

APPROPRIATIONS

CHAPTER 1

HOUSE BILL NO. 1001
(Committee on Appropriations)

STATE OFFICIALS

AN ACT making an appropriation for defraying the expenses of various elected and appointed officials of the state of North Dakota; and to create and enact a new section to chapter 57-01 of the North Dakota Century Code, relating to reports by the state tax commissioner to the budget section of the legislative council regarding the auditing enhancement program and settlements of tax assessments and providing for deposit of fees collected by the secretary of state.

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, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

GOVERNOR'S OFFICE

Salaries and wages	\$	969,094
Operating expenses		162,779
Equipment		2,500
Governor's office contingency		7,000
Total general fund appropriation	\$	1,141,373

Subdivision 2.

GOVERNOR'S ASSOCIATIONS

Operating expenses	\$	101,900
Total general fund appropriation	\$	101,900

Subdivision 3.

LIEUTENANT GOVERNOR

Salaries and wages	\$	164,730
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Operating expenses	4,110
Equipment	1,500
Lieutenant governor contingency	7,000
Total general fund appropriation	<u>\$ 177,340</u>

Subdivision 4.

SECRETARY OF STATE

Salaries and wages	\$ 866,268
Operating expenses	132,340
Equipment	12,720
Data processing	100,000
Petition review	5,000
Total general fund appropriation	<u>\$ 1,116,328</u>

Subdivision 5.

SECRETARY OF STATE - PUBLIC PRINTING

Operating expenses	\$ 228,196
Total general fund appropriation	<u>\$ 228,196</u>

Subdivision 6.

ATTORNEY GENERAL

Salaries and wages	\$ 4,757,592
Operating expenses	1,260,929
Data processing	123,265
Equipment	247,483
Grants	596,000
Litigation fees	100,000
Total all funds	<u>\$ 7,085,269</u>
Less estimated income	1,098,280
Total general fund appropriation	<u>\$ 5,986,989</u>

Subdivision 7.

STATE AUDITOR

Salaries and wages	\$ 3,024,678
Operating expenses	336,663
Data processing	44,946
Equipment	15,059
Total all funds	<u>\$ 3,421,346</u>
Less estimated income	299,357
Total general fund appropriation	<u>\$ 3,121,989</u>

Subdivision 8.

STATE TREASURER

Salaries and wages	\$ 499,665
Operating expenses	54,601
Data processing	32,993
Equipment	1,560
Total general fund appropriation	<u>\$ 588,819</u>

Subdivision 9.

STATE TAX COMMISSIONER

Salaries and wages	\$ 7,895,088
Operating expenses	1,701,047
Data processing	1,266,236

Equipment	20,154
Total general fund appropriation	<u>\$10,882,525</u>

Subdivision 10.

INSURANCE COMMISSIONER

Salaries and wages	\$ 1,209,247
Operating expenses	221,954
Data processing	50,696
Equipment	<u>6,904</u>
Total state bonding fund appropriation	<u>\$ 1,488,801</u>

Subdivision 11.

LABOR COMMISSIONER

Salaries and wages	\$ 407,255
Operating expenses	140,050
Equipment	<u>2,185</u>
Total all funds	<u>\$ 549,490</u>
Less estimated income	<u>87,000</u>
Total general fund appropriation	<u>\$ 462,490</u>

Subdivision 12.

PUBLIC SERVICE COMMISSION

Salaries and wages	\$ 3,830,225
Operating expenses	4,331,314
Data processing	743,938
Equipment	<u>172,649</u>
Total all funds	<u>\$ 9,078,126</u>
Less estimated income	<u>4,912,456</u>
Total general fund appropriation	<u>\$ 4,165,670</u>

Subdivision 13.

AGRICULTURE COMMISSIONER

Salaries and wages	\$ 1,859,868
Operating expenses	667,351
Equipment	13,521
Grants	300,000
Data processing	75,490
Agriculture in the classroom	250,000
North Dakota products label	70,000
Honeybee tracheal mite monitoring	<u>45,000</u>
Total all funds	<u>\$ 3,281,230</u>
Less estimated income	<u>553,434</u>
Total general fund appropriation	<u>\$ 2,727,796</u>

Grand total general fund appropriation H.B. 1001	\$30,701,415
Grand total special funds appropriation H.B. 1001	\$ 8,989,328
Grand total all funds H.B. 1001	\$39,690,743

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, such moneys as become available during the biennium beginning July 1, 1985, and ending June 30, 1987, 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. There is hereby appropriated, upon the approval of the emergency commission, from special funds derived from federal funds and other income, such moneys as become available during the biennium beginning July 1, 1985, and ending June 30, 1987, 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, 3, and 5 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 ending June 30, 1987.

SECTION 8. APPROPRIATION - TRANSFER - ATTORNEY GENERAL. There is hereby authorized, as included in the appropriation for the attorney general in subdivision 6 of section 1 of this Act, a transfer of \$435,000, or so much thereof as may be necessary, from the state fire and tornado fund for the purpose of funding 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. REPORTS ON FARM CREDIT COUNSELING PROGRAM. The commissioner of agriculture shall submit a report quarterly to the budget section of the legislative council on the progress and administration of the farm credit counseling program. Each report must include statements as to the number of individuals counseled and expenditures of appropriations.

SECTION 10. A new section to chapter 57-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

Reports on auditing enhancement program and settlement of tax assessments. The state tax commissioner shall submit reports quarterly to the budget section of the legislative council on the progress made in collecting additional tax revenues under the auditing enhancement program and on settlements of tax assessments. For any settlements of tax assessments made during the quarterly period the reports must contain the total amount assessed as of the end of the quarter and the amounts collected, including a summary reporting major amounts collected.

SECTION 11. FEES COLLECTED BY SECRETARY OF STATE - DEPOSIT IN OPERATING FUND. Any fees collected by the secretary of state pursuant to section 5 of Senate Bill No. 2450 must be deposited in an operating fund, which is hereby created, under the control of the secretary of state.

SECTION 12. APPROPRIATION - SECRETARY OF STATE. There is hereby appropriated \$325,000, or so much thereof as may be necessary, from income derived from collections received pursuant to section 11 of this Act and deposited in the secretary of state operating fund to the secretary of state for the purpose of defraying the expenses of the central notice system for sales of crops and livestock during the biennium ending June 30, 1987.

SECTION 13. LEGISLATIVE INTENT - ACCESS TO AUTOMATED LEGAL RESEARCH. It is the intent of the legislative assembly that the North Dakota supreme court continue the current arrangement with the North Dakota attorney general's office regarding availability and use of automated legal research (Westlaw) during the 1985-87 biennium.

SECTION 14. APPROPRIATION - AUTHORIZATION - PUBLIC SERVICE COMMISSION. The public service commission is hereby authorized to receive and spend any funds received from Montana-Dakota utilities company not exceeding \$50,000 which are hereby appropriated for the purpose of funding the cost of the commission's participation before federal courts and agencies involving the cost of gas to the Montana-Dakota utilities company gas utility. The funds are hereby appropriated during the biennium ending June 30, 1987.

SECTION 15. APPROPRIATION - AUTHORIZATION - ATTORNEY GENERAL. The attorney general is hereby authorized to receive and spend any funds received from political subdivisions not to exceed \$55,000 which are hereby appropriated for the purpose of data processing for gaming enforcement during the biennium ending June 30, 1987.

SECTION 16. APPROPRIATION - AUTHORIZATION - TAX COMMISSIONER. The tax commissioner is hereby authorized to receive and spend any funds received not to exceed \$120,000, which is hereby appropriated, from the city of Grand Forks relating to the administration and collection of the Grand Forks city sales tax during the biennium ending June 30, 1987.

Approved April 15, 1985

CHAPTER 2

HOUSE BILL NO. 1002
(Committee on Appropriations)

SUPERINTENDENT OF PUBLIC INSTRUCTION

AN ACT making an appropriation for defraying the expenses of the superintendent of public instruction of the state of North Dakota; providing for transfers of funds from the federal revenue sharing and displaced homemaker funds; and to amend and reenact section 15-40.1-09 of the North Dakota Century Code as amended by House Bill No. 1549 as approved by the forty-ninth legislative assembly, relating to the determination of payments for per-pupil aid to school districts.

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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 4,673,046
Operating expenses	2,406,197
Data processing	405,834
Equipment	99,643
Grants - foundation aid	417,982,112
Grants - special education	21,017,218
Grants - school food program	1,260,000
Grants - adult basic education	225,000
Grants - motorcycle safety	350,000
Grants - displaced homemakers	261,872
Grants - boarding care	1,229,844
Grants - federal grants	50,046,996
Total all funds	\$499,957,762
Less estimated income	103,991,414
Total general fund appropriation	\$395,966,348

SECTION 2. APPROPRIATION - TRANSFER. The amount of \$187,000, or such additional amounts as may be available, 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 operating fund from the federal revenue sharing fund for application to foundation aid grants for the biennium beginning July 1, 1985, and ending June 30, 1987. If the amount transferred exceeds \$187,000, the general fund appropriation in section 1 of this Act shall be reduced by such excess amount.

SECTION 3. INTENT. It is the intent of the legislative assembly that the sum of \$47,895,000, or such greater or lesser sums as become available, included in the Grants - foundation aid 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, 1985, and ending June 30, 1987.

SECTION 4. APPROPRIATION - TRANSFER. The amount of \$261,872, or so much thereof as is necessary, for the line item entitled Grants - displaced homemakers and 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, 1985, and ending June 30, 1987.

SECTION 5. 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 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. AMENDMENT.** Section 15-40.1-09 of the North Dakota Century Code as amended by House Bill No. 1549 as approved by the forty-ninth legislative assembly is hereby amended and reenacted to read as follows:

15-40.1-09. Application for payments - Verification and determination of payments for high school students - Report of county superintendent of schools - Appeal. Immediately upon the completion of the registration of students at the beginning of each school term and in no event later than September tenth of each year, the clerk of each school district

* NOTE: Section 15-40.1-09 was also amended by section 3 of House Bill No. 1549, chapter 225.

within or without this state which is claiming payments from state funds under the provisions of this chapter shall file with the county superintendent of schools a claim on a form prescribed by the superintendent of public instruction stating the number of students registered in high school and elementary grades for which payments are claimed, and such other information as may be reasonably requested by the superintendent of public instruction. Not later than December first, the superintendent of public instruction shall certify to the office of management and budget a list of the school districts and schools not operated by school districts entitled to payments from state funds, together with the amounts to which the several districts and schools are entitled. Per-pupil aid as provided under sections 15-40.1-06, 15-40.1-07, and 15-40.1-08 must be computed on the basis of the previous year's average daily membership or the current year's fall enrollment, whichever is greater. Adjustments must be made if the per-pupil payments for the previous school year were based on the fall enrollment. If the average daily membership for the previous year is less than the fall enrollment for the previous year, the average daily membership for the previous year must be compared with the average daily membership for the second preceding year in the subsequent year according to a comparison between the average daily membership for the year for which the adjusted payment is being made and the year preceding the year for which the adjusted payment is being made, whichever is greater. The greater of the two preceding years' average daily membership must be used in computing any adjustment in a district's foundation aid payments. If the average daily membership for the previous year is greater than the previous year's fall enrollment, then the average daily membership for the previous year must be used in calculating any adjustment to a district's foundation aid payments. For purposes of this chapter, "average daily membership" shall mean the total days all students in a given school are in attendance, including days set aside for the North Dakota education association convention, plus any three holidays selected from those listed in subsections 2 through 10 of section 15-38-04.1 which have been decided upon after consultation with the teachers, the total days all students are absent, and the two parent-teacher conference days authorized in section 15-47-33, divided by one hundred eighty days. School districts educating children of agricultural migratory workers or offering high school summer school programs during the months of June, July, and August shall not be restricted to payments for a one-hundred-eighty-day school term.

Immediately upon the termination of the school term and in no event later than July fifteenth of each year, the clerk of each school district within or without this state which has received payments from state funds under the provisions of this chapter shall file with the county superintendent of schools a verified statement of the name, residence, and membership of elementary and high school students as provided for in this section, and number of units of high school work taken by each high school student enrolled during the previous school year. Such statement shall be attested to by the county superintendent of schools. The county superintendent shall investigate the validity of the statement and shall determine

the residence and other qualifications of each student named in the statement filed with him. He shall certify to the superintendent of public instruction on or before September first of each year the number of enrolled students in each district in his county for the previous school year upon which any adjustment may be based as provided in this section. If any statement is disallowed in whole or in part, notice thereof and the names of students who are disallowed shall be reported to the superintendent of public instruction and to the district filing the statement. Any district may appeal to the superintendent of public instruction from the determination of the county superintendent of schools on or before September fifteenth in the year in which the determination is made. The superintendent of public instruction may change or modify the determination of the county superintendent if the evidence submitted by the district warrants a modification. The judgment of the superintendent of public instruction shall be final.

Approved April 15, 1985

CHAPTER 3

HOUSE BILL NO. 1003
(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; to amend and reenact section 54-14-03.1 of the North Dakota Century Code, relating to the office of the budget reporting irregularities to the budget committee of the legislative council; and providing for an exemption.

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, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

OFFICE OF MANAGEMENT AND BUDGET

Salaries and wages	\$ 4,276,583
Operating expenses	1,870,236
Data processing	1,500,634
Equipment	56,599
Grants	22,246,380
Surplus property contingency	20,000
Total all funds	<u>\$ 29,970,432</u>
Less estimated income	<u>24,751,773</u>
Total general fund appropriation	<u>\$ 5,218,659</u>

Subdivision 2.

CENTRAL DATA PROCESSING

Salaries and wages	\$ 6,558,765
Operating expenses	13,988,666
Equipment	<u>2,891,780</u>

Total special funds appropriation		\$ 23,439,211
Subdivision 3.		
	STATE PRINTING	
Salaries and wages		\$ 731,137
Operating expenses		1,187,171
Data processing		25,000
Equipment		25,540
Total special funds appropriation		\$ 1,968,848
Grand total general fund appropriation H.B. 1003	\$ 5,218,659	
Grand total special funds appropriation H.B. 1003	\$ 50,159,832	
Grand total all funds appropriation H.B. 1003	\$ 55,378,491	

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. 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 5. AMENDMENT. Section 54-14-03.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-14-03.1. Reports to legislative council budget committee. It shall be the duty of the office of the budget, in the course of the preaudit of claims against the state, or in otherwise carrying out its duties, to note irregularities in the fiscal practices of the state and its departments, agencies, and institutions and areas where more uniform and improved fiscal procedures are desirable, and it shall further note expenditures and governmental activities that it may believe to be contrary to law or to the intent of the legislative assembly. "Irregularities" as used in this section includes the use of state funds to provide bonuses, cash incentive awards, and temporary salary adjustments for state employees. The office of the budget shall submit a detailed written report accompanied by adequate documentation to the budget committee of the legislative council, or any division of that committee designated for that purpose, setting out the irregularity, expenditure, or activity. The report shall be presented at the next scheduled

meeting of the committee following the discovery of the irregularity, expenditure, or activity.

SECTION 6. EXEMPTION. The data processing appropriation contained in section 1 of chapter 46 of the 1983 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 of the statewide accounting and management information system during the biennium beginning July 1, 1985, and ending June 30, 1987.

