

# APPROPRIATIONS

## CHAPTER 1

HOUSE BILL NO. 1001  
(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 DEPARTMENT OF STATE GOVERNMENT.) There are hereby appropriated out of the general fund in the state treasury, not otherwise appropriated, to the legislative branch of the state government for the purpose specified such sums as set forth in the following sections of this bill.

SECTION 2. THE PERIOD DURING WHICH APPROPRIATIONS MADE HEREIN SHALL BE AVAILABLE.) Unless otherwise specifically stated, the appropriations herein made shall be available for the expenses to be incurred in and about several purposes herein set out, during the fiscal period beginning with the effective date of this Act and ending June 30, 1981, to wit:

SECTION 3. APPROPRIATION.)

Subdivision 1.  
FORTY-SIXTH AND FORTY-SEVENTH LEGISLATIVE ASSEMBLIES AND BIENNIUM

Salaries and wages	\$ 860,053
Fees and services	2,341,121
Additional and unvouchered expense allowance for expenses of the lieutenant governor to be paid at the rate of \$70.00 per day for each calendar day during each organizational, regular, or special session and for one day immediately prior to and immediately following such sessions beginning January 1, 1979, notwithstanding subdivision 1 of section 3 of chapter 27 of the 1977 Session Laws, such unvouchered expense allowance to be in lieu of the expenses provided for in section 44-08-04	7,580

National conference of state legislatures	38,960
Midwest conference	10,000
Supplies and materials	469,389
Equipment	5,500
Total	<u>\$ 3,732,603</u>

## Subdivision 2.

## LEGISLATIVE COUNCIL

Salaries and wages	\$ 1,445,606
Fees and services	992,844
Supplies and materials	69,606
Equipment	10,000
Total	<u>\$ 2,518,056</u>
Total general fund	\$ 6,250,659

SECTION 4. TRANSFERS.) The director of the department of accounts and purchases and the state treasurer shall make such transfers of funds between lined items of appropriation for the legislative council as may be requested by the chairman of such council upon a finding by such chairman 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 department of accounts and purchases and the state treasurer shall similarly make transfers of funds between the lined items for the forty-sixth and forty-seventh legislative assemblies, upon request of the chairman of the legislative council upon a finding by him that such transfers are required for the legislative assembly to carry on its functions and duties.

SECTION 5. EMERGENCY.) This measure is hereby declared to be an emergency measure and shall be in full force and effect immediately upon its passage and approval.

Approved March 27, 1979

## CHAPTER 2

HOUSE BILL NO. 1003  
(Committee on Appropriations)

## LEGISLATIVE SPACE RENOVATION

AN ACT making an appropriation to the legislative assembly for improvements to and renovation of 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 general fund in the state treasury, not otherwise appropriated, the sum of \$307,130.00, or so much thereof as may be necessary, to the legislative assembly for improvements to and renovation of the legislative wing and certain portions of the basement, the ground floor, and the second floor levels of the executive tower of the state capitol.

SECTION 2. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the director of institutions handle administration of contracts let by the legislative council, or its designee, with respect to the projects funded by this Act, and that the legislative council or its designee serve as the funding agent for the contracts it enters into pursuant to this Act. The provisions of section 54-44.1-11 shall not apply to this appropriation.

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

Approved March 27, 1979

## CHAPTER 3

HOUSE BILL NO. 1004  
(Committee on Appropriations)

## BOARD OF HIGHER EDUCATION

AN ACT making an appropriation for defraying the expenses of the board of higher education 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.) 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/or other income, the sums as hereinafter provided, or so much thereof as may be necessary, to the 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, 1979, and ending June 30, 1981, as follows:

## Subdivision 1.

## BOARD OF HIGHER EDUCATION

Salaries and wages	\$	665,516
Operating expenses		130,579
Data processing		13,388
Equipment		4,450
Land, structures, and major improvements		543,300
Grants, benefits, and claims		910,000
Energy conservation		900,000
Consultation board		10,091
Contingent		<u>1,000,000</u>
Total all funds	\$	<u>4,177,324</u>
Less estimated income		<u>969,300</u>
Total general fund appropriation	\$	<u>3,208,024</u>

## Subdivision 2.

## NATIONAL DIRECT STUDENT LOAN PROGRAM

Grants, benefits, and claims	\$	150,000
Total general fund appropriation	\$	<u>150,000</u>

## Subdivision 3.

## RECIPROCAL AGREEMENTS

Reciprocal agreements	\$ 2,684,414
Total general fund appropriation	\$ 2,684,414
Grand total general fund appropriation	\$ 6,742,438
Grand total special funds appropriated	\$ 969,300
Grand total all funds H.B. 1004	\$ 7,711,738

SECTION 2. VIETNAM BONUS FUND - TRANSFER.) The state treasurer and the director of the department of accounts and purchases upon the request of the board of higher education during the biennium beginning July 1, 1979, and ending June 30, 1981, shall transfer \$543,300.00 from the Vietnam bonus fund in the state treasury, or so much thereof as may be necessary, to the board of higher education for projects to make buildings and other structures more accessible to the handicapped at the institutions under its control. This \$543,300.00 is specifically appropriated in the land, structures, and major improvements line item. It is the intent of the legislative assembly that the sum of \$100,000.00, or so much thereof as may be necessary, included in the line item for land, structures, and major improvements in section 1 of this Act be expended to meet the federal requirements for handicapped accessibility in the restoration of Oxford House on the campus of the university of North Dakota.

SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

SECTION 4. APPROPRIATION.) The contingent line item under section 1, subdivision 1 of this Act shall be used for meeting unforeseen expenses at the various institutions under the control of the board of higher education, upon approval of the emergency commission.

SECTION 5. MINOT STATE COLLEGE - APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$700,000.00, or so much thereof as may be necessary, to match \$700,000.00 in federal or other funds for a coal-fired boiler at Minot state college during the biennium beginning July 1, 1979, and ending June 30, 1981.

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 or cause any specific appropriation for any item or set of items 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 7, 1979

## CHAPTER 4

HOUSE BILL NO. 1005  
(Committee on Appropriations)

## HIGHER EDUCATION

AN ACT making an appropriation for defraying the expenses of the various institutions under the supervision of the 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.) 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/or other income, the sums as hereinafter provided, or so much thereof as may be necessary, to the various institutions 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, 1979, and ending June 30, 1981, as follows:

## UNIVERSITY OF NORTH DAKOTA

Salaries and wages	\$ 38,035,773
Operating expense	10,089,042
Equipment	<u>1,082,657</u>
Total operating budget	\$ 49,207,472
Less estimated income	<u>10,610,199</u>
Net operating budget	\$ 38,597,273
Land, structures, and major improvements	<u>2,183,500</u>
Total general fund appropriation	\$ 40,780,773

## UNIVERSITY OF NORTH DAKOTA MEDICAL CENTER

Salaries and wages	\$ 17,288,973
Operating expense	9,634,403
Equipment	678,474
Program grant	2,755,916
Land, structures, and major improvements	<u>100,000</u>
Total all funds	\$ 30,457,766
Less estimated income	<u>16,925,330</u>
Total general fund appropriation	\$ 13,532,436

## NORTH DAKOTA STATE UNIVERSITY

OF AGRICULTURE AND APPLIED SCIENCE

Salaries and wages	\$ 33,003,296
Operating expense	9,959,455
Equipment	<u>1,184,708</u>
Total operating budget	\$ 44,147,459
Less estimated income	<u>9,307,573</u>
Net operating budget	\$ 34,839,886
Land, structures, and major improvements	<u>1,633,655</u>
Total general fund appropriation	\$ 36,473,541

