The Centennial is "a people celebration".

SECTION 22. SPECIAL RECOGNITION. The fiftieth legislative assembly hereby directs that this republication of the North Dakota Blue Book give special recognition to the Honorable Brynhild Haugland. Representative Haugland has served in the North Dakota legislative assembly continuously since 1939, in twenty-five consecutive legislative sessions, and is the senior state legislator in the United States.

SECTION 23. ADDITIONAL INCOME - APPROPRIATION - STATE TREASURER. There is hereby appropriated to the state treasurer, upon approval of the emergency commission, for the biennium beginning July 1, 1987, and ending June 30, 1989, the sum of \$11,000, or so much thereof as may be necessary, from funds received from nongeneral fund sources for the purpose of defraying the expenses of participating in organizations benefiting the state of North Dakota.

SECTION 24. EMERGENCY. Sections 19, 20, 21, and 22 of this Act are declared to be emergency measures and are in effect upon their filing with the secretary of state or on a date specified in this Act.

Approved April 24, 1987
Filed April 27, 1987

CHAPTER 71

SENATE BILL NO. 2562
 (Senators Thane, Lips, Satrom)
 (Representatives Hoffner, C. Williams, Martinson)
 (Approved by the Committee on Delayed Bills)

CONTINGENT STATE EMPLOYEE COMPENSATION

AN ACT for a contingent appropriation for additional compensation to North Dakota state employees.

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, subject to the availability of state general fund revenues as provided for in section 2 of this Act, out of the general fund and from special funds or moneys derived from federal funds or income in the state treasury as indicated to the agencies and institutions of state government named for the purpose of providing additional compensation to employees for the various agencies and institutions for the period beginning July 1, 1988, and ending June 30, 1989:

AGENCY OR INSTITUTION	GENERAL FUND	SPECIAL FUND	TOTAL
Governor	\$ 15,364		\$ 15,364
Lieutenant governor	1,070		1,070
Secretary of state	20,950	\$ 5,572	26,522
Office of management and budget	77,523	12,620	90,143
Central data processing		147,024	147,024
State auditor	52,223	12,063	64,286
Central duplicating		18,198	18,198
State treasurer	9,221		9,221
Attorney general	96,090	26,393	122,483
Tax commissioner	180,150		180,150
Director of institutions	80,249		80,249
Motor vehicle department		56,842	56,842
Legislative council	43,901		43,901
Supreme court	55,256		55,256
Judicial qualifications	3,782		3,782
District courts	150,928		150,928
Public employees retirement board		17,218	17,218
Superintendent of public	38,506	60,276	98,782

instruction			
Division of independent study	30,002		30,002
Board of higher education	16,690		16,690
State industrial school	94,075	3,278	97,353
Commissioner of university and school lands		19,459	19,459
Bismarck state college	191,389		191,389
NDCS-Devils Lake	54,165		54,165
UND-Williston	65,998		65,998
University of North Dakota	1,260,943		1,260,943
Medical center		287,649	287,649
rehabilitation hospital			
University of North Dakota medical center	461,792	273,545	735,337
State toxicologist	9,183		9,183
North Dakota state university	1,085,163		1,085,163
North Dakota state college of science	409,911		409,911
SUND-Dickinson	168,740		168,740
SUND-Mayville	107,910		107,910
SUND-Minot	338,081		338,081
SUND-Valley City	153,057		153,057
NDSU-Bottineau	65,016		65,016
North Dakota forest service	20,877		20,877
State library	25,756		25,756
School for the deaf	64,524		64,524
School for the blind	47,003		47,003
Teachers' fund for retirement		10,803	10,803
Board of vocational education	18,447	25,038	43,485
Department of health and consolidated laboratories	199,002	132,668	331,670
Grafton state school	205,214	893,950	1,099,164
State hospital	872,707		872,707
Veterans' home		35,839	35,839
Indian affairs commission	3,646		3,646
Department of veterans' affairs (veterans' postwar trust fund)		5,584	5,584
Department of human services	859,358	214,839	1,074,197
Governor's council on human resources	2,590	1,344	3,934
Protection advocacy project	27,787	4,735	32,522
Insurance commissioner (Insurance regulatory trust fund)		30,306	30,306
Industrial commission	42,346		42,346
Labor commissioner	6,539		6,539
Public service commission	53,964	16,866	70,830
Weather modification board	2,700	1,267	3,967
Aeronautics commission		10,167	10,167
Department of banking and financial institutions	29,295		29,295
Securities commissioner	7,278		7,278

Bonding fund		664	664
Fire and tornado fund		4,205	4,205
Bank of North Dakota		185,835	185,835
Housing finance agency		39,674	39,674
Mill and elevator association		76,900	76,900
OASIS and social security		3,909	3,909
Workmen's compensation bureau		79,937	79,937
Job service		584,002	584,002
Parole and probation office	38,874		38,874
Highway patrol		257,299	257,299
Radio communications		33,138	33,138
Division of emergency management	5,685	18,892	24,577
Civil air patrol	780		780
State penitentiary	182,049		182,049
Penitentiary industries		22,350	22,350
Adjutant general	21,770		21,770
Economic development commission	17,796	17,546	35,342
Commissioner of agriculture	32,661	5,632	38,293
Milk stabilization board		6,667	6,667
Sunflower council		1,061	1,061
Agricultural products utilization commission		2,477	2,477
Seed department		38,600	38,600
Livestock sanitary board	6,846		6,846
Wheat commission		9,233	9,233
Upper Great Plains transportation institute	3,920	3,080	7,000
Extension division	129,158	157,860	287,018
Cooperative extension service - nutrition		12,656	12,656
Northern crops institute	6,603	1,352	7,955
Main experiment station	245,819	201,124	446,943
Branch experiment stations	48,521	490	49,011
Agronomy seed farm		3,966	3,966
Land reclamation research center		26,494	26,494
Historical society	55,446	3,248	58,694
Council on the arts	4,752	1,205	5,957
Soil conservation committee	6,677		6,677
Geological survey	24,627		24,627
Game and fish department		132,721	132,721
Parks and recreation department	42,173	1,642	43,815
Water commission	88,107	2,240	90,347
Southwest water pipeline		4,623	4,623
Highway department		1,191,989	1,191,989
Total	<u>\$8,788,625</u>	<u>\$5,456,254</u>	<u>\$14,244,879</u>