Approved April 15, 1985

CHAPTER 4

HOUSE BILL NO. 1004
(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, 1985, and ending June 30, 1987, as follows:

Grants, benefits, and claims	\$ 5,000,000
Total general fund appropriation	\$ 5,000,000

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 holdings shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 11, 1985

CHAPTER 5

HOUSE BILL NO. 1006
(Committee on Appropriations)

DIRECTOR OF INSTITUTIONS

AN ACT making an appropriation for defraying the expenses of various divisions under the supervision of the director of institutions 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 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, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

DIRECTOR OF INSTITUTIONS

Salaries and wages	\$ 3,290,902
Operating expenses	3,405,193
Postage revolving fund	10,000
Institutional medical fees	615,000
Equipment	32,839
Capital improvements	866,290
Total all funds	\$ 8,220,224
Less appropriation from capitol building funds	866,290
Total general fund appropriation	\$ 7,353,934

Subdivision 2.

STATE COMMUNICATIONS

Operating expenses	\$ 6,571,322
Data processing	18,731
Total all funds	\$ 6,590,053
Less estimated income	3,294,306
Total general fund appropriation	\$ 3,295,747
Grand total general fund appropriation H.B. 1006	\$ 10,649,681
Grand total special funds appropriation H.B. 1006	\$ 4,160,596
Grand total all funds appropriated H.B. 1006	\$ 14,810,277

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 section 1 of this Act includes \$866,290 which shall be transferred by the office of management and budget from the capitol building fund for the biennium beginning July 1, 1985, and ending June 30, 1987, as required for disbursement by the director of institutions.

SECTION 4. LEGISLATIVE INTENT - DIRECTOR OF INSTITUTIONS - REPORT TO BUDGET SECTION. It is the intent of the legislative assembly that the director of institutions present a detailed proposal, including alternatives and cost estimates, to the budget section during the 1985-86 interim regarding future plans, including alternatives for the old state office building. The alternatives shall include both renovating and demolishing the old state office building and the construction of a new building.

Approved April 15, 1985

CHAPTER 6

HOUSE BILL NO. 1007
(Committee on Appropriations)

STATE 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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 4,157,192
Operating expenses	1,002,765
Data processing	3,474
Equipment	68,528
Capital improvements	76,943
Total all funds	\$ 5,308,902
Less estimated income	1,473,558
Total general fund appropriation	\$ 3,835,344

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, 1985

CHAPTER 7

HOUSE BILL NO. 1008
(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.

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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$1,218,252
Operating expenses	386,369
Equipment	<u>100,000</u>
Total all funds	\$1,704,621
Less estimated income	<u>1,109,271</u>
Total general fund appropriation	\$ 595,350

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, 1985

CHAPTER 8

HOUSE BILL NO. 1009
(Committee on Appropriations)

HUMAN SERVICES — STATE HOSPITAL — 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; providing for an appropriation and transfer from the land and minerals trust fund to the common schools trust fund; providing legislative intent regarding medical assistance payment determinations and low income home energy assistance payments; and providing the emergency commission with appropriation transfer authority.

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, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

DEPARTMENT OF HUMAN SERVICES

Salaries and wages	\$ 43,603,861
Operating expenses	19,643,626
Data processing	8,602,175
Equipment	591,081
Grants, benefits, and claims	<u>423,267,602</u>
Total all funds	\$495,708,345
Less estimated income	<u>309,095,162</u>
Total general fund appropriation	\$186,613,183

Subdivision 2.

GOVERNOR'S COUNCIL ON HUMAN RESOURCES

Salaries and wages	\$ 181,471
Operating expenses	139,136
Equipment	1,200
Grants, benefits, and claims	<u>590,882</u>
Total all funds	\$ 912,689

Less estimated income	706,197
Total general fund appropriation	\$ 206,492

Subdivision 3.

STATE HOSPITAL

Salaries and wages	\$ 36,381,176
Operating expenses	5,937,715
Data processing	1,041,255
Equipment	402,899
Capital improvements	137,800
Total all funds	\$ 43,900,845
Less estimated income	13,393,107
Total general fund appropriation	\$ 30,507,738

SECTION 2. APPROPRIATION - TRANSFER. There is hereby appropriated out of any moneys in the land and minerals trust fund, not otherwise appropriated, the sum of \$1,138,124, 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 for the biennium beginning July 1, 1985, and ending June 30, 1987.

Grand total general fund appropriation H.B. 1009	\$217,417,413
Grand total special funds appropriation H.B. 1009	\$324,487,590
Grand total all funds appropriation H.B. 1009	\$541,905,003

SECTION 3. STAFF TRAINING AND STIPEND PROGRAM. It is the intent of the legislative assembly that the department of human services develop and implement a staff training and stipend program for advanced academic studies, practicums, and training in the human service field, including psychology, occupational therapy, vocational rehabilitation, social work, and addiction counseling. During the biennium, beginning July 1, 1985, and ending June 30, 1987, an amount not to exceed \$332,000 in the budget categories for salary and wages shall be available for purposes of implementing the staff training and stipend program.

SECTION 4. EMERGENCY COMMISSION - TRANSFERS. The emergency commission, notwithstanding North Dakota Century Code section 54-16-04, shall have the authority during the biennium beginning July 1, 1985, to approve the transfer of appropriations made to the Grafton state school and San Haven 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 appropriations back to the Grafton state school and San Haven not considered necessary at a later time by the department of human services for this purpose.

SECTION 5. 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 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. LEGISLATIVE INTENT. The legislative assembly recognizes the need to achieve the effective limitation of costs while providing for payment rates which are reasonable and adequate to meet the costs which must be incurred by efficiently and economically operated facilities in order to provide care and services in conformity with applicable state and federal laws, regulations, and quality and safety standards. It is the intent of the legislative assembly that Senate Concurrent Resolution No. 4002 not be regarded as a deterrent to the achievement of these recognized needs. It is the further intent of the legislative assembly that the department seek to achieve cost savings through a variety of waiver options to certain requirements for the state plan for medical assistance benefits, including, but not limited to, competitive bidding for certain services, primary case management systems, restriction of specialty services to designated providers, central broker services, restriction of recipient-free choice, preferred provider-type innovations to providing services, the use of a drug formulary, and the introduction of rate limitation methodologies which may represent approved or approvable amendments to the state plan.

SECTION 8. LEGISLATIVE INTENT - LOW INCOME HOME ENERGY ASSISTANCE PAYMENT - PRORATION. It is the intent of the legislative assembly that should sufficient funds not be available to fully fund within the amounts allocated by the legislative assembly for the low income home energy assistance program during the 1985-87 biennium, the department in lieu of changing eligibility guidelines shall reduce by the same percentage all recipient payments to achieve the necessary reduction.

SECTION 9. APPROPRIATION - BUDGET SECTION. There is hereby appropriated to the department of human services any additional federal funds which become available as a result in changes to the federal financial participation rate during the biennium beginning July 1, 1985, and ending June 30, 1987. If the \$3,400,000 of additional federal funds relating to the limitation on the drop in the rate of federal financial participation does not become available, the department of human services shall report to the budget section the amount of the resulting deficiency appropriation that will be introduced to the fiftieth legislative assembly.

SECTION 10. APPROPRIATION - LONG-TERM CARE FACILITY PAYMENTS. There is hereby appropriated \$155,000 in federal and other funds, and \$90,000 from the general fund in the state treasury, or so much thereof as may be necessary, to the department of human services for the purpose of additional payments to long-term care facilities as required by Senate Bill No. 2053 for the biennium beginning July 1, 1985, and ending June 30, 1987.

Approved April 16, 1985

CHAPTER 9

HOUSE BILL NO. 1010
(Committee on Appropriations)

**GRAFTON STATE SCHOOL, SAN HAVEN,
COURT MONITOR, AND PROTECTION AND
ADVOCACY PROJECT**

AN ACT making an appropriation for defraying the expenses of the Grafton state school, San Haven, protection and advocacy project, and deinstitutionalization court monitor 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 Grafton state school and San Haven 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, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

GRAFTON STATE SCHOOL

Salaries and wages	\$ 40,392,732
Operating expenses	6,469,204
Data processing	30,351
Equipment	311,396
Capital improvements	245,000
Total all funds	\$ 47,448,683
Less estimated income	26,516,869
Total general fund appropriation	\$ 20,931,814

Subdivision 2.

SAN HAVEN

Salaries and wages	\$ 11,783,031
Operating expenses	2,856,184
Data processing	13,000
Equipment	207,649
Capital improvements	300,000
Total all funds	\$ 15,159,864
Less estimated income	10,144,698
Total general fund appropriation	\$ 5,015,166

Subdivision 3.

PROTECTION AND ADVOCACY PROJECT

Salaries and wages	\$	837,159
Operating expenses		217,006
Data processing		29,350
Equipment		2,062
Total all funds	\$	1,085,577
Less estimated income		300,000
Total general fund appropriation	\$	785,577

Subdivision 4.

DEINSTITUTIONALIZATION - COURT MONITOR

Operating expenses	\$	209,222
Total general fund appropriation	\$	209,222
Grand total general fund appropriation H.B. 1010	\$	26,941,779
Grand total special funds appropriation H.B. 1010	\$	36,961,567
Grand total all funds appropriation H.B. 1010	\$	63,903,346

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.

Approved April 16, 1985

CHAPTER 10

HOUSE BILL NO. 1011
(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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 1,081,990
Operating expenses	599,997
Data processing	10,000
Equipment	2,580
Grants, benefits, and claims	<u>1,304,809</u>
Total all funds	\$ 2,999,376
Less estimated income	<u>961,113</u>
Total general fund appropriation	\$ 2,038,263

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 line item entitled "Grants, benefits, and claims" in section 1 of this Act includes \$1,025,000 for aid to public libraries of which no more than one-half is to be expended during the fiscal year ending June 30, 1986.

SECTION 4. 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 15, 1985

CHAPTER 11

HOUSE BILL NO. 1012
(Committee on Appropriations)

SOLDIERS' HOME AND VETERANS' AFFAIRS

AN ACT making an appropriation for defraying the expenses of the soldiers' home and the department of veterans' affairs of the state of North Dakota; and providing for a transfer of earnings from the veterans' postwar trust fund and the sinking fund for the state of North Dakota general obligation 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 from special funds derived from federal funds and other income, to the soldiers' 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, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

SOLDIERS' HOME

Salaries and wages	\$ 1,545,207
Operating expenses	586,337
Data processing	14,428
Equipment	41,363
Capital improvements	126,636
Total special funds appropriation	\$ 2,313,971

Subdivision 2.

VETERANS' AFFAIRS

Salaries and wages	\$ 298,350
Operating expenses	58,730
Equipment	900
Total appropriation from veterans' postwar trust fund	\$ 357,980

Grand total special funds appropriated H.B. 1012	\$ 2,671,951
Grand total all funds appropriated H.B. 1012	\$ 2,671,951

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 section 1 of this Act includes \$252,704 which is hereby appropriated and shall be transferred to the soldiers' home operating fund from the veterans' postwar trust fund pursuant to section 37-14-14 for the biennium beginning July 1, 1985, and ending June 30, 1987.

SECTION 4. APPROPRIATION - TRANSFER. The amount appropriated in section 1 of this Act includes \$1,055,657 which is hereby appropriated and shall be transferred to the soldiers' home operating fund from the sinking fund for the state of North Dakota general obligation bonds, Vietnam conflict adjusted compensation series for the biennium beginning July 1, 1985, and ending June 30, 1987.

Approved April 15, 1985

CHAPTER 12

HOUSE BILL NO. 1013
(Committee on Appropriations)

MISCELLANEOUS FUNDS AND ORGANIZATIONS

AN ACT making an appropriation for defraying expenses of various commissions, departments, and divisions thereof of the state of North Dakota; and declaring 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 income to the various stated commissions, departments, and divisions of the state of North Dakota for defraying the expenses for the biennium beginning July 1, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

ARREST AND RETURN OF FUGITIVES

Operating expenses	\$ 36,000
Total general fund appropriation	\$ 36,000

Subdivision 2.

BOYS AND GIRLS CLUBWORK

Grants, benefits, and claims	\$ 53,000
Total general fund appropriation	\$ 53,000

Subdivision 3.

CAPITOL GROUNDS PLANNING COMMISSION

Operating expenses	\$ 10,000
Total capitol building fund appropriation	\$ 10,000

Subdivision 4.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Operating expenses	\$ 2,500
Total general fund appropriation	\$ 2,500

Subdivision 5.

FIREMEN'S ASSOCIATION

Grants, benefits, and claims	\$ 49,500
Total general fund appropriation	\$ 49,500

Subdivision 6.

MISCELLANEOUS REFUNDS

Grants, benefits, and claims	\$ 410,000
Total general fund appropriation	\$ 410,000

Subdivision 7.

NURSES' SCHOLARSHIPS

Operating expenses	\$ 4,050
Grants, benefits, and claims	70,000
Total all funds	\$ 74,050
Less estimated income	44,050
Total general fund appropriation	\$ 30,000

Subdivision 8.

THEODORE ROOSEVELT ROUHRIDER AWARD

Grants, benefits, and claims	\$ 5,000
Total general fund appropriation	\$ 5,000

Subdivision 9.

COUNCIL OF STATE GOVERNMENTS

Operating expenses	\$ 64,600
Total general fund appropriation	\$ 64,600

Subdivision 10.

COMMISSION ON UNIFORM STATE LAWS

Operating expenses	\$ 25,000
Total general fund appropriation	\$ 25,000

Subdivision 11.

CENTENNIAL COMMISSION

Operating expenses	\$ 140,000
Total general fund appropriation	\$ 140,000

Subdivision 12.

EDUCATION COMMISSION OF THE STATES

Operating expenses	\$ 40,000
Total general fund appropriation	\$ 40,000

Subdivision 13.

MIDWEST TECHNOLOGY DEVELOPMENT INSTITUTE

Operating expenses	\$ 100,000
Total general fund appropriation	\$ 100,000
Grand total general fund appropriation H.B. 1013	\$ 955,600
Grand total special funds appropriation H.B. 1013	\$ 54,050
Grand total all funds appropriation H.B. 1013	\$1,009,650

SECTION 2. EXEMPTION. The funds herein appropriated for subdivisions 1, 3, 4, and 9 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. APPROPRIATION. There is hereby appropriated in addition to the appropriation provided in subdivision 7 of section 1 of this Act for nurses' scholarships, all funds as may be on deposit in the nurses' scholarship loan fund as provided for in section 43-12-35 for the biennium beginning July 1, 1985, and ending June 30, 1987.

SECTION 5. EMERGENCY. Subdivisions 6 and 11 of section 1 of this Act are hereby declared to be an emergency measure and are in effect from and after the passage and approval of this Act.

Approved April 16, 1985

CHAPTER 13

HOUSE BILL NO. 1014
(Committee on Appropriations)

UNEMPLOYMENT INSURANCE

AN ACT making an appropriation for defraying the expenses of unemployment insurance for the various departments and institutions 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 office of management and budget for the purpose of administration and making payments for unemployment insurance claims, for the biennium beginning July 1, 1985, and ending June 30, 1987, as follows:

Grants, benefits, and claims	\$ 1,500,000
Total special funds appropriation	\$ 1,500,000

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. INTENT. It is the intent of the legislative assembly that the office of management and budget may use the funds appropriated in section 1 of this Act to administer the unemployment claims process and promote efficient administration of claims.