STATE SCHOOL OF SCIENCE - WAHPETON

Salaries and wages	\$ 12,931,391
Operating expense	3,733,914
Equipment	<u>832,888</u>
Total operating budget	\$ 17,498,193
Less estimated income	<u>3,592,193</u>
Net operating budget	\$ 13,906,000
Land, structures, and major improvements	<u>1,078,955</u>
Total general fund appropriation	\$ 14,984,955

DICKINSON STATE COLLEGE

Salaries and wages	\$ 5,266,559
Operating expense	1,539,687
Equipment	<u>185,220</u>
Total operating budget	\$ 6,991,466
Less estimated income	<u>1,121,624</u>
Net operating budget	\$ 5,869,842
Land, structures, and major improvements	<u>403,600</u>
Total general fund appropriation	\$ 6,273,442

MAYVILLE STATE COLLEGE

Salaries and wages	\$ 3,830,575
Operating expense	1,305,333
Equipment	<u>142,464</u>
Total operating budget	\$ 5,278,372
Less estimated income	<u>863,416</u>
Net operating budget	\$ 4,414,956
Land, structures, and major improvements	<u>401,500</u>
Total general fund appropriation	\$ 4,816,456

MINOT STATE COLLEGE

Salaries and wages	\$ 10,019,315
Operating expense	2,187,180
Equipment	<u>346,576</u>
Total operating budget	\$ 12,553,071
Less estimated income	<u>3,155,179</u>
Net operating budget	\$ 9,397,892
Land, structures, and major improvements	<u>799,100</u>
Total general fund appropriation	\$ 10,196,992

VALLEY CITY STATE COLLEGE

Salaries and wages	\$ 4,825,571
Operating expense	1,241,176
Equipment	<u>189,797</u>

Total operating budget	\$ 6,256,544
Less estimated income	1,186,137
Net operating budget	<u>\$ 5,070,407</u>
Land, structures, and major improvements	465,900
Total general fund appropriation	<u>\$ 5,536,307</u>

## STATE SCHOOL OF FORESTRY - BOTTINEAU

Junior college division:	
Salaries and wages	\$ 1,952,090
Operating expense	494,220
Equipment	83,028
Total operating budget	<u>\$ 2,529,338</u>
Less estimated income	591,182
Net operating budget	<u>\$ 1,938,156</u>
Land, structures, and major improvements	453,860
Total general fund appropriation	<u>\$ 2,392,016</u>
North Dakota forest service:	
Salaries and wages	\$ 779,895
Operating expense	244,587
Equipment	83,583
Total operating budget	<u>\$ 1,108,065</u>
Less estimated income	630,196
Net operating budget	<u>\$ 477,869</u>
Land, structures, and major improvements	38,150
Total general fund appropriation	<u>\$ 516,019</u>

## NDSU - STATE TOXICOLOGIST

Salaries and wages	\$ 290,450
Operating expense	69,790
Equipment	17,500
Total all funds	<u>\$ 377,740</u>
Less estimated income	171,000
Total general fund appropriation	<u>\$ 206,740</u>

## MEDICAL CENTER REHABILITATION HOSPITAL

Salaries and wages	\$ 8,785,163
Operating expense	4,781,125
Equipment	172,075
Total appropriation from institutional income	<u>\$ 13,738,363</u>
Grand total general fund appropriation	\$136,017,677
Grand total special funds appropriated	\$ 62,692,392
Grand total all funds appropriated H.B. 1005	\$198,710,069

SECTION 2. APPROPRIATION.) All income received by the university of North Dakota medical center, which is in excess of the income specifically appropriated in this Act, is hereby appropriated.

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 or cause any specific appropriation for any item or set of items should be held by the court or 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 4. LEGISLATIVE INTENT.) It is the intent of the legislative assembly to continue to strongly endorse the school of medicine's education of medical students and residents by individual physicians and surgeons in existing clinics and practices.

SECTION 5. NORTH DAKOTA STATE UNIVERSITY.) In addition to the appropriations and authorizations provided by this Act, there is hereby appropriated out of any moneys in the general fund, not otherwise appropriated, the sum of \$308,000.00 or so much thereof as may be necessary to the North Dakota state university during the biennium beginning July 1, 1979, and ending June 30, 1981, to be used only in the event of a reduction, and only to the extent of such reduction, in either or both years of the biennium in the receipt of federal funds by the North Dakota state university pursuant to the Bankhead-Jones Act. Such reduction during each year of the biennium shall be determined by subtracting the amounts received under the Bankhead-Jones Act each year from the amounts received during the fiscal year ended June 30, 1978. Funds shall be made available pursuant to this contingency appropriation only upon approval of the state board of higher education and with written notification by such board to the director of accounts and purchases.

SECTION 6. VIETNAM BONUS FUND - TRANSFER.) The state treasurer and the director of the department of accounts and purchases upon the request of the board of higher education during the biennium beginning July 1, 1979, and ending June 30, 1981, shall transfer from the Vietnam bonus fund in the state treasury to the Minot state college operating fund \$100,000.00, or so much thereof as may be necessary to be used towards completion of the physical education activities center at the college. The funds are appropriated for such use in the land, structures, and major improvements line item in the Minot state college appropriation, and also included in such institution's estimated income.

SECTION 7. APPROPRIATION.) In addition to the appropriation in section 1 of this Act to Minot state college, there is hereby appropriated \$800,000.00, or so much greater amounts as may become available of any private, federal, or other funds to be used towards completion of the physical education activities center.

SECTION 8.) Any additional income not required by law to be deposited in the operating fund in the state treasury and income from increased enrollments is hereby appropriated. All income resulting from increased enrollments in excess of estimated income in the budget appropriated by the legislature to the institutions of higher learning must be deposited in their operating funds in the state treasury and can be expended only by authorization of the emergency commission.

The board of higher education is hereby authorized to use operating funds in addition to appropriated plant improvement funds for the maintenance, repair, and improvement of buildings and land acquisition at the various institutions, with consent of the emergency commission during the biennium beginning July 1, 1979, and ending June 30, 1981.

Approved April 7, 1979

## CHAPTER 5

HOUSE BILL NO. 1006  
(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.) 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/or other income, the sum of \$20,744,542 or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 1,500,349
Fees and services	352,547
Data processing	15,237
Supplies and materials	89,000
Equipment	2,200
Grants, benefits, and claims	18,570,209
State advisory council	<u>215,000</u>
Total all funds	\$ 20,744,542
Less estimated income	<u>9,116,552</u>
Total general fund transfer and appropriation	\$ 11,627,990

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 7, 1979

## CHAPTER 6

HOUSE BILL NO. 1007  
(Committee on Appropriations)

## STATE AID TO JUNIOR COLLEGES

AN ACT making an appropriation for providing assistance to the junior colleges of the state of North Dakota.

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 \$4,727,113 or so much thereof as may be necessary, to the junior colleges hereinafter named of the state of North Dakota for the purpose of assisting in defraying the expenses thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Bismarck junior college	\$ 2,730,146
Lake region junior college	1,126,520
UND - Williston center	870,447
Total general fund appropriation	<u>\$ 4,727,113</u>

SECTION 2. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that payments for state aid to junior colleges be made in accordance with provisions of section 15-18-07 of the North Dakota Century Code relating to pro rata distribution of state aid to junior colleges.

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 or cause any specific appropriation for any item or set of items 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 3, 1979

## 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.) 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/or other income, the sum of \$1,618,193 or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 948,476
Fees and services	290,812
Supplies and materials	133,537
Equipment	227,868
Land, structures, and major improvements	17,500
Total all funds	<u>\$ 1,618,193</u>
Less estimated income	741,386
Total general fund transfer and appropriation	<u>\$ 876,807</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 or cause any specific appropriation for any item or set of items 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 March 21, 1979

CHAPTER 8

HOUSE BILL NO. 1009  
 (Committee on Appropriations)

EXTENSION DIVISION AND  
 EXPERIMENT STATIONS

AN ACT making an appropriation for defraying the expenses of the extension division and the experiment stations of North Dakota state university of agriculture and applied science.

