

ARTICLE 43-03
**CONTRACTS FOR LAND RECLAMATION RESEARCH AND RESEARCH, DEVELOPMENT,
AND MARKETING OF LIGNITE PRODUCTS DERIVED FROM LIGNITE**

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CHAPTER 43-03-01
GENERAL PROVISIONS

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43-03-01-01. History - Administration.

Since 1987 the North Dakota industrial commission has been authorized to make funds available to provide financial assistance for contracts for land reclamation research projects and for research, development, and marketing of lignite and products derived from lignite. The lignite research council, established by executive order 1987-4, and as presently constituted by executive order 1991-1, will review and make recommendations to the commission on all applications for financial assistance under this program. The industrial commission concurred in the appointments to the lignite research council.

History: Effective February 1, 1988; amended effective October 1, 1990; March 1, 1992.

General Authority: NDCC 57-61-01.5

Law Implemented: NDCC 54-17.5-01, 57-61-01.5

43-03-01-02. Definitions.

As used in this article:

1. "Applicant" means any person or entity applying to the commission for a grant from the lignite research fund.
2. "Application" means the written document that is submitted to the commission by an applicant seeking a grant from the fund.
3. "Commission" means the North Dakota industrial commission or its representative.
4. "Contract" means the signed agreement between the commission and grantee which describes the rights and duties of the commission and grantee with regard to the program.
5. "Council" means the lignite research council.
6. "Executive committee" means a committee of the council.
7. "Fund" means the lignite research fund available to the commission to provide funding for the program.

8. "Grant" means the monetary award made by the commission under the program.
9. "Grantee" means a successful applicant for a grant from the fund.
10. "Program" means the program administered by the commission to provide financial assistance from the fund for land reclamation research projects and for research, development, and marketing of lignite and products derived from lignite.
11. "Technical review committee" means a committee or committees selected by the commission to review the merits of applications and to otherwise assist the commission in administering the program.

History: Effective February 1, 1988; amended effective October 1, 1990; March 1, 1992.

General Authority: NDCC 57-61-01.5

Law Implemented: NDCC 54-17.5-04, 57-61-01.5

43-03-01-03. Costs of application preparation.

The commission is not liable for any cost, including costs of preparation of applications, incurred by applicants prior to issuance of a contract. The commission will be liable only for those costs and expenses expressly identified by contract.

History: Effective February 1, 1988.

General Authority: NDCC 57-61-01.5

Law Implemented: NDCC 54-17.5-04, 57-61-01.5

43-03-01-04. Acceptance and rejection of applications.

The rules in this article do not commit the commission to award funds. The commission reserves the right to accept or reject any or all applications received as a result of the program and to negotiate with any and all qualified applicants.

History: Effective February 1, 1988; amended effective October 1, 1990; March 1, 1992.

General Authority: NDCC 57-61-01.5

Law Implemented: NDCC 54-17.5-04, 57-61-01.5

43-03-01-05. Reservation of funds.

The commission is not obligated to award the total amount of funds made available under this program. Funds not awarded will be reserved for future grants under the program.

History: Effective February 1, 1988; amended effective March 1, 1992.

General Authority: NDCC 57-61-01.5

Law Implemented: NDCC 54-17.5-04, 57-61-01.5

43-03-01-06. Statement of intent.

Repealed effective March 1, 1992.