Approved March 22, 1985

CHAPTER 14

HOUSE BILL NO. 1015
(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, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

PARDON BOARD

Operating expenses	\$ 1,780
Total general fund appropriation	\$ 1,780

Subdivision 2.

PAROLE AND PROBATION OFFICE

Salaries and wages	\$ 1,592,593
Operating expenses	214,600
Data processing	10,397
Equipment	34,457
Total general fund appropriation	\$ 1,852,047
Grand total general fund appropriation H.B. 1015	\$ 1,853,827

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 15, 1985

CHAPTER 15

HOUSE BILL NO. 1016
 (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 providing for an appropriation and transfer of funds from the Vietnam bonus sinking fund and national guard tuition 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 or other income, to the adjutant general's office for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 946,398
Operating expenses	1,428,953
Equipment	24,000
Inauguration	3,600
Recruiting and retention	124,136
Army guard service contract	1,400,000
Training site contract	1,000,000
Tuition fees	850,000
Air guard contract	<u>2,406,745</u>
Total all funds	\$ 8,183,832
Less estimated income	<u>5,800,881</u>
Total general fund appropriation	\$ 2,382,951

SECTION 2. APPROPRIATION - TRANSFER. The amount of \$124,136, or so much thereof as is necessary, for the line item entitled Recruiting and retention and included in the estimated income line item in section 1 of this Act is hereby appropriated and shall be transferred to the adjutant general from the sinking fund for the state of North Dakota general obligation bonds, Vietnam conflict adjusted compensation series for the biennium beginning July 1, 1985, and ending June 30, 1987.

SECTION 3. APPROPRIATION - TRANSFER. The amount of \$818,050, 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 adjutant general from the sinking fund for the state of North Dakota general obligation bonds, Vietnam conflict adjusted compensation series for the purpose of matching federal funds for the army and air guard service contracts for the biennium beginning July 1, 1985, and ending June 30, 1987.

SECTION 4. APPROPRIATION - TRANSFER. The amount of \$850,000, 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, 1985, and ending June 30, 1987.

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.

Approved April 15, 1985

CHAPTER 16

HOUSE BILL NO. 1017
 (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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 31,726
Operating expenses	72,504
Equipment	<u>6,800</u>
Total general fund appropriation	\$ 111,030

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, 1985

CHAPTER 17

HOUSE BILL NO. 1018
(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, 1985, and ending June 30, 1987.

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 11, 1985

CHAPTER 18

HOUSE BILL NO. 1019
 (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.

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, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

STATE HISTORICAL BOARD

Salaries and wages	\$ 2,510,366
Operating expenses	836,682
Data processing	16,000
Equipment	85,550
Capital improvements	184,000
Grants, benefits, and claims	500,000
Total all funds	<u>\$ 4,132,598</u>
Less estimated income	787,968
Total general fund appropriation	<u>\$ 3,344,630</u>

Subdivision 2.

INTERNATIONAL PEACE GARDEN

Grants, benefits, and claims	\$ 397,000
Total general fund appropriation	<u>\$ 397,000</u>
Grand total general funds appropriated - H.B. 1019	\$ 3,741,630
Grand total special funds appropriated - H.B. 1019	\$ 787,968
Grand total all funds H.B. 1019	\$ 4,529,598

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. 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. The superintendent of the North Dakota state historical board shall be 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.

Approved April 15, 1985

CHAPTER 19

HOUSE BILL NO. 1020
 (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.

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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 1,043,939
Operating expenses	1,355,067
Equipment	400,461
Horizons magazine	60,000
Data processing	<u>8,500</u>
Total all funds	\$ 2,867,967
Less estimated income	<u>1,458,228</u>
Total general fund appropriation	\$ 1,409,739

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 \$1,354,748 included in the estimated income line item in section 1 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, 1985, and ending June 30, 1987.

SECTION 4. LEGISLATIVE INTENT. It is the intent of the legislative assembly that \$30,000 of operating expenses appropriated in section 1 of this Act be used by the economic development commission for the purpose of attracting a federal aviation administration management training program and facility to the university of North Dakota.

Approved April 15, 1985

CHAPTER 20

HOUSE BILL NO. 1021
(Committee on Appropriations)

STATE WATER COMMISSION

AN ACT making an appropriation for defraying the expenses 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.

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 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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 4,536,690
Operating expenses	979,029
Data processing	181,400
Equipment	351,850
Contracts	<u>3,664,358</u>
Total all funds	\$ 9,713,327
Less estimated income	<u>2,331,501</u>
Total general fund appropriation	\$ 7,381,826

SECTION 2. APPROPRIATION - TRANSFER. The amount appropriated in section 1 of this Act to the state water commission for the line item entitled Contracts includes \$2,000,000 which shall be transferred to the state water commission contract fund from the resources trust fund created by subsection 1 of section 57-51.1-07 as directed by the office of management and budget during the biennium beginning July 1, 1985, and ending June 30, 1987.

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. 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. SOURIS RIVER FLOOD CONTROL PROJECT - BUDGET SECTION APPROVAL. The amount appropriated in section 1 of this Act to the state water commission for the line item entitled Contracts includes \$905,000 for the Souris River flood control project. If the full amount of \$905,000 is not needed to complete the project, or if the full amount will not be expended during the 1985-87 biennium due to reasons such as the delay of the project, the remainder of the unexpended amount may be utilized by the state water commission for other contract purposes, subject to approval of the budget section of the legislative council.

Approved April 15, 1985

CHAPTER 21

HOUSE BILL NO. 1022
(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.

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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 2,654,145
Operating expenses	1,568,649
Data processing	200
Equipment	336,980
Capital improvements	552,281
Grants, benefits, and claims	3,833,111
Total all funds	\$ 8,945,366
Less estimated income	4,444,359
Total general fund transfer and appropriation	\$ 4,501,007

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 in section 1 of this Act be expended at the discretion of the parks and recreation department and that the appropriation

for grants, benefits, and claims in section 1 of this Act be expended at the discretion of the parks and recreation department and the state outdoor recreation interagency council.

SECTION 4. ADDITIONAL INCOME. All income in excess of estimated income in the budget appropriated by the legislative assembly to the parks and recreation department must be deposited in its operating fund in the state treasury and can be expended only by authorization of the emergency commission.

SECTION 5. 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 15, 1985

CHAPTER 22

HOUSE BILL NO. 1023
(Committee on Appropriations)

BONDING FUND AND FIRE AND TORNADO FUND

AN ACT making an appropriation for defraying the expenses of the bonding fund and the fire and tornado fund 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 the bonding fund and the fire and tornado fund 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, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

BONDING FUND	
Salaries and wages	\$ 44,819
Operating expenses	20,096
Data processing	<u>1,077</u>
Total appropriation from state bonding fund	\$ 65,992

Subdivision 2.

FIRE AND TORNADO FUND	
Salaries and wages	\$ 132,837
Operating expenses	77,350
Data processing	10,168
Equipment	105
Contingency	<u>10,000</u>
Total appropriation from state fire and tornado fund	\$ 230,460
Grand total special funds appropriation H.B. 1023	\$ 296,452

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 15, 1985

CHAPTER 23

HOUSE BILL NO. 1024
(Committee on Appropriations)

UNSATISFIED JUDGMENT FUND

AN ACT making an appropriation for defraying the administrative expenses of the unsatisfied judgment fund 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 unsatisfied judgment fund in the state treasury, not otherwise appropriated, to the unsatisfied judgment fund, which is under the supervision of the commissioner of insurance, for the purpose of defraying the administrative expenses of the fund, for the biennium beginning July 1, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 44,025
Operating expenses	5,310
Equipment	125
Total appropriation from unsatisfied judgment fund	\$ 49,460

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, 1985

CHAPTER 24

HOUSE BILL NO. 1025
(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, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

	EDIBLE BEAN COUNCIL	
Operating expenses		\$ 400,000
Total appropriation from edible bean fund		\$ 400,000

Subdivision 2.

	SUNFLOWER COUNCIL	
Salaries and wages		\$ 38,480
Operating expenses		1,437,496
Equipment		<u>7,000</u>
Total appropriation from sunflower fund		\$ 1,482,976

Subdivision 3.

	HONEY PROMOTION FUND	
Operating expenses		\$ 32,500
Total appropriation from honey promotion fund		\$ 32,500

Subdivision 4.

	STATE POTATO COUNCIL	
Operating expenses		\$ 762,900
Total appropriation from spud fund		\$ 762,900

Subdivision 5.

TURKEY FUND

Operating expenses	\$ 30,400
Total appropriation from turkey promotion fund	<u>\$ 30,400</u>

Subdivision 6.

STATE WHEAT COMMISSION

Salaries and wages	\$ 513,907
Operating expenses	2,311,389
Data processing	6,483
Equipment	8,000
Contingency	<u>20,000</u>
Total appropriation from wheat promotion fund	<u>\$ 2,859,779</u>

Subdivision 7.

STATE BARLEY COUNCIL

Salaries and wages	\$ 237,726
Operating expenses	541,873
Equipment	35,000
Grants, benefits, and claims	<u>100,000</u>
Total appropriation from barley council fund	<u>\$ 914,599</u>

Subdivision 8.

AGRICULTURAL PRODUCTS UTILIZATION COMMISSION

Salaries and wages	\$ 111,311
Operating expenses	70,900
Data processing	6,460
Equipment	7,636
Grants, benefits, and claims	<u>326,930</u>
Total appropriation from agriculturally derived fuel tax fund	<u>\$ 523,237</u>
Grand total special funds appropriated H.B. 1025	\$ 7,006,391
Grand total all funds appropriated H.B. 1025	\$ 7,006,391

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, 1985, and ending June 30, 1987.

Approved April 15, 1985

CHAPTER 25

HOUSE BILL NO. 1026
(Committee on Appropriations)

STATE REVENUE SHARING

AN ACT making an appropriation for the distribution of state general fund revenue to local political subdivisions 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 state treasurer of the state of North Dakota for the purpose of distributing general fund revenue to local political subdivisions, for the biennium beginning July 1, 1985, and ending June 30, 1987, as follows:

Grants, benefits, and claims	\$ 30,186,541
Total general fund appropriation	<u>\$ 30,186,541</u>

SECTION 2. DISTRIBUTION. The distribution of funds appropriated under section 1 of this Act shall be made in accordance with the formula for state revenue sharing payments as provided for in sections 54-27-20.1 and 54-27-20.2.

Approved March 31, 1985

CHAPTER 26

HOUSE BILL NO. 1027
 (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; and to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to the salaries of the judges of the supreme and district courts.

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, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

SUPREME COURT

Salaries and wages		\$ 3,360,338
Operating expenses		842,600
Data processing		75,000
Equipment		125,800
Judges retirement		185,072
Total all funds		<u>\$ 4,588,810</u>
Less federal funds		20,000
Total general fund appropriation		<u>\$ 4,568,810</u>

Subdivision 2.

DISTRICT COURTS

Salaries and wages		\$10,468,372
Operating expenses		4,151,269
Data processing		13,921
Equipment		156,201
Judges retirement		703,053
Total general fund appropriation		<u>\$15,492,816</u>

Subdivision 3.

JUDICIAL QUALIFICATIONS COMMISSION
AND DISCIPLINARY BOARD

Salaries and wages	\$ 140,699
Operating expenses	111,304
Equipment	1,402
Total all funds	\$ 253,405
Less other funds	70,000
Total general fund appropriation	\$ 183,405
Grand total general fund appropriation H.B. 1027	\$20,245,031
Grand total special funds appropriation H.B. 1027	\$ 90,000
Grand total all funds appropriation H.B. 1027	\$20,335,031

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 27-02-02 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

27-02-02. Salaries of judges of supreme court. Each judge of the supreme court shall receive an annual salary commencing July 1, ~~1983~~ 1985, of ~~fifty-three thousand nine hundred~~ fifty-six thousand eight hundred sixty-five dollars except that the chief justice of the supreme court shall receive an additional one thousand five hundred ~~eighty-two~~ eighty-two dollars per annum and commencing on July 1, 1986, each judge of the supreme court shall receive an annual salary of ~~fifty-nine thousand one hundred forty~~ fifty-nine thousand one hundred forty dollars except that the chief justice of the supreme court shall receive an additional one thousand six hundred forty-five dollars per annum.

SECTION 4. AMENDMENT. Section 27-05-03 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

27-05-03. Salaries and expenses of district judges. Each district judge of this state shall receive an annual salary commencing July 1, ~~1983~~ 1985, of ~~fifty thousand six hundred~~ fifty-three thousand three hundred eighty-three dollars and commencing July 1, 1986, an annual salary of ~~fifty-five thousand five hundred nineteen~~ fifty-five thousand five hundred nineteen dollars and his actual travel expenses, which shall include mileage and subsistence while engaged in the discharge of his official duties outside the county in which his chambers are located. Such salary and expenses shall be payable monthly in the manner provided by law.

Each district judge who has been appointed by the supreme court to act as presiding judge of a judicial district shall receive an additional one thousand two hundred ~~sixty-six~~ sixty-six dollars per annum commencing July 1, 1985, and one thousand three hundred ~~sixteen~~ sixteen dollars per annum commencing July 1, 1986.

Approved April 15, 1985

CHAPTER 27

HOUSE BILL NO. 1028
 (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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 6,090,316
Operating expenses	3,364,953
Data processing	350,700
Equipment	940,012
Capital improvements	1,805,000
Grants, benefits, and claims	1,127,300
Noxious weed control	89,100
In lieu of taxes	350,000
Total appropriation from game and fish fund	<u>\$ 14,117,381</u>

SECTION 2. HABITAT RESTORATION - APPROPRIATION. There is hereby appropriated the sum of \$500,000, or such lesser amounts as may be available, 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, 1985, and ending June 30, 1987. These funds shall be spent only for purposes and utilizing guidelines as outlined in section 20.1-03-12.1.

SECTION 3. PRIVATE HABITAT AND DEER DEPREDATION - APPROPRIATION. There is hereby appropriated the sum of \$1,000,000, or such lesser amount available from the private land habitat

improvement fund, to the game and fish department, to improve wildlife habitat on private land and to alleviate depredation as provided in section 20.1-02-05 for the biennium beginning July 1, 1985, and ending June 30, 1987.

Total special funds appropriation H.B. 1028 \$ 15,617,381

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. 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 15, 1985

CHAPTER 28

HOUSE BILL NO. 1029
 (Committee on Appropriations)

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, and providing for a transfer of funds from the lands and minerals trust fund and the coal development impact fund; and to provide for an appropriation - transfer from the coal development impact fund to the general 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 coal development impact fund and the lands and minerals trust 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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 227,634
Operating expenses	41,693
Data processing	2,698
Equipment	2,274
Grants	<u>13,000,000</u>
Total special funds appropriation	<u>\$ 13,274,299</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. 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 78 of the 1983 Session Laws.

SECTION 4. TRANSFER. There is hereby transferred to the energy development impact office the sum of \$13,274,299, or so much thereof as may be necessary, including \$4,137,149 from the lands and minerals trust fund and \$9,137,150 from the coal development impact fund, for the purpose of defraying the expenses of the energy development impact office. Transfers from these funds shall be made by the office of management and budget only at such times as the moneys are required for disbursement by the energy development impact office.