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/or other income, the sums as hereinafter provided or so much thereof as may be necessary, to the extension division and experiment stations of North Dakota state university of agriculture and applied science of the state of North Dakota, for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

	EXTENSION DIVISION	
Salaries and wages		\$ 10,818,484
Operating expense		2,182,864
Equipment		334,389
Total all funds		<u>\$ 13,335,737</u>
Less estimated income		8,292,460
Total general fund appropriation		<u>\$ 5,043,277</u>

	EXTENSION DIVISION SPECIAL PROGRAM - FOOD AND NUTRITION	
Salaries and wages		\$ 494,544
Operating expense		106,860
Equipment		2,000
Total special fund appropriation		<u>\$ 603,404</u>

	EXPERIMENT STATION - MAIN STATION	
Salaries and wages		\$ 14,991,450
Operating expense		3,475,494
Equipment		1,277,135
Total operating budget		<u>\$ 19,744,079</u>

Less estimated income	8,099,913
Net operating budget	\$ 11,644,166
Land, structures, and major improvements	925,000
Total general fund appropriation	\$ 12,569,166

## DICKINSON EXPERIMENT STATION

Salaries and wages	\$ 430,306
Operating expense	222,151
Equipment	82,400
Total operating budget	\$ 734,857
Less estimated income	150,000
Net operating budget	\$ 584,857
Land, structures, and major improvements	32,733
Total general fund appropriation	\$ 617,590

## HETTINGER EXPERIMENT STATION

Salaries and wages	\$ 132,954
Operating expense	72,868
Equipment	57,335
Total operating budget	\$ 263,157
Less estimated income	75,000
Net operating budget	\$ 188,157
Land, structures, and major improvements	75,000
Total general fund appropriation	\$ 263,157

## LANGDON EXPERIMENT STATION

Salaries and wages	\$ 158,443
Operating expense	59,322
Equipment	40,042
Total operating budget	\$ 257,807
Less estimated income	40,000
Net operating budget	\$ 217,807
Land, structures, and major improvements	11,500
Total general fund appropriation	\$ 229,307

## NORTH CENTRAL EXPERIMENT STATION

Salaries and wages	\$ 228,865
Operating expense	129,010
Equipment	49,606
Total operating budget	\$ 407,481
Less estimated income	180,000
Total general fund appropriation	\$ 227,481

## WILLISTON EXPERIMENT STATION

Salaries and wages	\$ 254,235
Operating expense	86,502
Equipment	48,900
Total operating budget	\$ 389,637
Less estimated income	60,000
Total general fund appropriation	\$ 329,637

## CARRINGTON EXPERIMENT STATION

Salaries and wages	\$ 405,059
Operating expense	228,723

Equipment	79,900
Total operating budget	\$ 713,682
Less estimated income	220,000
Total general fund appropriation	\$ 493,682

AGRONOMY SEED FARM

Salaries and wages	\$ 138,671
Operating expense	234,285
Equipment	59,000
Total appropriation from agronomy seed farm fund	\$ 431,956

CENTRAL GRASSLAND RESEARCH STATION

Equipment	\$ 24,000
Land, structures, and major improvements	937,033
Total general fund appropriation	\$ 961,033
Grand total general fund appropriation H.B. 1009	\$ 20,734,330
Grand total special funds appropriated H.B. 1009	\$ 18,232,733
Grand total all funds H.B. 1009	\$ 38,967,063

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, are 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, 1979, exceeds the estimated income for the biennium ending June 30, 1981. The state board of higher education is authorized to approve transfer of funds between categories of expenditures, and will notify the director of the department of accounts and purchases of any such transfers within ten days following such authorization.

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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.

SECTION 4. APPROPRIATION.) In addition to the other appropriations and authorizations by this Act, there is hereby appropriated \$80,000 of any available private funds to the main experiment station of North Dakota state university of agriculture and applied science of the state of North Dakota, for the purpose of expansion of the sugar beet storage area during the biennium beginning July 1, 1979, and ending June 30, 1981.

Approved April 7, 1979

## CHAPTER 9

HOUSE BILL NO. 1010  
(Committee on Appropriations)

DEPARTMENT OF HEALTH, LABORATORIES  
DEPARTMENT, AND HUMAN SERVICE CENTERS

AN ACT making an appropriation for defraying the expenses of the department of health, the state laboratories department, and the human service centers of the state of North Dakota.

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/or other income, the sums as hereinafter provided or so much thereof as may be necessary, to the department of health of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Subdivision 1.

DEPARTMENT OF HEALTH

Salaries and wages	\$ 8,726,866
Fees and services	2,412,729
Data processing	590,260
Microfilming	1,500
Supplies and materials	3,643,939
Equipment	287,428
Grants, benefits, and claims	<u>6,041,723</u>
Total all funds	\$ 21,704,445
Less estimated income	<u>16,514,444</u>
Total general fund transfer and appropriation	\$ 5,190,001

Subdivision 2.

LOCAL HEALTH SERVICES

Grants, benefits, and claims	\$ 525,000
Total general fund appropriation	\$ 525,000
Grand total general fund appropriation	\$ 10,911,933
Grand total special funds appropriated	\$ 28,877,578
Grand total all funds appropriated H.B. 1010	\$ 39,789,511

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 \$1,676,114.00, or so much thereof as may be necessary, to the state laboratories department of the state of North Dakota to defray the expenses of the department for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

STATE LABORATORIES DEPARTMENT	
Salaries and wages (Includes salary of director not to exceed \$45,400 for the biennium)	\$ 1,261,819
Fees and services	235,570
Data Processing	52,812
Supplies and materials	61,780
Equipment	64,133
Total general fund appropriation	\$ 1,676,114

SECTION 3. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$2,764,032, or so much thereof as may be necessary, and \$8,272,003 in special funds or so much thereof as may be necessary to the department of health of the state of North Dakota for the purpose of providing financial assistance to the mental health centers of the state of North Dakota, for the biennium beginning July 1, 1979, and ending June 30, 1981.

The funds shall be allocated to the mental health and retardation centers by the division of mental health and retardation of the department of health as follows:

North Central Mental Health and Retardation Center, Minot	
Salaries and wages	\$ 1,030,180
Fees and services	335,563
Data processing	4,520
Supplies and materials	65,686
Equipment	5,000
Total all funds	\$ 1,440,949
Less estimated income	895,949
Total general fund appropriation	\$ 545,000

Center for Human Development, Grand Forks	
Salaries and wages	\$ 1,657,254
Fees and services	462,502
Data processing	2,000
Supplies and materials	51,644
Equipment	20,000
Total all funds	\$ 2,193,400
Less estimated income	1,688,032
Total general fund appropriation	\$ 505,368

Southeast Mental Health and Retardation Center, Fargo	
Salaries and wages	\$ 2,763,400
Fees and services	1,216,256

Data processing	25,051
Supplies and materials	59,686
Equipment	29,123
Total all funds	<u>\$ 4,093,516</u>
Less estimated income	3,469,711
Total general fund appropriation	<u>\$ 623,805</u>

South Central Mental Health and Retardation Center, Jamestown	
Salaries and wages	\$ 1,340,020
Fees and services	137,500
Data processing	2,000
Supplies and materials	27,200
Equipment	2,000
Total all funds	<u>\$ 1,508,720</u>
Less estimated income	1,023,623
Total general fund appropriation	<u>\$ 485,097</u>

