

Introduced by

Legislative Council

(Higher Education Committee)

1 A BILL for an Act to amend and reenact section 54-44.1-11 of the North Dakota Century Code,
2 relating to the cancellation of unexpended appropriations for the North Dakota university
3 system; and to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 54-44.1-11 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **54-44.1-11. (Effective through June 30, ~~2007~~ 2009) Office of management and**
8 **budget to cancel unexpended appropriations - When they may continue.** Except as
9 otherwise provided by law, the office of management and budget, thirty days after the close of
10 each biennial period, shall cancel all unexpended appropriations or balances of appropriations
11 after the expiration of the biennial period during which they became available under the law.
12 Unexpended appropriations for the state historical society are not subject to this section and the
13 state historical society shall report on the amounts and uses of funds carried over from one
14 biennium to the appropriations committees of the next subsequent legislative assembly.
15 Unexpended appropriations for the North Dakota university system are not subject to this
16 section and the North Dakota university system shall report on the amounts and uses of funds
17 carried over from one biennium to the next to subsequent appropriations committees of the
18 legislative assembly. The chairmen of the appropriations committees of the senate and house
19 of representatives of the legislative assembly with the office of the budget may continue
20 appropriations or balances in force for not more than two years after the expiration of the
21 biennial period during which they became available upon recommendation of the director of the
22 budget for:

- 23 1. New construction projects.
24 2. Major repair or improvement projects.

- 1 3. Purchases of new equipment costing more than ten thousand dollars per unit if it
- 2 was ordered during the first twelve months of the biennium in which the funds were
- 3 appropriated.
- 4 4. The purchase of land by the state on a "contract for deed" purchase if the total
- 5 purchase price is within the authorized appropriation.
- 6 5. Purchases by the department of transportation of roadway maintenance equipment
- 7 costing more than ten thousand dollars per unit if the equipment was ordered
- 8 during the first twenty-one months of the biennium in which the funds were
- 9 appropriated.
- 10 6. Authorized ongoing information technology projects.

11 **(Effective after June 30, 2007 2009) Office of management and budget to cancel**
12 **unexpended appropriations - When they may continue.** The office of management and
13 budget, thirty days after the close of each biennial period, shall cancel all unexpended
14 appropriations or balances of appropriations after the expiration of the biennial period during
15 which they became available under the law. Unexpended appropriations for the state historical
16 society are not subject to this section and the state historical society shall report on the
17 amounts and uses of funds carried over from one biennium to the appropriations committees of
18 the next subsequent legislative assembly. The chairmen of the appropriations committees of
19 the senate and house of representatives of the legislative assembly with the office of the budget
20 may continue appropriations or balances in force for not more than two years after the
21 expiration of the biennial period during which they became available upon recommendation of
22 the director of the budget for:

- 23 1. New construction projects.
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- 26 was ordered during the first twelve months of the biennium in which the funds were
- 27 appropriated.
- 28 4. The purchase of land by the state on a "contract for deed" purchase if the total
- 29 purchase price is within the authorized appropriation.
- 30 5. Purchases by the department of transportation of roadway maintenance equipment
- 31 costing more than ten thousand dollars per unit if the equipment was ordered

1 during the first twenty-one months of the biennium in which the funds were
2 appropriated.

3 6. Authorized ongoing information technology projects.

4 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.