SECTION 5. APPROPRIATION - TRANSFER TO GENERAL FUND. There is hereby appropriated \$9,415,651 from the coal development impact fund to the general fund in the state treasury for the biennium beginning July 1, 1985, and ending June 30, 1987. The office of management and budget shall make such transfers as necessary after sufficient collections have been received by the coal development impact fund for other appropriations made from the fund.

Approved April 15, 1985

CHAPTER 29

HOUSE BILL NO. 1031
 (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.

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, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

STATE PENITENTIARY		
Salaries and wages		\$ 7,736,528
Operating expenses		3,932,090
Equipment		136,660
Capital improvements		770,200
Total all funds		<u>\$ 12,575,478</u>
Less estimated income		316,158
Total general fund appropriation		<u>\$ 12,259,320</u>

Subdivision 2.

ROUGH RIDER INDUSTRIES		
Salaries and wages		\$ 1,034,537
Operating expenses		4,249,762
Equipment		292,000
Capital improvements		500,000
Total special fund appropriation		<u>\$ 6,076,299</u>
Grand total general fund appropriation H.B. 1031		\$ 12,334,320
Grand total special funds appropriation H.B. 1031		\$ 6,667,457

Grand total all funds appropriation H.B. 1031 \$ 19,001,777

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. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to roughrider industries, \$75,000, or so much thereof as may be necessary, for the purpose of paying expenses associated with the assumption of responsibility for the warehousing and distribution of food commodities. There is also hereby appropriated the sum of \$275,000, or so much thereof as may be necessary, from the proceeds of a loan, to roughrider industries, for the purpose of paying expenses associated with the assumption of responsibility for the warehousing and distribution of food commodities.

Approved April 16, 1985

CHAPTER 30

HOUSE BILL NO. 1032
(Committee on Appropriations)

EMERGENCY COMMISSION

AN ACT making an appropriation for defraying the unforeseen expenses of the various agencies and institutions 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 emergency commission for the purpose of defraying the unforeseen expenses of the various agencies and institutions of the state of North Dakota, for the biennium beginning July 1, 1985, and ending June 30, 1987, as follows:

State contingencies	\$ 750,000
Total general fund appropriation	\$ 750,000

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. DISASTER EXPENSES. The funds appropriated in 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 March 29, 1985

CHAPTER 31

HOUSE BILL NO. 1033
(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.

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 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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 1,491,024
Operating expenses	295,881
Data processing	291,891
Equipment	<u>32,899</u>
Total all funds	\$ 2,111,695
Less estimated income	<u>100,000</u>
Total general fund appropriation	\$ 2,011,695

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, 1985

CHAPTER 32

HOUSE BILL NO. 1034
 (Committee on Appropriations)

DISASTER EMERGENCY SERVICES

AN ACT making an appropriation for defraying the expenses of the division of disaster emergency services 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 disaster emergency services 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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$1,106,054
Operating expenses	457,525
Equipment	<u>36,620</u>
Total all funds	\$1,600,199
Less estimated income	<u>1,229,760</u>
Total general fund appropriation	\$ 370,439

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 purposes provided for herein.

SECTION 4. INTENT. It is the intent of the legislative assembly that additional federal funds as may become available may be accepted and expended by disaster emergency services upon authorization of the emergency commission.

Approved April 15, 1985

CHAPTER 33

HOUSE BILL NO. 1035
(Committee on Appropriations)

SOUTHWEST WATER PIPELINE PROJECT

AN ACT to create and enact a new section to chapter 48-02 of the North Dakota Century Code, relating to the award of pipeline, labor, and service contracts for the southwest water pipeline project; and to make an appropriation for defraying the expenses of the southwest water pipeline project of the state of North Dakota.

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

SECTION 1. A new section to chapter 48-02 of the North Dakota Century Code is hereby created and enacted to read as follows:

Preference for resident pipeline manufacturers and bidders for labor and services. Any contracts for the purchase of pipeline materials, labor, or services awarded by the state water commission in regard to the construction of the southwest water pipeline project must be awarded to North Dakota resident pipeline manufacturers and North Dakota resident bidders for labor and services making the lowest responsible bids if those bids do not exceed by more than five percent the lowest responsible bid submitted by a nonresident pipeline manufacturer or bidder for labor or services. As used in this section, "North Dakota resident pipeline manufacturers and bidders for labor or services" means bidders or sellers who have maintained a bona fide place of business within this state for at least five years prior to the date on which the contract bid on is awarded. If the state water commission awards any contract for pipeline materials, labor, or services in regard to construction of the southwest water pipeline project to a nonresident bidder, the commission shall publicly give notice in a newspaper of general circulation regarding the specific reasons why it did not award the contract to a resident bidder. This section shall not apply to architect, engineer, professional right of way, and land surveying services.

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 \$500,000, or so much thereof as may be necessary, to the state water commission for expenses of the

southwest water pipeline project for the biennium beginning July 1, 1985, and ending June 30, 1987. These funds are appropriated to initiate construction of the southwest water pipeline as authorized by the forty-eighth legislative assembly.

SECTION 3. APPROPRIATION. There is hereby appropriated out of any moneys in the resources trust fund in the state treasury, not otherwise appropriated, the sum of \$18,000,000, or so much thereof as may be necessary, to the state water commission for expenses of the southwest water pipeline project for the biennium beginning July 1, 1985, and ending June 30, 1987. These funds are appropriated to initiate construction of the southwest water pipeline, as authorized by the forty-eighth legislative assembly.

SECTION 4. APPROPRIATION - TRANSFER. There is hereby appropriated out of any moneys in the land and minerals trust fund in the state treasury, not otherwise appropriated, the sum of \$1,500,000, or so much thereof as may be necessary, to the state water commission for purposes of the southwest water pipeline for the biennium beginning July 1, 1985, and ending June 30, 1987. These funds are appropriated to initiate construction of the southwest water pipeline, as authorized by the forty-eighth legislative assembly. These funds shall be transferred to the state water commission at the direction of the office of management and budget during the biennium beginning July 1, 1985, and ending June 30, 1987.

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 holdings shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

SECTION 6. Engineering - Architecture. The state shall select engineering expertise from private engineering or architectural firms on the basis of qualifications and so that at least seventy-five percent of the fees expended for the construction phase engineering services are paid to qualified engineering or architectural firms that have maintained their permanent office or main office in this state for at least two continuous years. For fees paid to firms maintaining offices both within this state and in other states, only the portion of the fees paid for services performed by persons who are residents of this state shall be considered in satisfying the above percentage.

Approved April 15, 1985

CHAPTER 34

HOUSE BILL NO. 1036
(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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 1,752,548
Operating expenses	586,722
Equipment	27,734
Capital improvements	87,570
Contingency	85,798
Total appropriation from seed department fund	\$ 2,540,372

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 purposes provided for herein.

Approved April 15, 1985

CHAPTER 35

HOUSE BILL NO. 1037
(Committee on Appropriations)

PREDATORY ANIMAL CONTROL

AN ACT making an appropriation for defraying the expenses of the predatory animal control 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 predatory animal control of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 430,547
Operating expenses	<u>274,433</u>
Total general fund appropriation	\$ 704,980

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 purpose provided for herein.

Approved April 15, 1985

CHAPTER 36

HOUSE BILL NO. 1038
(Committee on Appropriations)

TEACHER CENTER NETWORK

AN ACT making an appropriation to the superintendent of public instruction for the general support of the North Dakota teacher center network.

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 \$350,000, or so much thereof as may be necessary, to the superintendent of public instruction for the purpose of providing general fund support to the North Dakota teacher center network for the biennium beginning July 1, 1985, and ending June 30, 1987. The superintendent of public instruction shall act as fiscal agent for the North Dakota teacher center network. Decisions regarding expenditures shall be the exclusive responsibility of the teacher center policy board.

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 31, 1985

CHAPTER 37

HOUSE BILL NO. 1040
(Committee on Appropriations)

BANK OF NORTH DAKOTA PROFITS TRANSFER

AN ACT to transfer moneys from the accumulated and undivided profits of the Bank of North Dakota to the general fund of the state of North Dakota.

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

SECTION 1. TRANSFER. There is hereby authorized the transfer to the general fund in the state treasury, the sum of \$7,000,000 from the accumulated and undivided profits of the Bank of North Dakota. Such moneys shall be transferred during the biennium beginning July 1, 1985, and ending June 30, 1987, upon order of the industrial commission, with one half of the transfer to be made no later than June 30, 1986.

Approved March 22, 1985

CHAPTER 38

HOUSE BILL NO. 1219
(Strinden)

ADDITIONAL COMPENSATION FOR CERTAIN STATE EMPLOYEES

AN ACT to provide an appropriation for additional compensation to North Dakota state employees, excluding faculty and senior administrative staff at the institutions and agencies under the control of the state board of higher education, for the period beginning January 1, 1985, and ending June 30, 1985; and declaring an emergency.

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 out of the general fund and from special funds or moneys derived from federal funds or other income in the state treasury as indicated to the agencies and institutions of state government named herein for the purpose of providing additional compensation to employees of the various agencies and institutions named herein for the period beginning January 1, 1985, and ending June 30, 1985:

AGENCY OR INSTITUTION	GENERAL FUND	SPECIAL FUNDS	TOTAL
State treasurer	\$ 4,210	\$	\$ 4,210
Tax commissioner	11,069		11,069
Director of institutions	5,437		5,437
Supreme court	14,219		14,219
District courts	24,744		24,744
Superintendent of public instruction	48,206		48,206
Division of independent study	13,689		13,689
Bismarck junior college	45,422		45,422
Lake Region community college	28,259		28,259
UND-Williston Center	15,936		15,936
University of North Dakota Medical center	556,455	98,154	654,609
rehabilitation hospital		137,311	137,311
University of North Dakota	102,605	43,973	146,578

medical center			
North Dakota state university	431,324		431,324
North Dakota state university - state toxicologist	1,685		1,685
Upper great plains transportation institute	842		842
State school of science	64,041	75,000	139,041
Dickinson state college		45,817	45,817
Mayville state college	33,145		33,145
Minot state college		102,731	102,731
Valley City state college	46,093		46,093
North Dakota forest service	5,745		5,745
North Dakota state university - Bottineau branch	12,332	9,042	21,374
Teachers' fund for retirement		795	795
Grafton state school	63,735		63,735
San Haven	18,471		18,471
Veterans' home		6,482	6,482
Department of veterans' affairs (postwar veterans' trust fund)		1,673	1,673
Department of human services	50,457	6,880	57,337
Aeronautics commission		125	125
State laboratories department	6,347		6,347
Housing finance agency		1,213	1,213
Job service		104,497	104,497
Workmen's compensation bureau		12,728	12,728
Highway patrol	42,133		42,133
Civil air patrol	836		836
State penitentiary	1,394		1,394
Economic development commission	4,391	1,882	6,273
Commissioner of agriculture	1,744	152	1,896
Extension division	38,750		38,750
Northern crops institute	842		842
Main experiment station	55,572	75,000	130,572
Dickinson experiment station	6,739		6,739
Central grasslands experiment station	1,685		1,685
Hettinger experiment station	2,527		2,527
Langdon experiment station	2,527		2,527
North central experiment station	2,527		2,527

Williston experiment station	3,370		3,370
Carrington experiment station		4,212	4,212
Agronomy seed farm		1,685	1,685
Land reclamation research center		17,690	17,690
Geological survey		18,401	18,401
Parks and recreation department	4,422		4,422
Total	<u>\$ 1,773,927</u>	<u>\$ 765,443</u>	<u>\$ 2,539,370</u>

SECTION 2. LEGISLATIVE INTENT. The amounts appropriated or authorized for expenditure in this Act are subject to the following provisions:

1. The amounts are intended to provide a one-time salary payment of \$360 and a \$60 increase in monthly compensation for the six-month period beginning January 1, 1985, and ending June 30, 1985, to eligible employees of all state agencies and institutions excluding faculty and senior administrative staff, but including persons employed by auxiliary enterprises at the institutions and agencies under the control of the state board of higher education.
2. The actual amount of increases paid the individual employees shall be determined by the director of the agency or institution in accordance, where applicable, with central personnel division classification and compensation plans, except that a director of an agency or institution may grant increases that result in an employee's salary level exceeding the maximum limit of the salary range for that employee's pay grade.
3. Compensation increases shall only be granted to employees who are employed by the state on the effective date of this Act and have been continuously employed by the state since July 1, 1984.
4.
 - a. Employees who have received a compensation increase of \$60 or more per month effective April 1, 1984, or later are not eligible for the compensation increases provided herein.
 - b. Employees who have not received any compensation increase effective April 1, 1984, or later are eligible for the full \$60 per month increase and the \$360 one-time salary payment.
 - c. Employees who have received an increase of less than \$60 per month effective April 1, 1984, or later are eligible for a monthly increase only up to the amount of the difference between the monthly increase received and \$60 per month, and are eligible for a

one-time salary payment equal to \$360 less the additional compensation received between July 1, 1984, and December 31, 1984.

5. A compensation increase of up to the amounts provided shall only be granted when it is determined appropriate by the director of the agency or institution that an employee should receive such an increase.
6. The moneys herein appropriated shall be made available to the various agencies and institutions only after a determination by the director of the office of management and budget that such amounts are necessary to pay the amounts of additional compensation in addition to the amounts provided in appropriation acts passed by the forty-eighth legislative assembly.

SECTION 3. AUTHORIZATION. In addition to the amounts appropriated to the agencies and institutions in section 1 of this Act, the agencies and institutions listed below are authorized to provide the amounts shown for compensation increases authorized by this Act, pursuant to and within the limits of the agencies' and institutions' 1983-85 salaries and wages line item appropriations.

AGENCY OR INSTITUTION	GENERAL FUND	SPECIAL FUNDS
State printing	\$	\$ 139
Secretary of state	14,219	
Office of management and budget	14,568	
Central data processing		14,205
Attorney general	3,666	
Energy development impact office	348	349
Motor vehicle registrar		22,876
Public employees retirement board		5,855
Board of higher education	2,788	
Industrial school	3,415	
Commissioner of university and school lands		3,415
Library commission	3,680	
School for the deaf	7,221	
Board of vocational education	1,405	1,522
Department of health	16,927	15,624
State hospital	73,591	
Indian affairs commission	1,673	
Labor commissioner	2,509	
Public service commission	5,249	1,749
Department of banking and financial institutions	1,673	
Securities commissioner	934	
State laboratories department	5,000	
Bank of North Dakota		4,647
Parole and probation office	7,124	
Highway patrol	40,297	
Radio communications department	293	

Division of disaster emergency services	837	1,533
Penitentiary industries		836
Adjutant general	4,489	
Milk stabilization board		948
Sunflower council		836
Livestock sanitary board	84	
Seed department		3,750
Historical society	10,804	
Parks and recreation department	4,500	
Game and fish department		1,533
Water commission	15,251	
Highway department		150,487
Total	<u>\$242,545</u>	<u>\$230,304</u>

SECTION 4. LEGISLATIVE INTENT. Any agency or institution not included in this Act or that has been appropriated or authorized an insufficient amount in sections 1 and 3 of this Act to provide compensation increases to all eligible employees is authorized to provide such increases within the limits of the agencies' and institutions' 1983-85 salaries and wages line item appropriations.