Memorial Mental Health and Retardation Center, Mandan	
Salaries and wages	\$ 1,345,935
Fees and services	413,500
Data processing	3,515
Supplies and materials	36,500
Total all funds	<u>\$ 1,799,450</u>
Less estimated income	1,194,688
Total general fund appropriation	<u>\$ 604,762</u>

SECTION 4. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$756,786.00, or so much thereof as may be necessary, and \$3,908,131.00 in special funds which are deposited and maintained in such accounts as are approved by a human service center's board of directors, or so much thereof as may be necessary, to the human service centers of the state of North Dakota, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

BADLANDS HUMAN SERVICE CENTER, DICKINSON

Salaries and wages	\$ 1,625,440
Fees and services	361,278
Supplies and materials	30,740
Equipment	8,100
Total all funds	<u>\$ 2,025,558</u>
Less estimated income	1,705,748
Total general fund appropriation	<u>\$ 319,810</u>

NORTHWEST HUMAN RESOURCE CENTER, WILLISTON

Salaries and wages	\$ 1,291,695
Fees and services	240,500
Supplies and materials	21,900
Equipment	4,400
Total all funds	<u>\$ 1,558,495</u>
Less estimated income	1,307,840
Total general fund appropriation	<u>\$ 250,655</u>

## LAKE REGION HUMAN SERVICE CENTER, DEVILS LAKE

Salaries and wages	\$ 841,006
Fees and services	224,543
Supplies and materials	5,115
Equipment	10,200
Total all funds	\$ 1,080,864
Less estimated income	894,543
Total general fund appropriation	\$ 186,321

SECTION 5. APPROPRIATION.) There is hereby appropriated out of any funds collected through the issuance of permits or registration certificates for air contaminant sources, the sum of \$183,000.00, or so much as may be necessary, but not to exceed the total amount of funds collected for such permits and certificates, to the department of health of the state of North Dakota, for the purpose of defraying costs of the air pollution control program, for the biennium beginning July 1, 1979, and ending June 30, 1981.

SECTION 6. FUNDS FOR COLLOCATION.) Included in the general fund appropriations for mental health and retardation centers is \$114,061.00 for collocation of such centers with area social service centers during the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

South central mental health and retardation center, Jamestown	\$ 12,857
Southeast mental health and retardation center, Fargo	50,762
North central mental health and retardation center, Minot	32,197
Center for human development, Grand Forks	18,245
Total	\$ 114,061

SECTION 7. MENTAL HEALTH AND RETARDATION CENTERS - EXPENDITURE OF ESTIMATED INCOME.) The \$1,159,431 of estimated income appropriated to the comprehensive mental health and retardation centers in section 3 of this bill may be spent only upon approval of the budget section of the legislative council. The limitation on the expenditure of estimated income applies to the following centers:

Center for human development - Grand Forks	\$ 252,900
Southeast mental health and retardation center	510,640
Memorial mental health and retardation center	395,891
Total	\$ 1,159,431

SECTION 8. TRANSFER OF FUNDS - TITLE XIX.) Each comprehensive mental health and retardation center shall transfer funds during the 1979-81 biennium to the social service board in amounts equal to the nonfederal share of Title XIX payments which become available to such centers.

SECTION 9. SOCIAL SERVICE BOARD - STATE DEPARTMENT OF HEALTH - EMPLOYEE REDUCTION.) It is the intent of the legislative assembly

that the state social service board and the state department of health shall mutually reduce the number of positions funded (filled or vacant on February 1, 1979), by fifteen before the end of the 1979-81 biennium. The reduction in the number of positions is expected to arise pursuant to the collocation of area social service and comprehensive mental health and retardation centers; however, reductions in other areas of such departments and in human service centers may also be considered as complying with the required reduction of fifteen staff positions. The social service board and the state department of health shall report to the budget section on the progress that the departments are making in reducing the number of positions before June 30, 1980. The reports presented to the budget section shall identify the positions as discontinued, the fiscal savings that will arise as a result of the discontinuance and the funds that will remain unspent during the remainder of the 1979-81 biennium.

SECTION 10. EMERGENCY COMMISSION - AUTHORITY TO ACT ON SPECIAL PROJECTS.) The emergency commission shall have the authority to authorize the department of health to receive and spend federal funds for projects, including the construction grants program, and shall authorize the department of health to employ additional personnel for the special projects at as limited levels as possible.

SECTION 11. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

SECTION 12. 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 or cause any specific appropriation for any item or set of items 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.

SECTION 13. INTERAGENCY COORDINATION.) The health department is hereby directed to coordinate the services provided in the area mental health centers with the services provided in the social service centers under the director of the state social service board to eliminate all unnecessary duplications of programs and staff.

SECTION 14. HUMAN SERVICE CENTERS AND MENTAL HEALTH AND RETARDATION CENTERS.) Moneys shall be transferred to human service centers and mental health and retardation centers pursuant to the provisions of this Act, only after the state health department has been furnished reports by such centers indicating that funds from local sources have, except for necessary operating funds, first been expended for the operation of such centers. Copies of reports from human service centers shall also be filed with the social service board.

Approved April 8, 1979

## CHAPTER 10

HOUSE BILL NO. 1011  
(Committee on Appropriations)

### SOCIAL SERVICE BOARD

AN ACT making an appropriation for defraying the expenses of the social service board of the state of North Dakota.

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/or other income, the sums hereinafter provided or so much thereof as may be necessary, to the social service 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, 1979, and ending June 30, 1981, as follows:

Administration program:	
Salaries and wages	\$ 3,020,428
Fees and services	1,025,394
Data processing	286,820
Microfilming	3,000
Supplies and materials	152,155
Equipment	17,528
Grants, benefits, and claims	<u>12,832,661</u>
Total administration program	\$ 17,337,986
Less estimated income	<u>15,793,015</u>
Total general fund appropriation	\$ 1,544,971

Economic assistance program:	
Salaries and wages	\$ 2,934,812
Fees and services	621,009
Data processing	1,043,658
Supplies and materials	51,230
Equipment	8,482
Grants, benefits, and claims	<u>155,710,304</u>
Total economic assistance program	\$160,369,495
Less estimated income	<u>109,070,333</u>
Total general fund appropriation	\$ 51,299,162

Child support enforcement program:	
Salaries and wages	\$ 275,759
Fees and services	1,561,226
Data processing	81,507
Supplies and materials	4,090
Equipment	362
Grants, benefits, and claims	<u>1,651,200</u>
Total child support enforcement program	\$ 3,574,144
Less estimated income	<u>3,222,803</u>
Total general fund appropriation	\$ 351,341

Community services program:	
Salaries and wages	\$ 4,090,160
Fees and services	917,240
Data processing	90,439
Supplies and materials	43,927
Equipment	17,588
Human service centers	3,611,271
Grants, benefits, and claims	<u>16,357,597</u>
Total community services program	\$ 25,128,222
Less estimated income	<u>20,105,340</u>
Total general fund appropriation	\$ 5,022,882

Vocational rehabilitation program:	
Salaries and wages	\$ 4,268,189
Fees and services	1,066,000
Data processing	65,280
Supplies and materials	69,000
Equipment	31,264
Grants, benefits, and claims	<u>5,014,162</u>
Total vocational rehabilitation program	\$ 10,513,895
Less estimated income	<u>8,461,885</u>
Total general fund appropriation	\$ 2,052,010
Grand total general fund appropriation	\$ 60,560,366
Grand total special funds appropriated	\$159,651,876
Grand total all funds appropriated H.B. 1011	\$220,212,242

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 \$190,000.00 or so much thereof as may be necessary, and \$348,500.00 in special funds, to the state social service board for the purpose of providing services and assistance on behalf of unwed mothers residing in residential treatment facilities for unwed parents in this state; to promote and encourage the child-caring skills of such mothers and to assure the wholesome prenatal and postnatal growth and development of their children; and for the purpose of designing and developing a comprehensive statewide adoption training program; and for the procurement of specialized adoptive placement services from licensed child placing agencies on behalf of hard to place children under the jurisdiction of the supervision of the social service board during the biennium beginning July 1, 1979, and ending June 30, 1981.

