

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1013

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 the commissioner of
2 university and school lands; to provide for distribution amounts from permanent funds; to create
3 and enact a new section to chapter 47-30.1 of the North Dakota Century Code, relating to
4 property unclaimed by state agencies; and to amend and reenact section 47-30.1-18 of the
5 North Dakota Century Code, relating to notice of abandoned property.

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

7 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
8 funds as may be necessary, are appropriated from special funds derived from the state lands
9 maintenance fund and the oil and gas impact grant fund in the state treasury, not otherwise
10 appropriated, to the commissioner of university and school lands for the purpose of defraying
11 the expenses of the commissioner of university and school lands, for the biennium beginning
12 July 1, 2003, and ending June 30, 2005, as follows:

13 Salaries and wages	\$1,878,020
14 Operating expenses	812,572
15 Capital Assets	37,000
16 Grants	4,888,100
17 Contingencies	<u>100,000</u>
18 Total special funds	\$7,715,692

19 **SECTION 2. OIL AND GAS IMPACT GRANT FUND.** The amount of \$5,000,000, or
20 so much of the amount as may be necessary, included in the total special funds appropriated in
21 section 1 of this Act may be spent from the oil and gas impact grant fund by the commissioner
22 of university and school lands for the purpose of providing oil and gas development impact
23 grants and the administration of the oil and gas development impact grant program for the
24 biennium beginning July 1, 2003, and ending June 30, 2005.

1 **SECTION 3. GRANTS.** Section 54-44.1-11 does not apply to appropriations made for
2 oil impact grants in section 1 of this Act.

3 **SECTION 4. APPROPRIATION LINE ITEM TRANSFERS.** Upon approval of the
4 board of university and school lands, the commissioner of university and school lands may
5 transfer from the contingencies line item in section 1 of this Act to all other line items except the
6 capital assets line item. The commissioner shall notify the office of management and budget of
7 each transfer made pursuant to this section.

8 **SECTION 5. DISTRIBUTIONS TO STATE INSTITUTIONS.** Notwithstanding section
9 15-03-05.2, during the biennium beginning July 1, 2003, and ending June 30, 2005, the board
10 of university and school lands shall distribute the following amounts, or so much income as may
11 be available, from the permanent funds managed for the benefit of the following entities:

12 North Dakota state university	\$1,132,000
13 University of North Dakota	946,000
14 Youth correctional center	396,000
15 School for the deaf	322,000
16 North Dakota state college of science	339,200
17 State hospital	325,200
18 Veterans' home	269,200
19 Valley City state university	268,000
20 North Dakota vision services - School for the blind	247,200
21 Mayville state university	186,000
22 Minot state university - Bottineau	33,200
23 Dickinson state university	33,200
24 Minot state university	<u>33,200</u>
25 Total	\$4,530,400

26 **SECTION 6.** A new section to chapter 47-30.1 of the North Dakota Century Code is
27 created and enacted as follows:

28 **Claims by state agencies - Budget section approval and report.** Within one year of
29 receipt of state agency property, the administrator shall notify the agency by certified mail. The
30 commissioner of university and school lands shall present a report to the budget section of the
31 legislative council identifying every state agency that has not submitted a claim for property

1 belonging to that agency within one year of the receipt of the date of the certified mail receipt.
2 Upon approval of the budget section of the legislative council, the agency relinquishes its right
3 to recover its property.

4 **SECTION 7. AMENDMENT.** Section 47-30.1-18 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **47-30.1-18. Notice and publication of lists of abandoned property.**

- 7 1. The administrator shall cause a notice to be published not later than October first
8 of the year immediately following the report required by section 47-30.1-17 at least
9 once a week for two consecutive weeks in a newspaper of general circulation in
10 the county of this state in which is located the last known address of any person to
11 be named in the notice. If no address is listed or the address is outside this state,
12 the notice must be published in the county in which the holder of the property has
13 its principal place of business within this state.
- 14 2. ~~The published notice~~ One of the annual notices must be entitled "Notice of Names
15 of Persons Appearing to be Owners of Abandoned Property" and contain:
- 16 a. The names in alphabetical order and last known address, if any, of persons
17 listed in the report and entitled to notice within the county as specified in
18 subsection 1.
- 19 b. A statement that information concerning the property and the name and last
20 known address of the holder may be obtained by any person possessing an
21 interest in the property by addressing an inquiry to the administrator.
- 22 3. One of the annual notices must be a display advertisement that contains
23 information on abandoned property and contact information for making an inquiry.
24 The cost of this advertisement may not exceed the cost of the notice in
25 subsection 2.
- 26 4. The administrator is not required to publish in the notice any items of less than fifty
27 dollars unless the administrator considers their publication to be in the public
28 interest.
- 29 4. 5. This section is not applicable to sums payable on traveler's checks, money orders,
30 and other written instruments for which the holder is not required to report the
31 name of the apparent owner.

- 1 6. The administrator may not publish in the notice any property clearly identified as
2 belonging to a state agency. Property presumed to be state agency property that
3 cannot be clearly identified as belonging to a specific agency also is exempt from
4 public notice requirements.