SECTION 5. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval.

Approved February 18, 1985

CHAPTER 39

HOUSE BILL NO. 1349
(Representatives Wold, Laughlin)
(Senators Walsh, Naaden)

STATE REVENUE SHARING DEFICIENCY

AN ACT making an appropriation to the state treasurer for state revenue sharing payments; and declaring an emergency.

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

SECTION 1. APPROPRIATION. It is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$2,518,860.34, or so much thereof as may be necessary, to the state treasurer for state revenue sharing payments, for the period beginning January 1, 1985, and ending June 30, 1985.

SECTION 2. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect upon its passage and approval.

Approved March 31, 1985

CHAPTER 40

HOUSE BILL NO. 1388
(Representative R. Anderson)
(Senators Bakewell, D. Meyer)

RANGELAND GRASSHOPPER CONTROL

AN ACT to provide an appropriation to the commissioner of agriculture for rangeland grasshopper control.

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 lands and minerals trust fund in the state treasury, not otherwise appropriated, the sum of \$100,000, or so much thereof as may be necessary, to the commissioner of agriculture for rangeland grasshopper control for the biennium beginning July 1, 1985, and ending June 30, 1987. The state entomologist, under the direction of the commissioner of agriculture, upon approving control plans, is authorized to provide funding for control costs for cooperative rangeland control programs conducted by the United States department of agriculture's animal and plant health inspection service in cooperation with the state and private landowners. The state's share under this Act may not exceed fifty percent of the costs on private or state-owned lands, which are not reimbursed or paid by the federal government. If control costs exceed the amount of funds available, additional funds may be provided by the state emergency commission from moneys in the state contingency fund. Funds must be paid directly to the animal and plant health inspection service upon receipt of a bill for the state's share of the control costs.

Approved March 29, 1985

CHAPTER 41

HOUSE BILL NO. 1525
(Representatives Nowatzki, Rice, Thompson)
(Senators Streibel, Heigaard, Wenstrom)

EXPERIMENT STATIONS' LAND PURCHASES

AN ACT making an appropriation for defraying the expense of the purchase of certain lands by the Carrington experiment station, the Hettinger experiment station, the Langdon experiment station, and the Williston experiment station.

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 operating fund, the land replacement fund, and the undedicated gift fund of the Carrington experiment station, not otherwise appropriated, the sum of \$116,325, or so much thereof as may be necessary, to the Carrington experiment station for the purpose of defraying the expense of purchasing a tract of land not to exceed one hundred forty-one acres located in the southeast quarter of section twenty-five, township one hundred forty-seven north, range sixty-seven west, Foster County, North Dakota.

SECTION 2. APPROPRIATION. There is hereby appropriated out of any moneys in the operating fund, the land replacement fund, and the undedicated gift fund of the Hettinger experiment station, not otherwise appropriated, the sum of \$273,780, or so much thereof as may be necessary, to the experiment station for the purpose of defraying the expense of purchasing tracts of land not to exceed five hundred twenty-seven acres located in the south half of the southwest quarter of section eleven, the northwest quarter, the west half of the southwest quarter, and the west half of the northeast quarter of section fourteen; the southeast quarter of the southwest quarter; the southwest quarter of the southeast quarter; and the east half of the southeast quarter of section fifteen; and lot 5 and 6 of Clement second subdivision in the west half of the southeast quarter of the northeast quarter of section fourteen; all in township one hundred twenty-nine north, range ninety-six west, in Adams County, North Dakota.

SECTION 3. APPROPRIATION. There is hereby appropriated out of any moneys in the operating fund, the land replacement fund, and the undedicated gift fund of the Langdon experiment station, not

otherwise appropriated, the sum of \$81,875, or so much thereof as may be necessary, to the Langdon experiment station for the purpose of defraying the expense of purchasing a tract of land not to exceed sixty-five and five-tenths acres located in the north half of the northeast quarter of section twenty-four, township one hundred sixty-one north, range sixty west, Cavalier County, North Dakota.

SECTION 4. APPROPRIATION. There is hereby appropriated out of any moneys in the operating fund, the land replacement fund, and the undedicated gift fund of the Williston experiment station, not otherwise appropriated, the sum of \$66,000, or so much thereof as may be necessary, to the Williston experiment station for the purpose of defraying the expense of purchasing a tract of land not to exceed one hundred sixty acres located in the southeast quarter of section twenty-six, township one hundred fifty-four north, range one hundred two west, Williams County.

Approved March 29, 1985

CHAPTER 42

HOUSE BILL NO. 1526
(Representatives Kelly, Kuchera, Wentz)
(Senators Lips, Stenehjem)

EDUCATIONAL BROADCASTING COUNCIL

AN ACT making an appropriation for defraying the expenses of the educational broadcasting council.

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 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, 1985, and ending June 30, 1987, as follows:

Operating expenses	\$ 5,000
Grants	<u>225,000</u>
Total general fund appropriation	<u>\$230,000</u>

Approved April 15, 1985

CHAPTER 43

HOUSE BILL NO. 1583
(Representative Kuchera)
(Senator Stenehjem)

UND HOUSING OFFICE BUILDING

AN ACT to provide an appropriation to construct and equip a housing office building at the university of North Dakota.

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

SECTION 1. APPROPRIATION. There is hereby appropriated from special funds derived from federal funds and other income, the sum of \$500,000, or so much thereof as may be necessary, to the state board of higher education for the purpose of constructing and equipping a housing office building at the university of North Dakota, for the biennium beginning July 1, 1985, and ending June 30, 1987.

Approved March 31, 1985

CHAPTER 44

HOUSE BILL NO. 1653
(Unhjem)
(Approved by the Committee on Delayed Bills)

ADDITIONAL STATE EMPLOYEE COMPENSATION

AN ACT to provide an appropriation for additional compensation to North Dakota state employees; to provide for revisions to the North Dakota central personnel compensation plan; and to declare an emergency.

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 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 herein for the purpose of providing additional compensation to employees of the various agencies and institutions named herein for the period beginning February 1, 1985, and ending June 30, 1985:

AGENCY OR INSTITUTION	GENERAL FUND	SPECIAL FUNDS	TOTAL
State printing	\$	\$ 4,052	\$ 4,052
Secretary of state	5,522		5,522
Office of management and budget	25,656		25,656
Central data processing		39,060	39,060
State auditor	18,491		18,491
State treasurer	2,631		2,631
Attorney general	27,779		27,779
Tax commissioner	45,246		45,246
Energy development impact office (one-half from the coal development impact fund)		1,313	1,313
Director of institutions	18,456		18,456
Motor vehicle registrar		12,203	12,203
Legislative council	12,664		12,664
Supreme court	16,552		16,552
Judicial qualifications	771		771

commission			
District courts	43,945		43,945
Public employees retirement board		3,585	3,585
Superintendent of public instruction	10,291	16,190	26,481
Division of independent study	7,314		7,314
Board of higher education	5,620		5,620
Industrial school	24,339		24,339
Commissioner of university and school lands		5,203	5,203
Bismarck junior college	130,497		130,497
Lake Region community college	39,823		39,823
UND-Williston center	44,541		44,541
University of North Dakota	811,938		811,938
Medical center rehabilitation hospital		144,714	144,714
University of North Dakota medical center	315,349	123,088	438,437
North Dakota state university	714,624		714,624
North Dakota state university-state toxicologist	5,457		5,457
Upper great plains transportation institute	5,042		5,042
State school of science	253,696		253,696
Dickinson state college	105,851		105,851
Mayville state college	73,400		73,400
Minot state college	206,897		206,897
Valley City state college	90,640		90,640
North Dakota forest service	12,964		12,964
North Dakota state university - Bottineau branch	38,033		38,033
Library commission	6,239		6,239
School for the deaf	20,024		20,024
School for the blind	11,887		11,887
Teachers' fund for retirement		2,172	2,172
Board of vocational education	6,192	6,708	12,900
Department of health	42,767	39,474	82,241
Grafton state school	235,477		235,477
San Haven	66,998		66,998
State hospital	210,934		210,934
Veterans' home		8,434	8,434
Indian affairs commission	982		982
Department of veterans' affairs (postwar veterans' trust fund)		1,763	1,763
Department of human services	224,999	30,679	255,678
Governor's council on human resources	1,079		1,079
Protection and advocacy project	4,632		4,632
Insurance commissioner		6,791	6,791
Unsatisfied judgment fund		265	265

Industrial commission		12,653	12,653
Labor commissioner	1,706		1,706
Public service commission	17,210	5,666	22,876
Weather modification board	1,266		1,266
Aeronautics commission	1,730		1,730
Department of banking and financial institutions	8,169		8,169
Securities commissioner	2,679		2,679
State laboratories department	10,609		10,609
Bonding fund		188	188
Fire and tornado fund		808	808
Bank of North Dakota		34,442	34,442
Housing finance agency		7,128	7,128
Mill and elevator association		21,572	21,572
Job service		134,643	134,643
OASIS and social security		1,414	1,414
Workmen's compensation bureau		18,605	18,605
Crime victims reparations division	174		174
Parole and probation office	8,994		8,994
Highway patrol	62,524		62,524
Radio communications department	8,142		8,142
Division of disaster emergency services	1,836	4,721	6,557
Civil air patrol	187		187
State penitentiary	39,848		39,848
Penitentiary industries		5,819	5,819
Adjutant general	4,934		4,934
Economic development commission	4,505	1,931	6,436
Commissioner of agriculture	10,051	1,242	11,293
Predatory animal control	2,750		2,750
Milk stabilization board		1,676	1,676
Sunflower council		236	236
Agricultural products utilization commission		654	654
Livestock sanitary board	1,929		1,929
Wheat commission		2,835	2,835
Barley council		1,422	1,422
Seed department		9,230	9,230
Extension division	224,653	9,675	234,328
Northern crops institute	4,280		4,280
Main experiment station	259,413	20,340	279,753
Dickinson experiment station	5,934		5,934
Central grasslands experiment station	3,040		3,040
Hettinger experiment	3,075		3,075

station			
Langdon experiment station	3,094		3,094
North central experiment station	3,298		3,298
Williston experiment station	3,760		3,760
Carrington experiment station	6,406		6,406
Agronomy seed farm		1,901	1,901
Land reclamation research center		12,198	12,198
Historical society	14,038		14,038
Council on the arts	1,183		1,183
Soil conservation committee	1,780		1,780
Geological survey		9,327	9,327
Game and fish department		35,233	35,233
Parks and recreation department	10,072		10,072
Water commission	26,059		26,059
Southwest water pipeline (resources trust fund)		575	575
Highway department		311,691	311,691
Total	<u>\$4,705,567</u>	<u>\$1,113,519</u>	<u>\$5,819,086</u>

The amounts herein appropriated are intended to provide average compensation increases of 9.5 percent to faculty and senior administrative staff at the institutions of higher education for the period beginning after February 1, 1985, through June 30, 1985, and average compensation increases of 5.5 percent to other state employees for the period beginning after April 1, 1985, through June 30, 1985. It is intended that employees receive minimum increases of fifty dollars per month. The actual amount of increases paid an individual employee shall be determined by the director of the agency or institution in accordance, where applicable, with central personnel division classification and compensation plans, except that a director of an agency or institution may grant increases which exceed the maximum limit of salary ranges in such plans. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases. Compensation increases may only be granted to employees who are currently employed by the state on the effective date of this Act and who have been continuously employed by the state since July 1, 1984, excluding those employees who have indicated that they will not or who the administrator knows will not be employed by the agency or institution on July 1, 1985, or at the end of their contract period. Notwithstanding other provisions of this Act, any agency or institution may pay an employee a one time payment for amounts the employee would have received pursuant to the provisions of this Act had it been effective earlier, or an agency may use the funds appropriated by this Act to provide increased salary levels during the biennium ending June 30, 1987.

SECTION 2. Revisions to compensation plan. Notwithstanding the provisions of section 54-44.3-12.1 of the North Dakota Century Code, relating to revisions to the North Dakota central personnel compensation plan, the central personnel division shall revise the compensation plan to reflect a 5.5 percent or \$50 per month increase, whichever is greater, as of April 1, 1985, and to reflect a four percent or \$50 per month increase, whichever is greater, as of July 1, 1986.

SECTION 3. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval.

Approved April 16, 1985

CHAPTER 45

HOUSE BILL NO. 1660
(Strinden)

(Approved by the Committee on Delayed Bills)

PERSONAL PROPERTY TAX REPLACEMENT

AN ACT to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to distribution of personal property tax replacement revenues to counties and local subdivisions; to provide an appropriation for the distribution of funds for the replacement of personal property tax revenue; and to provide an expiration date.

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

SECTION 1. 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~~ 1985, 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~~ nineteen 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~~ nineteen 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.

SECTION 2. 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 replacement of personal property taxes, for the biennium beginning July 1, 1985, and ending June 30, 1987, as follows:

Grants, benefits, and claims	<u>\$24,069,346</u>
Total general fund appropriation	<u>\$24,069,346</u>

SECTION 3. DISTRIBUTION. The distribution of funds appropriated under section 2 of this Act shall be made in accordance with the formula for personal property tax replacement payments as provided for in section 57-58-01. During the year ending June 30, 1986, payments appropriated under section 2 of this Act shall not exceed one-half of the total appropriation provided for in this Act.

SECTION 4. PRORATION. Notwithstanding the provisions of section 57-58-01, which contains the formula for personal property tax replacement payments, the payments shall not exceed the amounts as set forth in this Act. If the appropriation provided for in this Act in any fiscal year is less than the amount determined by applying the formula as contained in section 57-58-01, the director of the office of management and budget shall pay only the amount of funds available under this Act. Under such circumstances, a method of proration shall be used that provides each eligible recipient the same proportion of these funds as the percent share of total funds it would have received under the application of the formula provided for in section 57-58-01.

SECTION 5. EXPIRATION DATE. Section 1 of this Act is effective through June 30, 1987, and after that date is ineffective.

Approved April 16, 1985

CHAPTER 46

SENATE BILL NO. 2001
(Committee on Appropriations)

LEGISLATIVE BRANCH

AN ACT to appropriate money for 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. There are hereby appropriated out of the general fund of the state treasury, not otherwise appropriated, to the legislative branch of the state government for the purposes specified, such sums as set forth in section 2 of this Act, for the fiscal period beginning with the effective date of this Act and ending June 30, 1987.

SECTION 2. APPROPRIATION.

Subdivision 1.

FORTY-NINTH AND FIFTIETH LEGISLATIVE ASSEMBLIES AND BIENNIUM

Salaries and wages	\$3,360,636
Operating expenses	1,868,407
Equipment	32,640
National Conference of State Legislatures	71,854
Total general fund appropriation	<u>\$5,333,537</u>

Subdivision 2.

LEGISLATIVE COUNCIL

Salaries and wages	\$2,216,900
Operating expenses	1,425,939
Equipment	11,087
Total general fund appropriation	<u>\$3,653,926</u>
Grand total general fund appropriation	\$8,987,463

SECTION 3. TRANSFERS. The director of the office of management and budget and the state treasurer shall make such transfers of funds between lines item 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 transfer of funds between the line items for the forty-ninth and fiftieth legislative assemblies, upon request of the chairman of the legislative council or his designee upon a finding by the chairman or his designee that such transfers are required for the legislative assembly to carry on its functions and duties.