SECTION 3. APPROPRIATION.) There is hereby appropriated to the social service board the sum of \$1,590,000.00 in federal funds and \$1,060,000.00 to be contributed by individuals, organizations, governmental units, or other sources, for the human service purposes determined to be eligible for funding as provided by state and federal law during the biennium beginning July 1, 1979, and ending June 30, 1981.

The social service board shall make no expenditure pursuant to this appropriation for any function or activity that has not first been approved by the legislative council's committee on budget. The social service board will audit, supervise, and monitor all projects approved under this section. The social service board shall present all requests for program approval to the legislative council's budget section in such form as may be prescribed by the budget section, or its designee.

SECTION 4. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000.00, or so much thereof as may be necessary, for the biennium beginning July 1, 1979, and ending June 30, 1981, for the purpose of establishing a pilot program for home care and deinstitutionalization aid for the care, custody, and control of developmentally disabled persons who are retained in the home, deinstitutionalized, or may be deinstitutionalized. Under such program, the board shall, in the case of persons for whom the head of the institution has determined deinstitutionalization or continued noninstitutionalization to be appropriate, provide financial assistance to the natural parents, adoptive parents, or foster parents applying for aid under this section and qualifying under rules and regulations established by the board. Within the limits of legislative appropriation, qualifying applicants certified eligible shall receive an amount of fifty dollars, or so much thereof as may be necessary, for the basic care and training of such developmentally disabled persons for a seven-day or weekly period. Such program shall begin on January 1, 1980, after the board has developed guidelines and provided adequate time for the receipt of applications.

SECTION 5. SOCIAL SERVICE BOARD - STATE DEPARTMENT OF HEALTH - EMPLOYEE REDUCTION.) It is the intent of the legislative assembly that the state social service board and the state department of health shall mutually reduce the number of positions funded (filled or vacant on February 1, 1979), by fifteen before the end of the 1979-81 biennium. The reduction in the number of positions is expected to arise pursuant to the collocation of area social service and comprehensive mental health and retardation centers; however, reductions in other areas of such departments and in human service centers may also be considered as complying with the required reduction of fifteen staff positions. The social service board and the state department of health shall report to the budget section on the progress such departments are making in reducing the number of positions before June 30, 1980. The reports presented to the budget section shall identify the positions discontinued, the fiscal

savings that will arise as a result of the discontinuance, and the funds that will remain unspent during the remainder of the 1979-81 biennium.

SECTION 6. BUDGET SECTION REVIEW.) The social service board shall submit information during the 1979-81 biennium regarding the need for continuing the funding of the university of North Dakota and Minot state college social work programs. The social service board shall also report to the budget section on the allocations of administration costs to programs in the state, regional, and county offices. The reports shall indicate the amount of funds which are allocated to administration which could otherwise be allocated to services. The reports shall be specific in reporting the funds allocated to administration and the basis used for making such allocations for the 1979-81 biennium.

SECTION 7. APPROPRIATION.) The funds appropriated in section 1 of this Act within the fees and services line item of the administration program for professional liability and errors and omissions insurance in the amount of \$200,000 shall not be available for any other purpose without the consent of the emergency commission.

SECTION 8. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

SECTION 9. INTERAGENCY COORDINATION.) The social services department is hereby directed to coordinate the services provided in the social services centers with the services provided in the area mental health centers under the direction of the state health department and to eliminate all unnecessary duplication of programs and staff.

SECTION 10. 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 or cause any specific appropriation for any item or set of items 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 3, 1979

## CHAPTER 11

HOUSE BILL NO. 1012  
(Committee on Appropriations)

## GOVERNOR'S COUNCIL ON HUMAN RESOURCES

AN ACT making an appropriation for defraying the expenses of the governor's council on human resources of the state of North Dakota.

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/or other income, the sum of \$398,097 or so much thereof as may be necessary, to the governor's council on human resources of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 73,580
Fees and services	90,612
Microfilm	190
Supplies and materials	13,490
Equipment	225
Grants, benefits, claims	<u>220,000</u>
Total all funds	\$ <u>398,097</u>
Less estimated income	<u>220,000</u>
Total general fund appropriation	\$ <u>178,097</u>

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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.

SECTION 4. ALLOCATION OF FUNDS.) The amounts appropriated in section 1 of this Act shall be allocated to the various programs and commissions within the council on human resources in the same percentage of the total appropriation as recommended in the executive budget for the biennium beginning July 1, 1979, and ending June 30, 1981.

Approved March 8, 1979

## CHAPTER 12

HOUSE BILL NO. 1013  
(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.) 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/or other income, the sum of \$323,880 or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 107,333
Fees and services	17,979
Supplies and materials	2,050
Equipment	1,518
Grants, benefits, and claims	<u>195,000</u>
Total all funds	\$ <u>323,880</u>
Less estimated income	<u>100,000</u>
Total general fund transfer and appropriation	\$ 223,880

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 March 2, 1979

# CHAPTER 13

HOUSE BILL NO. 1014  
(Committee on Appropriations)

## DEPARTMENT OF VETERANS' AFFAIRS

AN ACT making an appropriation for defraying the expenses of the department of veterans' affairs of the state of North Dakota.

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 \$273,766 or so much thereof as may be necessary, to 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 227,006
* (Includes salary of commissioner not to exceed \$46,200 for the biennium)	
Fees and services	38,985
Supplies and materials	5,700
Equipment	<u>2,075</u>
Total general fund appropriation	\$ <u>273,766</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 or cause any specific appropriation for any item or set of items 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 purpose provided for herein.

Approved March 8, 1979

\* NOTE: The limitation on the salary of the commissioner was vetoed by the Governor. See chapter 658.

## CHAPTER 14

HOUSE BILL NO. 1016  
(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.) 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/or other income, the sum of \$2,349,353 or so much thereof as may be necessary, to the aeronautics commission of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 220,399
Fees and services	64,693
Supplies and materials	17,798
Equipment	6,463
Land, structures, and major improvements and contracts	485,000
Grants, benefits, and claims	<u>1,555,000</u>
Total all funds	\$ 2,349,353
Less estimated income	<u>2,179,792</u>
Total general fund transfer and appropriation	\$ 169,561

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 March 7, 1979

CHAPTER 15

HOUSE BILL NO. 1017  
 (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.) 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/or other income, the sum of \$1,287,931 or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 330,307
Fees and services	739,229
Data processing	46,135
Supplies and materials	170,760
Equipment	1,500
Total all funds	<u>\$1,287,931</u>
Less estimated income	<u>642,733</u>
Total general fund appropriation	\$ 645,198

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 March 3, 1979

## CHAPTER 16

HOUSE BILL NO. 1018  
(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.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,162,566 or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 903,367
Fees and services	226,135
Data processing	20,000
Supplies and materials	8,064
Equipment	5,000
Total general fund appropriation	\$1,162,566

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 purpose provided for herein.

Approved March 2, 1979

## CHAPTER 17

HOUSE BILL NO. 1019  
(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.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$361,187 or so much thereof as may be necessary, to the securities commissioner of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Salaries and wages (Including salary of commissioner not to exceed \$59,400)	\$ 298,735
Fees and services	42,888
Data processing	800
Microfilming	2,100
Supplies and materials	12,744
Equipment	3,920
Total general fund appropriation	<u>\$ 361,187</u>

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 5, 1979

## CHAPTER 18

HOUSE BILL NO. 1020  
(Committee on Appropriations)

## FIRE MARSHAL

AN ACT making an appropriation for defraying the expenses of the state fire marshal of the state of North Dakota.

