

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1028

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of various state
2 departments and institutions; to provide for a transfer from the accumulated and undivided
3 profits of the Bank of North Dakota to the general fund; and to declare an emergency.

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

5 **SECTION 1. APPROPRIATION.** There is hereby appropriated out of any moneys in
6 the general fund in the state treasury, not otherwise appropriated, and from special funds
7 derived from federal funds and other income, the sums as hereinafter provided or so much of
8 the sums as may be necessary. These sums increase the general fund and special funds
9 appropriation authority enacted by the fifty-fourth legislative assembly to the stated departments
10 and institutions of the state of North Dakota for the purpose of defraying their expenses, for the
11 period beginning January 1, 1997, and ending June 30, 1997, as follows:

12 Subdivision 1.

13 OFFICE OF MANAGEMENT AND BUDGET

14 Administration \$ 324,172

15 Total general fund appropriation \$ 324,172

16 Subdivision 2.

17 OFFICE OF THE ATTORNEY GENERAL

18 Grants \$ 22,348

19 State employee defense 148,700

20 Total general fund appropriation \$ 171,048

21 Subdivision 3.

22 BISMARCK STATE COLLEGE

23 Capital improvements \$ 160,000

24 Total general fund appropriation \$ 160,000

1 Subdivision 4.

2 DIVISION OF EMERGENCY MANAGEMENT

3	Operating expenses	<u>\$3,500,000</u>
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4	Total general fund appropriation	\$3,500,000
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5 Subdivision 5.

6 DEPARTMENT OF CORRECTIONS AND REHABILITATION

7	Operating expenses	<u>\$ 652,000</u>
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8	Total all funds	\$ 652,000
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9	Less estimated income	161,000
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10	Total general fund appropriation	\$ 491,000
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11	Grand total general fund appropriation H.B. 1028	\$4,942,225
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12	Grand total special funds appropriation H.B. 1028	\$ 161,000
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13	Grand total all funds appropriation H.B. 1028	\$5,103,225
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14 **SECTION 2. EXEMPTION.** The appropriation contained in subdivision 4 of section 1 of
15 this Act is not subject to the provisions of section 54-44.1-11 and any unexpended funds from
16 this appropriation are available during the biennium beginning July 1, 1997, and ending
17 June 30, 1999, for the purpose of providing state matching funds for public assistance and
18 disaster hazard mitigation.

19 **SECTION 3. TRANSFER.** If a settlement is reached with the United States department
20 of health and human services, there is hereby transferred from the accumulated and undivided
21 profits of the Bank of North Dakota to the general fund, an amount equal to the amount set forth
22 in the settlement agreement for settlement of a claim made against the state for imputed
23 interest on health professions student loan and nursing student loan program funds held by
24 various North Dakota institutions of higher learning. The amount of the transfer provided for in
25 this Act may not exceed \$296,005. The industrial commission shall transfer the amount
26 necessary for payment of the settlement agreed to into the general fund within ten days of
27 execution of an agreement between the state and the United States department of health and
28 human services or the effective date of this Act, whichever is later. In the event section 5 of this
29 Act does not become effective, the industrial commission shall transfer to the general fund the
30 amount necessary to pay the settlement on July 1, 1997.

SECTION 4. APPROPRIATION. There is hereby appropriated to the North Dakota

university system out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$296,005, or so much of that amount as may be necessary, to comply with the terms of a settlement agreement of claims made against the state by the United States department of health and human services for imputed interest on health professions student loan and nursing student loan program funds held by various institutions of higher learning.

The North Dakota university system shall disburse the funds appropriated by this section in amounts not to exceed the amounts set forth below to the:

Nursing student loan program at North Dakota state university	\$ 25,888
Nursing student loan program at Minot state university	42,887
Health professions student loan and nursing student loan program at the university of North Dakota	117,290
United States department of health and human services	109,940

The state board of higher education shall disburse the amounts set forth above, or a lesser amount as required by the settlement agreement reached with the United States department of health and human services, within ten days of the date the industrial commission makes the transfer provided for in section 3 of this Act, but in any event the board shall pay the settlement on or before July 11, 1997.

SECTION 5. EMERGENCY. This Act is declared to be an emergency measure.