SECTION 2. CONTINGENT APPROPRIATION. One-half of the amounts appropriated in section 1 of this Act shall be made available on January 1, 1989, only upon determination by the director of the office of management and budget that estimated general fund revenues for the biennium ended June 30, 1989, are greater than estimated at the close of the fiftieth legislative assembly by \$4,400,000.

SECTION 3. CONTINGENT APPROPRIATION. On January 1, 1989, the remaining one-half of the amounts appropriated in section 1 of this Act shall be made available retroactively to July 1, 1988, only upon determination by the director of the office of management and budget that estimated general fund revenues for the biennium ended June 30, 1989, are greater than estimated at the close of the fiftieth legislative assembly by \$8,800,000.

SECTION 4. LEGISLATIVE INTENT. The amounts appropriated pursuant to the provisions of this Act shall only be available to state agencies and institutions for employee compensation increases on January 1, 1989, to be paid on February 1, or later, that do not exceed two percent plus \$50 per month for each employee.

Approved April 24, 1987
Filed April 27, 1987

CHAPTER 72

SENATE BILL NO. 2904
 Select Committee on Appropriations
 (At the request of the Office of Management and Budget)
 (Approved by the Committee on Delayed Bills)

APPROPRIATION REDUCTIONS

AN ACT to provide for the reduction in general fund appropriation authority; to provide for a reduction in coal development impact fund appropriation authority; to provide for a transfer of coal development impact funds; to amend and reenact subsection 2 of section 15-40.1-06 of the North Dakota Century Code, relating to educational support per pupil; to provide for a contingent appropriation; and to provide an effective date.

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

SECTION 1. The sums hereinafter listed shall reduce the general fund appropriation authority enacted by the forty-ninth legislative assembly of the state of North Dakota as adjusted by the allotment process for the various agencies and institutions named herein for the period beginning December 1, 1986, and ending June 30, 1987:

AGENCY OR INSTITUTION	GENERAL FUND REDUCTION
Homestead Tax Credit	\$ 750,000
Office of Management and Budget	300,000
Director of Institutions	240,000
State Communications	760,000
Department of Public Instruction	5,264,000
School for the Deaf	200,000
Health Department	300,000
State Hospital	100,000
Public Service Commission	142,000
Department of Banking and Financial Institutions	50,000
State Penitentiary	100,000
Roughrider Industries	72,000
State Water Commission	150,000

The director of each agency or institution listed herein shall inform the director of the office of management and budget as to the resulting line item reduction for accounting purposes.

SECTION 2. The appropriation authority enacted by the forty-ninth legislative assembly of the state of North Dakota as adjusted by the allotment process from the coal development impact fund is hereby reduced by the sum of \$2,000,000 to the energy development impact office for the period beginning December 1, 1986, and ending June 30, 1987.

SECTION 3. APPROPRIATION - TRANSFER TO GENERAL FUND. There is hereby appropriated \$2,000,000 from the coal development impact fund to the general fund in the state treasury for the period beginning December 1, 1986, and ending June 30, 1987. The office of management and budget shall make such transfers when it determines it is appropriate.

SECTION 4. AMENDMENT. Subsection 2 of section 15-40.1-06 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. a. The educational support per pupil during the first year of the 1985-87 biennium shall be one thousand four hundred twenty-five dollars and for the second year of the biennium the educational support per pupil shall be one thousand ~~four~~ three hundred ~~fifty-five~~ seventy dollars and shall be the basis for calculating grants-in-aid on a per-pupil basis as provided in sections 15-40.1-07 and 15-40.1-08.
- b. School districts operating high schools not meeting the minimum curriculum as provided in section 15-41-24 or the teacher qualifications in section 15-41-25 shall be supported in the amount of two hundred twenty dollars, which shall be the basis for calculating grants-in-aid on a per-pupil basis as provided in section 15-40.1-07.

SECTION 5. CONTINGENT APPROPRIATION.

1. The director of the office of management and budget shall consult the tax commissioner and state treasurer prior to June 10, 1987, and determine general fund revenue receipts for the period from July 1, 1985, through May 31, 1987, utilizing usual state accounting practices. The director of the office of management and budget shall certify the amount of receipts so determined to the governor on or before June 15, 1987.
2. If the amount certified under subsection 1 exceeds \$889,000,000, the educational support per pupil during the second year of the 1985-87 biennium shall be \$1,410 and there is hereby appropriated out of any moneys in the

general fund in the state treasury, not otherwise appropriated, the sum of \$5,100,000, or so much thereof as may be necessary, to the department of public instruction for the purpose of providing additional per pupil support for the biennium beginning July 1, 1985, and ending June 30, 1987.

SECTION 6. EFFECTIVE DATE. This Act is retroactively effective on December 1, 1986.

Approved December 9, 1986
Filed December 9, 1986