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/or other income, the sum of \$285,560 or so much thereof as may be necessary, to the state fire marshal of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 220,390
Fees and services	54,410
Supplies and materials	8,960
Equipment	1,800
Total all funds	\$ 285,560
Less estimated income	91,323
Total general fund appropriation	\$ 194,237

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 March 8, 1979

CHAPTER 19

HOUSE BILL NO. 1022  
 (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.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$408,168 or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 245,234
Fees and services	144,587
Supplies and materials	17,347
Equipment	<u>1,000</u>
Total general fund appropriation	\$ 408,168

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 or cause any specific appropriation for any item or set of items 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 March 2, 1979

## CHAPTER 20

HOUSE BILL NO. 1023  
(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.) There is hereby appropriated out of any moneys in the milk stabilization fund in the state treasury, not otherwise appropriated, the sum of \$361,266 or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$	226,824
Fees and services		121,792
Supplies and materials		2,650
Contingencies		10,000
Total special fund appropriation	\$	<u>361,266</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 or cause any specific appropriation for any item or set of items 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 March 2, 1979

## CHAPTER 21

HOUSE BILL NO. 1024  
(Committee on Appropriations)

## STATE FAIR PREMIUMS AND AUDITS

AN ACT making an appropriation for defraying the premium expenses of the state fair association of the state of North Dakota; and to amend and reenact section 4-02.1-18 of the North Dakota Century Code, relating to audits of the state fair association.

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 \$165,000 or so much thereof as may be necessary, to the state fair association of the state of North Dakota for the purpose of defraying the premium expenses thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981.

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 or cause any specific appropriation for any item or set of items 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.

SECTION 3. AMENDMENT.) Section 4-02.1-18 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-02.1-18. STATE AUDITOR TO EXAMINE RECORDS-AND-ACCOUNTS PREMIUMS - CERTIFIED AUDIT OF STATE FAIR ASSOCIATION.) It shall be the duty of the state auditor to annually-examine-the-records-and-accounts-of biennially audit the general fund moneys appropriated to the North Dakota State Fair Association and to report thereon to the governor and to the legislative audit and fiscal review committee. The State Fair Association shall submit annually to the governor and the legislative audit and fiscal review committee an audit report prepared by a certified public accountant based upon an audit of all records and accounts of the association.

Approved April 7, 1979

## CHAPTER 22

HOUSE BILL NO. 1025  
(Committee on Appropriations)

## BUSINESS AND INDUSTRIAL DEVELOPMENT DEPARTMENT

AN ACT making an appropriation for defraying the expenses of the business and industrial development department of the state of North Dakota.

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/or other income, the sum of \$745,794 or so much thereof as may be necessary, to the business and industrial development 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 400,979
Fees and services	184,323
Supplies and materials	67,492
Equipment	18,000
* Flax utilization fund	75,000
Total all funds	\$ 745,794
Less estimated income	75,000
Total general fund appropriation	\$ 670,794

SECTION 2. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the international marketing efforts of the various state agencies and institutions of the state of North Dakota be coordinated by the business and industrial development department in order to achieve the most efficient utilization of funds in those marketing efforts.

SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been

\*NOTE: North Dakota Century Code Chapter 4-28.1 was repealed by section 3 of House Bill No. 1495, chapter 104.

added, or 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 or cause any specific appropriation for any item or set of items 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 March 26, 1979

## CHAPTER 23

HOUSE BILL NO. 1026  
(Committee on Appropriations)

### ABANDONED MOTOR VEHICLE DIVISION

AN ACT making an appropriation for defraying the expenses of 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.) There is hereby appropriated out of any moneys in the abandoned vehicle disposal fund in the state treasury, not otherwise appropriated, the sum of \$400,000 or so much thereof as may be necessary, to the abandoned motor vehicle division of the health department of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Grants, benefits, claims	\$ 400,000
Total special funds appropriation	<u>\$ 400,000</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 or cause any specific appropriation for any item or set of items 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 March 3, 1979

## CHAPTER 24

HOUSE BILL NO. 1027  
(Committee on Appropriations)

## COMBINED LAW ENFORCEMENT COUNCIL

AN ACT making an appropriation for defraying the expenses of the combined law enforcement council of the state of North Dakota.

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/or other income, the sum of \$4,300,270 or so much thereof as may be necessary, to the combined law enforcement council of the state of North Dakota, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 603,576
Fees and services	334,850
Data processing	19,274
Microfilm	2,100
Supplies and materials	76,090
Equipment	2,500
Grants, benefits, claims	<u>3,261,880</u>
Total all funds	\$ 4,300,270
Less estimated income	<u>3,892,862</u>
Total general fund appropriation	\$ 407,408

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 7, 1979

## CHAPTER 25

HOUSE BILL NO. 1028  
(Committee on Appropriations)

## HIGHWAY PATROL

AN ACT making an appropriation for defraying the expenses of the highway patrol and the 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.) 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/or other income, the sums as hereinafter provided or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

## Subdivision 1.

## HIGHWAY PATROL

Salaries and wages	\$ 5,497,248
Fees and services	622,659
Data processing	51,874
Supplies and materials	608,252
Equipment	694,753
Office space - Bismarck law enforcement center	40,000
Total all funds	\$ 7,514,786
Less estimated income	4,565,849
Total general fund transfer and appropriation	\$ 2,948,937

## Subdivision 2.

## LAW ENFORCEMENT TRAINING CENTER

Salaries and wages	\$ 193,196
Fees and services	91,810
Supplies and materials	81,350
Equipment	20,050
Total all funds	\$ 386,406
Less estimated income	237,104
Total general fund transfer and appropriation	\$ 149,302
Grand total general fund appropriation	\$ 3,098,239

Grand total special funds appropriated	\$ 4,802,953
Grand total all funds appropriated H.B. 1028	\$ 7,901,192

SECTION 2. APPROPRIATION.) Each patrolman of the state highway patrol shall receive from funds appropriated in the fees and services line item in subdivision 1 of section 1 of this Act an amount not to exceed ninety dollars per month 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. APPROPRIATION.) The special funds included in subdivision 1 of section 1 of this Act include a transfer of \$3,908,936 from the state highway fund which is hereby appropriated to the state highway patrol. The funds shall be transferred from the state highway fund to the highway patrol operating fund periodically as directed by the office of the budget, and shall equal fifty-seven percent of the funds expended by the highway patrol, not including federal funds.

SECTION 4. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

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 or cause any specific appropriation for any item or set of items 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 3, 1979

## CHAPTER 26

HOUSE BILL NO. 1029  
(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.) There is hereby appropriated out of any moneys in the highway fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, the sum of \$243,499,241 or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 45,895,635
Fees and services	8,099,113
Data processing	1,014,800
Microfilming	7,000
Supplies and materials	17,815,208
Equipment	6,728,685
Grants, benefits, and claims	2,948,464
Land, structures, and major improvements	15,041,800
Contracts	141,839,600
Legal drain openings	100,000
Railroad crossing protection	100,000
Highway patrol transfer	3,908,936
Total highway fund appropriation	\$ 243,499,241

SECTION 2. APPROPRIATION.) The transfer to the highway patrol operating fund shall be made periodically as directed by the office of the budget and shall be equal in amount to fifty-seven percent of the funds expended by the highway patrol, not including federal funds.

SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be

made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 3, 1979

## CHAPTER 27

HOUSE BILL NO. 1030  
(Committee on Appropriations)

### UPPER GREAT PLAINS TRANSPORTATION INSTITUTE

AN ACT making an appropriation for defraying the expenses of 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.) 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/or other income, the sum of \$468,967 or so much thereof as may be necessary, to the upper great plains transportation institute of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 347,067
Operating expense	119,400
Equipment	<u>2,500</u>
Total all funds	\$ 468,967
Less estimated income	<u>273,626</u>
Total general fund transfer and appropriation	\$ 195,341

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 purpose provided for herein.

Approved April 7, 1979

CHAPTER 28

HOUSE BILL NO. 1031  
 (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; 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 motor vehicle registration fund in the state treasury, not otherwise appropriated, the sum of \$5,168,176 or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 1,220,848
Fees and services	1,333,916
Data processing	595,034
Microfilming	16,500
Supplies and materials	179,097
License plates and tabs	1,706,150
Equipment	41,631
Special refunds	25,000
Contingency fund	<u>50,000</u>
Total appropriation from motor vehicle registration fund	\$ 5,168,176

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation

for any item or set of items 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.

SECTION 4. REFUNDS OF REGISTRATION FEES.) No refunds of registration fees shall be made, except where the vehicle has been improperly registered or where the vehicle has been destroyed.

SECTION 5. EMERGENCY.) The line item entitled "license plates and tabs" in section 1 of this Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved March 10, 1979

## CHAPTER 29

HOUSE BILL NO. 1032  
(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.) There is hereby appropriated out of any moneys in the state lands maintenance fund in the state treasury, not otherwise appropriated, the sum of \$827,643 or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 574,467
Fees and services	189,316
Data processing	13,860
Supplies and materials	11,000
Equipment	4,000
Contingent fund	<u>35,000</u>
Total state lands maintenance fund	\$ 827,643

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 or cause any specific appropriation for any item or set of items 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.

SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

Approved April 7, 1979

## CHAPTER 30

HOUSE BILL NO. 1033  
(Committee on Appropriations)

### INDUSTRIAL COMMISSION AND STATE INDUSTRIES

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.) 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/or other income, the sums as hereinafter provided or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Subdivision 1.

	INDUSTRIAL COMMISSION	
Fees and services		\$ 20,000
Supplies and materials		200
Total general fund appropriation		<u>\$ 20,200</u>

Subdivision 2.

	BANK OF NORTH DAKOTA	
Salaries and wages		\$ 3,286,533
Fees and services		1,386,346
Data processing		610,867
Microfilming		21,000
Supplies and materials		170,500
Equipment		125,670
Land, structures, and major improvements		41,500
Contingent		75,000
Total appropriation from Bank of North Dakota fund		<u>\$ 5,717,416</u>

Subdivision 3.

MILL AND ELEVATOR ASSOCIATION

Salaries and wages	\$ 6,347,973
Fees and services	3,536,848
Supplies and materials	114,712
Contingent	<u>400,000</u>
Total appropriation from mill and elevator fund	\$ 10,399,533
Grand total general fund appropriation	\$ 20,200
Grand total special funds appropriated	\$ 16,116,949
Grand total all funds H.B. 1033	\$ 16,137,149

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 7, 1979

## CHAPTER 31

HOUSE BILL NO. 1034  
(Committee on Appropriations)

### PUBLIC EMPLOYEES RETIREMENT AND INSURANCE

AN ACT making an appropriation for defraying the administrative expenses of the public employees retirement system and the group insurance program of the state of North Dakota.

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 special funds in the state treasury, not otherwise appropriated, derived from federal funds and/or other income, the sums as hereinafter provided or so much thereof as may be necessary, to the public employees retirement system and group insurance program of the state of North Dakota, for the purpose of defraying the administrative costs of the divisions thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Subdivision 1.

PUBLIC EMPLOYEES RETIREMENT SYSTEM	
Salaries and wages	\$ 289,117
Fees and services	478,810
Data processing	95,200
Microfilming	4,000
Supplies and materials	37,500
Equipment	2,835
Contingent	75,000
Total appropriation from state employees retirement fund	\$ 982,462

Subdivision 2.

PUBLIC EMPLOYEES GROUP INSURANCE	
Salaries and wages	\$ 45,154
Fees and services	11,341
Microfilming	400
Supplies and materials	500
Contingent	10,000
Total appropriation from group insurance fund	\$ 67,395
Grand total special funds appropriated	\$1,049,857

H.B. 1034

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 or cause any specific appropriation for any item or set of items should be held by the court or 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 March 10, 1979

## CHAPTER 32

HOUSE BILL NO. 1035  
(Committee on Appropriations)

## TEACHERS' FUND FOR RETIREMENT

AN ACT making an appropriation for defraying the expenses 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.) There is hereby appropriated out of any moneys in the teachers' fund for retirement in the state treasury, not otherwise appropriated, the sum of \$617,401 or so much thereof as may be necessary, to the teachers' fund for retirement of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 236,613
Fees and services	288,849
Data processing	58,291
Microfilming	750
Supplies and materials	17,083
Equipment	10,815
Contingent	5,000
Total appropriation from teachers' fund for retirement	<u>\$ 617,401</u>

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 March 15, 1979

CHAPTER 33

HOUSE BILL NO. 1036  
 (Committee on Appropriations)

JOB SERVICE NORTH DAKOTA

AN ACT making an appropriation for defraying the expenses of the employment security bureau 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.) There is hereby appropriated out of any moneys in special funds in the state treasury, not otherwise appropriated, derived from federal funds and/or other income, the sums as hereinafter provided or so much thereof as may be necessary, to the employment security 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, 1979, and ending June 30, 1981, as follows:

Subdivision 1.

EMPLOYMENT SECURITY BUREAU

Salaries and wages	\$ 18,205,293
Fees and services	4,545,787
Supplies and materials	512,413
Equipment	230,145
Total special funds appropriated	<u>\$ 23,493,638</u>

Subdivision 2.

NORTH DAKOTA OASIS AND SOCIAL SECURITY

Salaries and wages	\$ 174,283
Fees and services	27,528
Supplies and materials	3,000
Equipment	1,625
Total appropriation from social security contribution fund	<u>\$ 206,436</u>
Grand total special funds appropriated H.B. 1036	\$ 23,700,074

SECTION 2. APPROPRIATION.) All federal funds received by the employment security bureau in excess of those funds appropriated in subdivision 1 of section 1 of this Act are hereby appropriated.

SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 March 27, 1979

## CHAPTER 34

HOUSE BILL NO. 1037  
(Committee on Appropriations)

## WORKMEN'S COMPENSATION BUREAU

AN ACT making an appropriation for defraying the expenses of the workmen's compensation bureau of the state of North Dakota.

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 workmen's compensation fund in the state treasury, not otherwise appropriated, the sums as hereinafter provided or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

## Subdivision 1.

## WORKMEN'S COMPENSATION BUREAU

Salaries and wages	\$ 1,988,528
Fees and services	489,934
Data processing	306,282
Microfilming	19,140
Supplies and materials	115,755
Equipment	93,279
Contingent	20,000
Total appropriation from workmen's compensation fund	\$ 3,032,918

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 March 15, 1979

# CHAPTER 35

HOUSE BILL NO. 1038  
(Committee on Appropriations)

## CRIME VICTIMS REPARATIONS

AN ACT making an appropriation for defraying the expenses of the crime victims reparations act under the supervision of the workmen's compensation bureau of the State of North Dakota.