SECTION 4. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect immediately upon its passage and approval.

Approved April 15, 1985

CHAPTER 47

SENATE BILL NO. 2002
(Committee on Appropriations)

BOARD OF HIGHER EDUCATION AND COMMUNITY
AND JUNIOR COLLEGES

AN ACT making an appropriation for defraying the expenses of the state board of higher education, Bismarck junior college, Lake Region community college, university of North Dakota-Williston center and reciprocal agreements 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 higher 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, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

STATE BOARD OF HIGHER EDUCATION

Salaries and wages	\$ 870,020
Operating expenses	262,005
Data processing	29,665
Equipment	11,325
National direct student loans	125,245
Private college tuition assistance	500,000
Student financial assistance grants	1,085,000
Community colleges	<u>9,497,257</u>
Total all funds	\$12,380,517
Less federal funds	400,000
Total general fund appropriation	<u>\$11,980,517</u>

Subdivision 2.

RECIPROCAL AGREEMENTS

Reciprocal agreements	\$ 2,360,100
Total general fund appropriation	<u>\$ 2,360,100</u>

Grand total general fund appropriation S.B. 2002	\$ 14,340,617
Grand total special funds appropriation S.B. 2002	\$ 12,621,109
Grand total all funds appropriation S.B. 2002	\$ 26,961,726

SECTION 2. Community and junior colleges. The funds appropriated in the community colleges line item, or so much thereof as may be necessary, are to be allocated and disbursed to the community colleges under the jurisdiction and control of the state board of higher education in such amounts as may be necessary, in the judgment of the board, to meet the needs of the community colleges. The board shall allocate and disburse such moneys to the various line items of the community colleges and said line items shall be increased by the amount of such moneys allocated and disbursed by the board, upon notification of the office of management and budget by the board.

SECTION 3. APPROPRIATION - COMMUNITY AND JUNIOR COLLEGES. There is hereby appropriated from special funds derived from federal funds and other income, the sums as hereinafter provided, or so much thereof as may be necessary, to the various community and junior colleges for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1985, and ending June 30, 1987, as follows:

Bismarck junior college	\$ 7,936,453
Lake Region community college	1,845,715
University of North Dakota - Williston center	2,438,941
Total	<u>\$12,221,109</u>

SECTION 4. APPROPRIATION. Any community college 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 budgets appropriated by the legislative assembly to the community colleges must be deposited in their respective operating funds in the state treasury and can be expended only by authorization of the emergency commission.

SECTION 5. LEGISLATIVE INTENT - TUITION INCREASE. It is the intent of the legislative assembly that the board of higher education may increase tuition at the community colleges to provide an estimated additional \$92,886 of income during the 1985-87 biennium. The total amount of \$92,886 is included in the estimated income line items of the appropriations to the various community colleges in this Act. Nonresident students shall be equitably included in any tuition increases made pursuant to this section.

SECTION 6. TRANSFER. The state board of higher education may make such transfers between line items in section 1 of this Act, other than private college tuition assistance and student financial assistance grants, as may be necessary and manageable to provide for board and/or institutional budget requirements.

SECTION 7. APPROPRIATION. There is 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, 1985, and ending June 30, 1987.

SECTION 8. 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 16, 1985

CHAPTER 48

SENATE BILL NO. 2003
(Committee on Appropriations)

COLLEGES AND UNIVERSITIES

AN ACT making an appropriation for defraying the expenses of the various institutions of higher learning under the supervision of the state board of higher 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 various institutions of higher learning under the supervision of the state board of higher education of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

UNIVERSITY OF NORTH DAKOTA

Salaries and wages	\$ 63,886,551
Operating expenses	20,516,440
Equipment	1,513,115
Total operating budget	\$ 85,916,206
Less estimated income	23,544,896
Net operating budget	\$ 62,371,310
Capital improvements	1,330,150
Total general fund appropriation	\$ 63,701,460

Subdivision 2.

NORTH DAKOTA STATE UNIVERSITY
OF AGRICULTURE AND APPLIED SCIENCE

Salaries and wages	\$ 56,158,809
Operating expenses	16,967,954
Equipment	1,032,564
Total operating budget	\$ 74,159,327
Less estimated income	21,552,065
Net operating budget	\$ 52,607,262
Capital improvements	1,330,150

Total general fund appropriation		\$ 53,937,412
Subdivision 3.		
NORTH DAKOTA STATE SCHOOL OF SCIENCE		
Salaries and wages		\$ 19,676,495
Operating expenses		5,264,459
Equipment		719,779
Total operating budget		<u>\$ 25,660,733</u>
Less estimated income		7,157,123
Net operating budget		<u>\$ 18,503,610</u>
Capital improvements		369,050
Total general fund appropriation		<u>\$ 18,872,660</u>
Subdivision 4.		
DICKINSON STATE COLLEGE		
Salaries and wages		\$ 8,502,255
Operating expenses		2,831,252
Equipment		187,047
Total operating budget		<u>\$ 11,520,554</u>
Less estimated income		2,153,010
Net operating budget		<u>\$ 9,367,544</u>
Capital improvements		157,154
Total general fund appropriation		<u>\$ 9,524,698</u>
Subdivision 5.		
MAYVILLE STATE COLLEGE		
Salaries and wages		\$ 5,960,478
Operating expenses		1,844,974
Equipment		91,530
Total operating budget		<u>\$ 7,896,982</u>
Less estimated income		1,507,831
Net operating budget		<u>\$ 6,389,151</u>
Capital improvements		73,274
Total general fund appropriation		<u>\$ 6,462,425</u>
Subdivision 6.		
MINOT STATE COLLEGE		
Salaries and wages		\$ 16,789,675
Operating expenses		3,091,282
Equipment		250,014
Total operating budget		<u>\$ 20,130,971</u>
Less estimated income		7,114,893
Net operating budget		<u>\$ 13,016,078</u>
Capital improvements		451,924
Total general fund appropriation		<u>\$ 13,468,002</u>
Subdivision 7.		
VALLEY CITY STATE COLLEGE		
Salaries and wages		\$ 7,593,248
Operating expenses		2,016,152
Equipment		140,307
Total operating budget		<u>\$ 9,749,707</u>
Less estimated income		2,335,167
Net operating budget		<u>\$ 7,414,540</u>

Capital improvements	181,220
Total general fund appropriation	\$ 7,595,760

Subdivision 8.

STATE SCHOOL OF FORESTRY - BOTTINEAU

Salaries and wages	\$ 3,030,486
Operating expenses	731,334
Equipment	86,389
Total operating budget	\$ 3,848,209
Less estimated income	819,979
Net operating budget	\$ 3,028,230
Capital improvements	121,065
Total general fund appropriation	\$ 3,149,295

Subdivision 9.

UNIVERSITY OF NORTH DAKOTA MEDICAL CENTER

Salaries and wages	\$ 32,558,926
Operating expenses	11,703,527
Equipment	752,191
Genetics program	105,000
Total all funds	\$ 45,119,644
Less estimated income	17,415,381
Total general fund appropriation	\$ 27,704,263

Subdivision 10.

MEDICAL CENTER REHABILITATION HOSPITAL

Salaries and wages	\$ 14,623,139
Operating expenses	5,716,692
Equipment	205,192
Total appropriation from institutional income	\$ 20,545,023

Subdivision 11.

NORTH DAKOTA STATE UNIVERSITY - STATE TOXICOLOGIST

Salaries and wages	\$ 464,689
Operating expenses	99,160
Equipment	23,000
Total all funds	\$ 586,849
Less estimated income	144,157
Total general fund appropriation	\$ 442,692

Subdivision 12.

NORTH DAKOTA FOREST SERVICE

Salaries and wages	\$ 1,219,716
Operating expenses	360,403
Equipment	56,035
Total operating budget	\$ 1,636,154
Less estimated income	643,027
Net operating budget	\$ 993,127
Capital improvements	30,100
Total general fund appropriation	\$ 1,023,227

Grand total general fund appropriation S.B. 2003	\$206,881,894
Grand total special funds appropriation S.B. 2003	\$104,932,552
Grand total all funds appropriation S.B. 2003	\$311,814,446

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. 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 can be expended only by authorization of the emergency commission.

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.

SECTION 5. TRANSFERS. Each institution or agency included in this Act, upon approval from the board of higher education, may make such transfers between line items in its appropriation as may be determined necessary by the board of higher education for operations of the institution or agency.

SECTION 6. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000, or so much thereof as may be necessary, to the state board of higher education for the biennium beginning July 1, 1985, and ending June 30, 1987. This appropriation shall be used by the board of higher education for critical needs of the institutions of higher education provided for in the constitution and as included in this Act for faculty or other positions, operating expenses, and equipment as may be determined by the board. This appropriation shall not be used to increase employees' salaries. When making allocations to institutions, the board of higher education shall consider the future mission of each institution, and consider reduction or elimination of selective programs and services, admission standards, and the reallocation of resources within each institution. The board of higher education shall notify the office of management and budget of the allocations to each institution made from this appropriation.

SECTION 7. LEGISLATIVE INTENT - TUITION INCREASE. It is the intent of the Legislative Assembly that the board of higher education may increase tuition at the institutions of higher education to provide an estimated additional \$2,000,000 of income during the 1985-87 biennium. The total amount of \$2,000,000 is included in the estimated income line items of the appropriations to the various institutions in this Act. Nonresident students shall be equitably included in any tuition increases made pursuant to this section.

Approved April 16, 1985

CHAPTER 49

SENATE BILL NO. 2005
(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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 1,971,176
Operating expenses	462,739
Data processing	35,713
Equipment	26,050
Grants, benefits, and claims	19,459,806
State advisory council	250,000
Total all funds	\$ 22,205,484
Less estimated income	7,654,989
Total general fund appropriation	\$ 14,550,495

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, 1985

CHAPTER 50

SENATE BILL NO. 2007
 (Committee on Appropriations)

HUMAN SERVICES, PENITENTIARY, GRAFTON
 STATE SCHOOL, SAN HAVEN, TRANSITION,
 GOVERNOR-ELECT, DEINSTITUTIONALIZATION
 COURT MONITOR

AN ACT making an appropriation for defraying the expenses of various departments and institutions of the state of North Dakota; providing for a transfer; 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, 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, 1985, and ending June 30, 1985, as follows:

Subdivision 1.

DEPARTMENT OF HUMAN SERVICES

Grants, benefits, and claims	\$ 7,006,514
Total all funds	\$ 7,006,514
Less estimated income	3,840,044
Total general fund appropriation	\$ 3,166,470

Subdivision 2.

STATE PENITENTIARY

Salaries and wages	\$ 62,000
Operating expenses	521,000
Total all funds	\$ 583,000
Less estimated income	90,000
Total general fund appropriation	\$ 493,000

Subdivision 3.

GRAFTON STATE SCHOOL

Salaries and wages	\$ 900,049
Operating expenses	1,215,730
Equipment	100,000
Total special funds appropriation	\$ 2,215,779

Subdivision 4.

SAN HAVEN

Salaries and wages	\$ 117,588
Operating expenses	<u>414,274</u>
Total special funds appropriation	\$ 531,862

Subdivision 5.

GOVERNOR'S TRANSITION

Governor's transition	\$ 10,500
Total general fund appropriation	<u>\$ 10,500</u>

Subdivision 6.

GOVERNOR-ELECT

Governor-elect	\$ 10,000
Total general fund appropriation	<u>\$ 10,000</u>

Subdivision 7.

DEINSTITUTIONALIZATION COURT MONITOR

Operating expenses	\$ 71,800
Total general fund appropriation	<u>\$ 71,800</u>
Grand total general fund appropriation S.B. 2007	\$ 3,751,770
Grand total special funds appropriation S.B. 2007	\$ 6,677,685
Grand total all funds appropriation S.B. 2007	\$10,429,455

SECTION 2. AUTHORITY TO TRANSFER EXCESS REVENUE. In the event the amount of other income received by San Haven is less than the amount included in its appropriation authority for the 1983-85 biennium, the authority is hereby granted for the transfer of any excess revenues received by the Grafton state school to San Haven up to the appropriation authority granted San Haven for the 1983-85 biennium.

SECTION 3. EMERGENCY. This Act is hereby declared to be an emergency measure and shall be in full effect upon its passage and approval.

Approved April 9, 1985

CHAPTER 51

SENATE BILL NO. 2009
(Committee on Appropriations)

EXTENSION DIVISION AND EXPERIMENT STATIONS

AN ACT making an appropriation for defraying the expenses of the cooperative extension division and the experiment stations of North Dakota state university of agriculture and applied science; to amend and reenact sections 38-14.1-04.2 and 38-14.1-04.3 of the North Dakota Century Code, relating to the reclamation research advisory committee; and providing for a transfer of funds from the coal development impact 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 cooperative extension division 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, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

COOPERATIVE EXTENSION DIVISION

Salaries and wages	\$ 17,532,714
Operating expenses	3,423,294
Equipment	<u>303,811</u>
Total all funds	\$ 21,259,819
Less estimated income	<u>12,225,763</u>
Total general fund appropriation	\$ 9,034,056

Subdivision 2.

EXTENSION DIVISION
FOOD AND NUTRITION PROGRAM

Salaries and wages	\$ 718,384
Operating expenses	56,843
Equipment	<u>1,500</u>
Total special funds appropriation	\$ 776,727

Subdivision 3.

EXTENSION DIVISION
ENERGY SERVICE

Salaries and wages	\$	177,663
Operating expenses		7,456
Equipment		500
Total special funds appropriation	\$	<u>185,619</u>

Subdivision 4.

NORTHERN CROPS INSTITUTE

Salaries and wages	\$	390,917
Operating expenses		107,800
Equipment		181,700
Total all funds	\$	<u>680,417</u>
Less estimated income		166,500
Total general fund appropriation	\$	<u>513,917</u>

Subdivision 5.

MAIN EXPERIMENT STATION

Salaries and wages	\$	25,884,132
Operating expenses		5,667,709
Equipment		1,200,000
Total operating budget	\$	<u>32,751,841</u>
Less estimated income		11,984,163
Net operating budget	\$	<u>20,767,678</u>
Capital improvements		445,000
Total general fund appropriation	\$	<u>21,212,678</u>

Subdivision 6.

DICKINSON EXPERIMENT STATION

Salaries and wages	\$	663,017
Operating expenses		399,507
Equipment		76,000
Total operating budget	\$	<u>1,138,524</u>
Less estimated income		220,300
Net operating budget	\$	<u>918,224</u>
Capital improvements		22,000
Total general fund appropriation	\$	<u>940,224</u>

Subdivision 7.

CENTRAL GRASSLAND EXPERIMENT STATION

Salaries and wages	\$	315,962
Operating expenses		353,558
Equipment		152,000
Total all funds	\$	<u>821,520</u>
Less estimated income		100,000
Total general fund appropriation	\$	<u>721,520</u>

Subdivision 8.

HETTINGER EXPERIMENT STATION

Salaries and wages	\$	320,334
Operating expenses		172,465
Equipment		67,450
Total operating budget	\$	<u>560,249</u>
Less estimated income		124,000

Net operating budget	\$	436,249
Capital improvements		7,500
Total general fund appropriation	\$	<u>443,749</u>

Subdivision 9.

LANGDON EXPERIMENT STATION

Salaries and wages	\$	341,776
Operating expenses		158,700
Equipment		80,200
Total operating budget	\$	<u>580,676</u>
Less estimated income		80,000
Net operating budget	\$	<u>500,676</u>
Capital improvements		30,000
Total general fund appropriation	\$	<u>530,676</u>

Subdivision 10.

NORTH CENTRAL EXPERIMENT STATION

Salaries and wages	\$	351,561
Operating expenses		218,426
Equipment		66,900
Total all funds	\$	<u>636,887</u>
Less estimated income		289,709
Total general fund appropriation	\$	<u>347,178</u>

Subdivision 11.

WILLISTON EXPERIMENT STATION

Salaries and wages	\$	391,723
Operating expenses		120,701
Equipment		50,000
Total all funds	\$	<u>562,424</u>
Less estimated income		106,000
Total general fund appropriation	\$	<u>456,424</u>

Subdivision 12.

CARRINGTON EXPERIMENT STATION

Salaries and wages	\$	635,706
Operating expenses		468,250
Equipment		69,000
Total operating budget	\$	<u>1,172,956</u>
Less estimated income		385,000
Net operating budget	\$	<u>787,956</u>
Capital improvements		10,000
Total general fund appropriation	\$	<u>797,956</u>

Subdivision 13.

AGRONOMY SEED FARM

Salaries and wages	\$	210,385
Operating expenses		342,800
Equipment		117,500
Capital improvements		158,000
Total special funds appropriation	\$	<u>828,685</u>

Subdivision 14.

LAND RECLAMATION RESEARCH CENTER

Salaries and wages	\$ 1,223,318
Operating expenses	82,470
Equipment	13,000
Total special funds appropriation	\$ 1,318,788
Grand total general fund appropriation S.B. 2009	\$ 34,998,378
Grand total special funds appropriation S.B. 2009	\$ 30,091,254
Grand total all funds appropriation S.B. 2009	\$ 65,089,632

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, and the cooperative extension division, except as otherwise provided by law, is hereby appropriated for the purpose designated in the gift, grant, or donation. However, public moneys from local sources, which shall include receipts from sale of grains, personal services, dairy products, livestock, and other agricultural products at the North Dakota main experiment station, branch experiment stations, and cooperative extension division, may be expended in excess of that specifically appropriated through biennial appropriations bills of the legislative assembly only in the event that an authorization has first been received from the emergency commission. The balances of all existing moneys on deposit in the name of the North Dakota state university main experiment station, the branch experiment stations, and the cooperative extension division, except grants, gifts, and donations from private sources, along with all subsequent receipts of such moneys, shall be deposited in a special fund in the state treasury. Hereafter, this fund shall be referred to as an operating fund and shall also be the depository for transfers from the general fund, and balances therein shall not revert to any other fund under the terms of section 54-44.1-11. 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, 1985, exceeds the estimated income for the biennium ending June 30, 1987. The state board of higher education is authorized to approve transfer of funds between categories of expenditures, and will notify the director of the office of management and budget of any such transfers within ten days following such authorization.

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 - TRANSFER. There is hereby authorized, as included in the appropriation to the land reclamation

research center in subdivision 14 of section 1 of this Act, a transfer of \$726,365 which is hereby appropriated, or so much thereof as may be necessary, from the coal development impact fund for the purpose of funding reclamation research projects. Such funds shall be transferred at the direction of the office of management and budget upon notification from the director of the energy development impact office, from the coal development impact fund to the land reclamation research center operating fund for the biennium beginning July 1, 1985, and ending June 30, 1987.

SECTION 4. INTENT. In approving section 3, it is the intent of the legislative assembly that the funds appropriated be used for the following research projects:

1. Prime farmland soil productivity;
2. Development of productivity indices for reclaimed land;
3. Soil respreading 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 and the public service commission on August 1, 1985, August 1, 1986, and August 1, 1987. 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 5. AMENDMENT. Section 38-14.1-04.2 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

38-14.1-04.2. Advisory committee responsibilities. The committee, after consultation with the commission, shall adopt procedures under which it is to operate. The responsibilities of the committee, with the administrative and staff assistance and accounting of all funds to be provided by the commission, include:

1. An inventory and brief description and analysis of the conclusions from all reclamation research projects in this state that have been conducted to date as well as an inventory and brief description of all ongoing projects.
2. A review of all past and current reclamation research projects to identify all existing or future research needs and objectives, to prevent duplication, and to establish priorities for future reclamation research according to the objectives established in section 38-14.1-04.3.
3. A review of all proposed reclamation research projects administered by the commission and a determination of which reclamation research projects should be funded and the proper funding levels for the projects.
4. ~~Preparation of~~ Recommend to the commission future reclamation research budgets to be administered by the commission.
5. Preparation of yearly reports to the legislative council on the status of all reclamation research projects, conclusions reached, and future goals and objectives.

SECTION 6. AMENDMENT. Section 38-14.1-04.3 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

38-14.1-04.3. Reclamation research objectives. The reclamation research advisory committee shall make all recommendations on the specific reclamation research projects that are to be funded from moneys administered by the commission. Prior to awarding reclamation research funds, the commission must ~~receive~~ consider the recommendations of the committee relating to the proposed reclamation research project. For any reclamation research project to be approved for funding by the commission, each proposed project must meet 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 conclusions that will reduce unnecessary regulatory costs and assist in effectively

reclaiming the land to its original or better productivity.

SECTION 7. 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 8. APPROPRIATION. 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, 1985, and ending June 30, 1987.

SECTION 9. RESEARCH/EXTENSION CONSTRUCTION - APPROPRIATION. Provision is hereby made in this section for the main agricultural experiment station or any of its branch stations 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. Any funds received are hereby appropriated, but shall not be expended pursuant to this section without the approval of the legislative council's budget section.

Approved April 16, 1985

CHAPTER 52

SENATE BILL NO. 2010
(Committee on Appropriations)

DEPARTMENT OF HEALTH AND ABANDONED MOTOR VEHICLES DIVISION

AN ACT making an appropriation for defraying the expenses of the department of health and the abandoned motor vehicles division 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 department of health and the abandoned motor vehicles division of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

	DEPARTMENT OF HEALTH	
Salaries and wages		\$ 13,658,539
Operating expenses		16,009,800
Data processing		549,900
Equipment		465,100
Grants, benefits, and claims		6,040,700
Lake rehabilitation		300,000
Total all funds		<u>\$ 37,024,039</u>
Less estimated income		26,736,194
Total general fund transfer and appropriation		<u>\$ 10,287,845</u>

Subdivision 2.

	ABANDONED MOTOR VEHICLES DIVISION	
Grants, benefits, and claims		\$ 400,000
Total special funds appropriation		<u>\$ 400,000</u>
Grand total general fund appropriation S.B. 2010		\$ 10,287,845
Grand total special funds appropriation S.B. 2010		\$ 27,136,194
Grand total all funds appropriation S.B. 2010		\$ 37,424,039

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 16, 1985

CHAPTER 53

SENATE BILL NO. 2011
(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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 169,540
Operating expenses	30,500
Equipment	845
Native American alcohol and drug abuse education	335,000
Grants, benefits, and claims	200,000
Data processing	4,000
Total general fund appropriation	\$ 739,885

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 16, 1985

CHAPTER 54

SENATE BILL NO. 2012
 (Committee on Appropriations)

STATE LABORATORIES DEPARTMENT

AN ACT making an appropriation for defraying the expenses of the state laboratories department of the state of North Dakota; and to amend and reenact section 19-01-07 of the North Dakota Century Code, relating to fees paid the state laboratories department for contract services.

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 the capitol building fund and other income to the state laboratories department of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 1,783,081
Operating expenses	468,488
Data processing	29,870
Contract services expenses	50,000
Capital improvements	160,000
Equipment	48,070
Total all funds	\$ 2,539,509
Less estimated income	210,000
Total general fund appropriation	\$ 2,329,509

* SECTION 2. AMENDMENT. Section 19-01-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

19-01-07. Fees - Disposition. All revenues received and fees and charges collected under the provisions of this title shall be properly accounted for daily by the assistant director and employees to the director of the department and by him recorded and entered upon his books by counties from which the fees and charges are received. The director shall forward all moneys so collected to the state treasurer monthly, and the treasurer shall place the same in the general fund of the state. Funds may be accepted from cities,

* NOTE: Section 19-01-07 was also amended by section 4 of House Bill No. 1590, chapter 258.

counties, states, federal agencies, and private organizations for contract services of analytical and inspection work. Such funds shall be remitted by the department to the state treasurer and deposited in a special account in the state treasury, designated the "state laboratories contract servicers fund" to be used exclusively to carry out the intent and purposes of this section. Such funds are retained by the department for payment of expenditures incurred in rendering such services and are hereby appropriated to the department to be disbursed by the department in accordance with the intent and purposes of this section. Funds in excess of fifty thousand dollars received and disbursed during any biennial period pursuant to this section shall require emergency commission approval.

SECTION 3. APPROPRIATION - TRANSFER. The amount appropriated in section 1 of this Act includes \$160,000 which shall be transferred by the office of management and budget from the capitol building fund for the biennium beginning July 1, 1985, and ending June 30, 1987, as required for disbursement by the state laboratories department.

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.

Approved April 16, 1985

CHAPTER 55

SENATE BILL NO. 2013
(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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 288,148
Operating expenses	96,529
Data processing	1,395
Equipment	12,915
Capital improvements	495,000
Grants, benefits, and claims	3,000,000
Total all funds	\$ 3,893,987
Less estimated income	2,901,077
Total general fund transfer and appropriation	\$ 992,910

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 16, 1985

CHAPTER 56

SENATE BILL NO. 2014
(Committee on Appropriations)

WEATHER MODIFICATION BOARD

AN ACT making an appropriation for defraying the expenses of the weather modification 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, and from special funds derived from federal funds and other income, to the weather modification board of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 305,044
Operating expenses	1,267,833
Equipment	9,772
Data processing	43,895
Research - weather modification	<u>1,050,000</u>
Total all funds	\$ 2,676,544
Less estimated income	<u>1,935,377</u>
Total general fund appropriation	\$ 741,167

SECTION 2. APPROPRIATION. There is hereby appropriated, upon the approval of the emergency commission, from special funds derived from federal funds and other income, such moneys as become available during the biennium beginning July 1, 1985, and ending June 30, 1987, to the weather modification board of the state of North Dakota for the purpose of increasing the level of the cooperative research program.

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 16, 1985

CHAPTER 57

SENATE BILL NO. 2015
(Committee on Appropriations)

DEPARTMENT OF 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.

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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$1,309,381
Operating expenses	235,243
Data processing	500
Equipment	<u>1,156</u>
Total general fund appropriation	\$1,546,280

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. 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 11, 1985

CHAPTER 58

SENATE BILL NO. 2016
(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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 449,472
Operating expenses	45,390
Data processing	250
Equipment	<u>2,500</u>
Total general fund appropriation	\$ 497,612

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 15, 1985

CHAPTER 59

SENATE BILL NO. 2017
(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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 332,449
Operating expenses	158,352
Equipment	<u>2,320</u>
Total general fund appropriation	\$ 493,121

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, 1985

CHAPTER 60

SENATE BILL NO. 2018
(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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 280,516
Operating expenses	154,163
Equipment	1,564
Contingency	7,500
Total special fund appropriation	\$ 443,743

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 11, 1985

CHAPTER 61

SENATE BILL NO. 2019
(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.

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, 1985, and ending June 30, 1987, as follows:

Premiums	\$ 250,000
Total general fund appropriation	\$ 250,000

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 15, 1985

CHAPTER 62

SENATE BILL NO. 2021
(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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 242,767
Operating expenses	163,385
Equipment	1,000
Grants, benefits, and claims	<u>1,354,690</u>
Total all funds	<u>\$1,761,842</u>
Less estimated income	<u>1,265,450</u>
Total general fund appropriation	<u>\$ 496,392</u>

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, 1985, and ending June 30, 1987.

SECTION 3. LEGISLATIVE AUTHORIZATION. The North Dakota council on the arts is authorized to apply for a three-year federal grant for the national endowment for the arts test program of support for local arts agencies. The grants, benefits, and claims line item in section 1 of this Act includes \$200,000 for this purpose during the 1985-87 biennium, \$100,000 from the general fund and \$100,000 from federal funds. The \$100,000 general fund appropriation may not be expended unless \$200,000 of local matching funds is made available during the 1985-87 biennium. The council on the arts is authorized to request funding for the third year of this grant during the 1987-89 biennium.

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.

Approved April 15, 1985

CHAPTER 63

SENATE BILL NO. 2023
(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 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 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, 1985, and ending June 30, 1987, as follows:

HIGHWAY PATROL

Salaries and wages	\$ 12,154,312
Operating expenses	2,801,855
Data processing	158,342
Equipment	945,267
Capital improvements	55,000
Total all funds	\$ 16,114,776
Less estimated income	11,072,046
Total general fund appropriation	\$ 5,042,730

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, 1985, and ending June 30, 1987. 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 income line item of section 1 of this Act, the sum of \$11,072,046, 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, 1985, and ending June 30, 1987.

Approved April 15, 1985

CHAPTER 64

SENATE BILL NO. 2024
(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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 57,159,394
Operating expenses	47,389,292
Data processing	2,125,759
Equipment	6,368,839
Grants, benefits, and claims	4,127,431
Capital improvements	8,444,900
Contracts	<u>226,571,201</u>
Total all funds	\$352,186,816
Less estimated special funds	<u>352,156,816</u>
Total general fund appropriation	\$ 30,000

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. APPROPRIATION. In addition to the appropriation in section 1 of this Act there is hereby appropriated to the highway department any additional federal funds which may become available during the biennium beginning July 1, 1985, and ending June 30, 1987. Such funds shall be expended only with prior authorization from the emergency commission.

Approved April 11, 1985

CHAPTER 65

SENATE BILL NO. 2025
(Committee on Appropriations)

GEOLOGICAL SURVEY AND UPPER GREAT PLAINS TRANSPORTATION INSTITUTE

AN ACT making an appropriation for defraying the expenses of the geological survey and the upper great plains transportation institute 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 lands and minerals trust fund in the state treasury as provided for in section 15-08.1-08 of the North Dakota Century Code, not otherwise appropriated, to the geological survey under the supervision of the board of higher education of the state of North Dakota, and from special funds derived from federal funds and other income to the upper great plains transportation institute of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

GEOLOGICAL SURVEY

Salaries and wages	\$ 1,584,761
Operating expenses	293,631
Equipment	<u>100,050</u>
Total appropriation from lands and minerals trust fund	\$ 1,978,442

Subdivision 2.

UPPER GREAT PLAINS TRANSPORTATION INSTITUTE

Salaries and wages	\$ 390,180
Operating expenses	96,899
Equipment	<u>12,411</u>
Total all funds	\$ 499,490
Less estimated income	<u>222,490</u>
Total general fund appropriation	\$ 277,000
Grand total general fund appropriations S.B. 2025	\$ 277,000
Grand total special funds appropriated S.B. 2025	\$ 2,200,932
Grand total all funds appropriated S.B. 2025	\$ 2,477,932

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. 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. There is hereby appropriated to the geological survey any federal funds that become available for the purposes of monitoring the underground injection control program and monitoring coal exploration drilling for the biennium beginning July 1, 1985, and ending June 30, 1987.

Approved April 16, 1985

CHAPTER 66

SENATE BILL NO. 2026
(Committee on Appropriations)

MOTOR VEHICLE DEPARTMENT

AN ACT making an appropriation for defraying the expenses of the motor vehicle 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 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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 2,055,951
Operating expenses	1,517,535
Data processing	695,879
License plates and tabs	787,000
Equipment	12,500
Special refunds	25,700
Contingency fund	<u>50,000</u>
Total appropriation from motor vehicle registration fund	\$ 5,144,565

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 11, 1985

CHAPTER 67

SENATE BILL NO. 2027
(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.

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 state lands maintenance fund in the state treasury, not otherwise appropriated, 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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 867,485
Operating expenses	140,455
Data processing	51,380
Equipment	3,600
Grants	167,365
Contingency fund	35,000
Total appropriation from state lands maintenance fund	<u>\$1,265,285</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 15, 1985

CHAPTER 68

SENATE BILL NO. 2028
(Committee on Appropriations)

INDUSTRIAL COMMISSION AND AGENCIES UNDER ITS CONTROL

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 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, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

	INDUSTRIAL COMMISSION	
Salaries and wages		\$ 2,157,760
Operating expenses		457,826
Data processing		195,800
Equipment		158,117
Contingency		10,000
Total appropriation from land and minerals trust fund		<u>\$ 2,979,503</u>

Subdivision 2.

	BANK OF NORTH DAKOTA	
Salaries and wages		\$ 6,152,543
Operating expenses		3,888,331
Data processing		3,062,242
Equipment		544,725
Contingency		150,000
Total appropriation from Bank of North Dakota fund		<u>\$ 13,797,841</u>

Subdivision 3.

	MILL AND ELEVATOR ASSOCIATION	
Salaries and wages		\$ 8,575,650

Operating expenses	4,835,618
Agriculture promotion	75,000
Emergency fund	500,000
Total appropriation from mill and elevator fund	<u>\$ 13,986,268</u>

Subdivision 4.

HOUSING FINANCE AGENCY

Salaries and wages	\$ 1,219,771
Operating expenses	425,225
Data processing	124,242
Equipment	10,000
Grants	25,920,000
HFA contingency	72,606
HFA reserve	<u>1,300,000</u>
Total special funds appropriation	\$ 29,071,844
Grand total special funds appropriation S.B. 2028	\$ 59,876,771
Grand total all funds appropriation S.B. 2028	\$ 59,876,771

SECTION 2. APPROPRIATION. There is hereby appropriated from the lands and minerals trust fund in the state treasury the sum of \$41,315, or so much thereof as may be necessary, to the state industrial commission, for the purpose of having an electric oil well log microfilm library at the Williston community library during the biennium beginning July 1, 1985, and ending June 30, 1987.

SECTION 3. 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, 1985, and ending June 30, 1987.

SECTION 4. APPROPRIATION. In addition to the amount appropriated to the housing finance agency in 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, 1985, and ending June 30, 1987.

SECTION 5. 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 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 holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein.

Approved April 16, 1985

CHAPTER 69

SENATE BILL NO. 2029
(Committee on Appropriations)

PUBLIC EMPLOYEES RETIREMENT SYSTEM

AN ACT making an appropriation for defraying the administrative costs of the public employees retirement system, and the deferred compensation committee of the state of North Dakota; to provide for a transfer; to amend and reenact section 54-52.1-04.2 of the North Dakota Century Code, relating to the self-insurance plan for hospital and medical benefits coverage; 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, and the deferred compensation committee of the state of North Dakota, for the purpose of defraying the administrative costs of the divisions thereof, for the biennium beginning July 1, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

PUBLIC EMPLOYEES RETIREMENT BOARD

Salaries and wages	\$ 704,504
Operating expenses	293,154
Data processing	610,163
Equipment	11,639
Contingency	50,000
Total appropriation from public employees retirement fund	<u>\$1,669,460</u>

Subdivision 2.

DEFERRED COMPENSATION COMMITTEE

Salaries and wages	\$ 59,461
Operating expenses	7,638
Data processing	3,000
Equipment	1,500
Total appropriation from public employees retirement fund	<u>\$ 71,599</u>

Grand total special funds appropriation S.B. 2029 \$1,741,059

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. 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. UNIFORM GROUP INSURANCE PROGRAM RESERVE FUND - TRANSFER. The public employees retirement system shall transfer from the uniform group insurance program reserve fund to the general fund in the state treasury on March 1, 1987, the sum of \$1,000,000. The public employees retirement system shall transfer from the uniform group insurance program reserve fund to the general fund in the state treasury on July 1, 1987, or at an earlier date as sufficient information may become available, the amount that the estimated June 30, 1987, unobligated reserve balance relating to amounts paid by state agencies and institutions exceeds \$1,500,000.

SECTION 5. AMENDMENT. Section 54-52.1-04.2 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-52.1-04.2. Self-insurance plan for hospital and medical benefits coverage. The board may establish a self-insurance plan for providing health insurance benefits coverage only under an administrative services only (ASO) contract or a third party administrator (TPA) contract under the uniform group insurance program, if it is determined by the board that an (ASO) or (TPA) plan is less costly than the lowest bid submitted by a carrier for underwriting the plan with equivalent contract benefits. In addition, individual and aggregate stop-loss coverage insured by a carrier authorized to do business in this state must be made part of any self-insured plan. All bids under this section are due no later than January first, and must be awarded no later than March first, preceding the end of each biennium. All bids under this section must be opened at a public meeting of the board.

SECTION 6. EMERGENCY. Section 5 of this Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval.

Approved April 10, 1985

CHAPTER 70

SENATE BILL NO. 2030
(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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 405,217
Operating expenses	267,301
Data processing	322,986
Equipment	3,642
Contingency	50,000
Total appropriation from teachers' fund for retirement	<u>\$1,049,146</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 16, 1985

CHAPTER 71

SENATE BILL NO. 2031
 (Committee on Appropriations)

JOB SERVICE, OASIS, AND SOCIAL SECURITY

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, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

JOB SERVICE NORTH DAKOTA

Salaries and wages	\$ 22,323,005
Operating expenses	5,490,944
Equipment	<u>193,865</u>
Total special funds appropriation	\$ 28,007,814

Subdivision 2.

NORTH DAKOTA OASIS AND SOCIAL SECURITY

Salaries and wages	\$ 231,208
Operating expenses	102,300
Equipment	<u>2,000</u>
Total appropriation from social security contribution fund	\$ 335,508

Grand total special funds appropriation S.B. 2031 \$ 28,343,322

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, 1985, and ending June 30, 1987.

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.

CHAPTER 72

SENATE BILL NO. 2032 (Committee on Appropriations)

WORKMEN'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, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

WORKMEN'S COMPENSATION BUREAU

Salaries and wages	\$ 3,240,226
Operating expenses	947,749
Data processing	781,487
Equipment	47,548
Contingent	75,000
Total appropriation from workmen's compensation fund	<u>\$ 5,092,010</u>

Subdivision 2.

CRIME VICTIMS REPARATION

Grants	\$ 303,500
Total	<u>\$ 303,500</u>
Less estimated income	70,000
Total general fund appropriation	<u>\$ 233,500</u>
Grand total general fund appropriation S.B. 2032	\$ 233,500
Grand total special funds appropriation S.B. 2032	\$ 5,162,010
Grand total all funds appropriation S.B. 2032	<u>\$ 5,395,510</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.

SECTION 4. BUDGET SECTION AUTHORIZATION - DATA PROCESSING AND ACCOUNTING SYSTEMS. The workmen's compensation bureau shall make periodic reports during the 1985-86 interim to the budget section of the legislative council regarding the bureau's progress in the modernization of its data processing and accounting systems. Funding in the amount of \$561,487 for this project is provided in the data processing line item in subdivision 1 of section 1 of this Act. The bureau may expend the funds for such project only upon the approval of the budget section.

SECTION 5. OFFICE OF MANAGEMENT AND BUDGET APPROVAL REQUIRED - ACCOUNTANT - MANAGEMENT POSITION - DATA PROCESSING AND ACCOUNTING SYSTEMS. It is the intent of the legislative assembly that the current unclassified position of executive director at the workmen's compensation bureau be changed to a classified position. Funding in the amount of \$86,849 for salaries and wages and \$561,487 for the data processing and accounting system project provided in the data processing line item in subdivision 1 of section 1 of this Act may be expended by the bureau only after the bureau has certified to the director of the office of management and budget, and subject to the director's approval, that a person has been hired to fill the position who is either a licensed public accountant, a certified public accountant, or has a master's in business administration degree (MBA) and has adequate general management experience and is qualified and capable of implementing data processing, accounting and management information systems that are modern and efficient.

SECTION 6. OFFICE RELOCATION - APPROVAL. The workmen's compensation bureau before moving from its present location, must obtain approval from the budget section of the legislative council, director of institutions, and emergency commission. Expenditures may be made pursuant to the contingency line item in subdivision 1 of section 1 of this Act for rent expense only upon approval from the budget section, director of institutions, and emergency commission.

Approved April 15, 1985

CHAPTER 73

SENATE BILL NO. 2033
(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, 1985, and ending June 30, 1987, as follows:

Subdivision 1.

	SCHOOL FOR THE DEAF	
Salaries and wages		\$ 3,078,947
Operating expenses		861,983
Data processing		4,995
Equipment		51,670
Capital improvements		134,000
Total all funds		\$ 4,131,595
Less estimated income		552,410
Total general fund appropriation		\$ 3,579,185

Subdivision 2.

	SCHOOL FOR THE BLIND	
Salaries and wages		\$ 2,068,449
Operating expenses		480,952
Equipment		29,480
Capital improvements		91,500
Total all funds		\$ 2,670,381
Less estimated income		414,889
Total general fund appropriation		\$ 2,255,492
Grand total general fund appropriation S.B. 2033		\$ 5,834,677

Grand total special funds appropriated S.B. 2033	\$	967,299
Grand total all funds appropriated S.B. 2033	\$	6,801,976

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. 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 15, 1985

CHAPTER 74

SENATE BILL NO. 2035
(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, 1985, and ending June 30, 1987, as follows:

Salaries and wages	\$ 295,878
Operating expenses	315,102
Data processing	200
Equipment	1,500
Grants, benefits, and claims	<u>825,000</u>
Total general fund appropriation	<u>\$1,437,680</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 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 15, 1985

CHAPTER 75

SENATE BILL NO. 2036
(Committee on Appropriations)

MOTOR VEHICLE FUEL TAX TRANSFER

AN ACT to transfer a portion of motor vehicle fuel tax revenue to the general fund for the purpose of defraying the cost of administering the motor vehicle fuel tax laws.

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

SECTION 1. 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 \$818,481 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.

Approved April 16, 1985

CHAPTER 76

SENATE BILL NO. 2037
(Committee on Appropriations)

MILL AND ELEVATOR PROFITS

AN ACT to transfer moneys from the accumulated and undivided profits of the North Dakota mill and elevator association to the general fund of the state of North Dakota.

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

SECTION 1. 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, 1985, and ending June 30, 1987, upon order of the industrial commission, with one-half of the transfer to be made no later than June 30, 1986.

Approved March 28, 1985

CHAPTER 77

SENATE BILL NO. 2090
(Legislative Council)

(Interim Legislative Procedure and Arrangements Committee)

CAPITOL LEGISLATIVE WING IMPROVEMENTS APPROPRIATION

AN ACT making an appropriation to the legislative assembly for the refinishing of woodwork and 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 \$187,200, or so much thereof as may be necessary, to the legislative assembly for the refinishing of woodwork and other improvements to the legislative wing and certain portions of the ground floor and the second floor levels of the executive tower 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 hereby declared to be an emergency measure and is in effect from and after its passage and approval.

Approved March 22, 1985

CHAPTER 78

SENATE BILL NO. 2216
(Committee on Appropriations)
(At the request of Job Service North Dakota)

JOB SERVICE DATA PROCESSING

AN ACT making an appropriation out of funds made available under section 903 (Reed Act) of the Social Security Act to the state of North Dakota unemployment compensation fund to be used for automated data processing needs of job service North Dakota.

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

SECTION 1. APPROPRIATION. There is hereby appropriated out of funds made available to this state under section 903 of the Social Security Act, as amended, the sum of \$121,461.66, or so much thereof as may be necessary, to be used, under the direction of job service North Dakota, for its automated data processing needs.

SECTION 2. TIME LIMITATION ON OBLIGATION OF APPROPRIATED FUNDS. No part of the money hereby appropriated may be obligated after the expiration of the two-year period beginning on July 1, 1985.

SECTION 3. LIMITATION OF AMOUNT OBLIGATED DURING TWELVE-MONTH PERIOD. The amount obligated pursuant to this Act during any twelve-month period beginning on July first and ending on the next June thirtieth shall not exceed the amount by which (a) the aggregate of the amounts credited to the account of this state pursuant to section 903 of the Social Security Act during such twelve-month period and the thirty-four preceding twelve-month periods exceeds (b) the aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of this state during such thirty-four twelve-month periods.

Approved April 11, 1985

CHAPTER 79

SENATE BILL NO. 2400
(Senators Holmberg, Heigaard)
(Representatives Kingsbury, Unhjem)

UND CENTER FOR INNOVATION AND BUSINESS DEVELOPMENT

AN ACT to provide an appropriation to defray the expenses of a center for innovation and business development.

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 \$129,554, or so much thereof as may be necessary, to the economic development commission for the purpose of defraying the expenses of a center for innovation and business development at the University of North Dakota, for the biennium beginning July 1, 1985, and ending June 30, 1987.

Approved April 16, 1985

CHAPTER 80

SENATE BILL NO. 2507
(Heigaard)

(Approved by the Committee on Delayed Bills)

TAX LITIGATION

AN ACT to grant an appropriation for use in the defense of the litigation entitled Burlington Northern Railroad Company v. State of North Dakota, acting by and through the State Board of Equalization, et al, District Court, South Central Judicial District, Burleigh County Civil No. 35884.

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 may be necessary, to the tax commissioner, as secretary of the state board of equalization, for use in the defense of the litigation entitled Burlington Northern Railroad Company v. State of North Dakota, acting by and through the State Board of Equalization, et al, District Court, South Central Judicial District, Burleigh County Civil No. 35884, by the state and its counties, provided the appropriation is to be used only at the direction of the state board of equalization.

Approved April 15, 1985

CHAPTER 81

SENATE BILL NO. 2511

(Nothing)

(Approved by the Committee on Delayed Bills)

PERSONAL PROPERTY TAX REPLACEMENT DEFICIENCY

AN ACT making an appropriation to the state tax commissioner for personal property tax replacement deficiency payments.

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 \$8,507,654, or so much thereof as may be necessary, to the state tax commissioner for personal property tax replacement payments for the period beginning January 1, 1985, and ending June 30, 1985.

Approved April 11, 1985