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 \$310,126 or so much thereof as may be necessary, to the crime victims reparations division under the supervision of the workmen's compensation bureau of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 37,284
Fees and services	10,492
Supplies and materials	2,350
Grants, benefits, claims	260,000
Total general fund appropriation	\$ 310,126

SECTION 2. RESERVE.) It is the intent of the legislative assembly that an amount equal to the balance of claims outstanding which were approved during the 1975-77 biennium in the amount of \$33,185, and the estimated balance of claims outstanding which are to be approved during the 1977-79 biennium in the amount of \$84,670 or such other amount as may be necessary, shall be reserved in the general fund as evidence of the contingent obligation created under the provisions of chapter 65-13 of the North Dakota Century Code.

SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 March 2, 1979

## CHAPTER 36

HOUSE BILL NO. 1039  
(Committee on Appropriations)

### TRANSFER FROM MILL AND ELEVATOR

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 transferred to the general fund in the state treasury, the sum of \$6,000,000 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, 1979, and ending June 30, 1981, upon order of the industrial commission.

Approved March 2, 1979

## CHAPTER 37

HOUSE BILL NO. 1040  
(Committee on Appropriations)

### TRANSFER FROM BANK OF NORTH DAKOTA

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 transferred to the general fund in the state treasury, the sum of \$14,000,000 from the accumulated and undivided profits of the Bank of North Dakota. Such moneys shall be transferred during the biennium beginning July 1, 1979, and ending June 30, 1981, upon order of the industrial commission.

Approved March 2, 1979

# CHAPTER 38

HOUSE BILL NO. 1139  
(Committee on Appropriations)  
(At the request of the Adjutant General)

## NATIONAL GUARD TUITION WAIVER PROGRAM

AN ACT making an appropriation for the national guard tuition waiver program.

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 Vietnam veterans adjusted compensation fund, not otherwise appropriated, the sum of \$550,000.00 or so much thereof as may be necessary, to the adjutant general for the purpose of reimbursing appropriate schools for any tuition fees waived in accordance with chapter 37-07.1 of the 1977 Supplement to the North Dakota Century Code for the biennium beginning July 1, 1979, and ending June 30, 1981. This appropriation shall not be subject to the provisions of section 54-27-10.

Approved March 3, 1979

## CHAPTER 39

HOUSE BILL NO. 1221  
(Committee on Appropriations)  
(At the request of the Parks and Recreation Department)

### CROSS RANCH VETERANS MEMORIAL STATE PARK

AN ACT to appropriate moneys to the North Dakota parks and recreation department for the acquisition of the cross ranch and other land for designation as the veterans memorial state park, describing the park and authorizing its purchase or lease, and providing a contract review committee.

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 Vietnam bonus fund, not otherwise appropriated, the sum of \$2,640,000.00, or so much thereof as may be necessary, to the North Dakota parks and recreation department for the acquisition of the cross ranch and the state land described in section 2, for designation as the veterans memorial state park for the biennium beginning July 1, 1979, and ending June 30, 1981.

SECTION 2.) The cross ranch and the land described as section thirty-six, township one hundred forty-four north, range eighty-two west, the land accreted to the state in section twenty-five, township one hundred forty-four north, range eighty-two west, the land accreted to the state in section thirty, township one hundred forty-four north, range eighty-one west, and the land accreted to the state in section thirty-one, township one hundred forty-four north, range eighty-one west shall be designated as the veterans memorial state park. Any lease of these lands shall terminate at the end of the lease term, and at that time the North Dakota parks and recreation department shall lease or purchase the land as a state park area, subject to legislative appropriation.

SECTION 3. CONTRACT REVIEW COMMITTEE.) The legislative council shall appoint a committee comprised of the chairman of the legislative council, the director of the state parks and recreation department, and such other members as the legislative council may determine, to review the contract for the purchase of the veterans memorial state park and make written findings concerning the interests of the state in the purchase of the land. The chairman of the legislative council shall serve as chairman of the contract

review committee and the committee shall meet as necessary at the call of the chairman prior to the purchase of the veterans memorial state park. The committee shall review the purchase contract to determine if any covenants or restrictions would limit or otherwise affect the alienability of the land or the use to which the land may be put. If the committee determines the existence of covenants or restrictions on the land which would limit the alienability of the land or the use to which the land may be put, it shall not approve the contract, unless the covenant or restriction can be appropriately modified or negated. The appropriation in section 1 of this Act is contingent upon the approval of the contract by the committee. The committee shall report its findings to the budget section of the legislative council. Upon certification of the contents of the purchase contract and approval by the budget section, the parks and recreation department may purchase the lands. The legislative assembly shall have full, exclusive, and continuing authority to determine the use of all the property included in the land purchase.

Approved April 9, 1979

## CHAPTER 40

HOUSE BILL NO. 1282  
(Committee on Appropriations)  
(At the request of the Insurance Department)

## INSURANCE TAX DEFICIENCY APPROPRIATION

AN ACT making a deficiency appropriation for defraying expenses of the payments to fire departments program 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. DEFICIENCY APPROPRIATIONS.) The sum of \$406,154.00, or so much thereof as may be necessary, is hereby appropriated out of any moneys not otherwise appropriated in the general fund in the state treasury of the state of North Dakota for the period beginning January 1, 1979, and ending June 30, 1979, for defraying expenses of the payments to fire departments program of the state of North Dakota for the purposes provided by sections 18-04-01 and 26-01-11 of the North Dakota Century Code.

SECTION 2. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved March 3, 1979

## CHAPTER 41

HOUSE BILL NO. 1611  
(Representatives Kloubec, R. Christensen, Kelly)  
(Senators Tennefos, Naaden)

### STATE FINANCIAL SYSTEM STUDY

AN ACT providing for appropriations to study the state accounting and financial reporting system; and declaring an emergency.

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

SECTION 1. LEGISLATIVE COUNCIL STUDY - APPROPRIATION.) There is hereby appropriated out of any moneys of the general fund in the state treasury, not otherwise appropriated, the sum of \$50,000.00, or so much thereof as may be necessary to the legislative council to provide for a legislative audit and fiscal review committee study of the state accounting and financial reporting system which study shall be completed during the biennium beginning July 1, 1979, and ending June 30, 1981.

SECTION 2. EMERGENCY.) This measure is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval.

Approved April 3, 1979

CHAPTER 42

SENATE BILL NO. 2001  
 (Committee on Appropriations)

ELECTED STATE OFFICIALS

AN ACT making an appropriation for defraying the expenses of various elected officials 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.) 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/or 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, 1979, and ending June 30, 1981, as follows:

Subdivision 1.

GOVERNOR'S OFFICE

Salaries and wages	\$ 503,608
Fees and services	77,555
Supplies and materials	18,311
Equipment	1,825
Contingency fund	7,000
Lieutenant governor contingency	10,000
Total general fund appropriation	<u>\$ 618,299</u>

Subdivision 2.

GOVERNORS' ASSOCIATIONS

Fees and services	<u>\$ 24,400</u>
Total general fund appropriation	<u>\$ 24,400</u>

Subdivision 3.

GOVERNOR ELECT

Lump sum	<u>\$ 3,000</u>
Total general fund appropriation	<u>\$ 3,000</u>

Subdivision 4.

OLD WEST REGIONAL COMMISSION

Fees and services	\$ 108,750
Total general fund appropriation	\$ 108,750

## Subdivision 5.

## LIEUTENANT GOVERNOR

Salaries and wages	\$ 35,682
Fees and services	7,875
Supplies and materials	509
Equipment	1,000
Total general fund appropriation	\$ 45,066

## Subdivision 6.

## SECRETARY OF STATE

Salaries and wages	\$ 489,658
Fees and services	55,864
Microfilming	7,000
Supplies and materials	23,000
Equipment	8,180
Election law administration	\$ 177,000
Petition Review	5,000
Total general fund appropriation	\$ 765,702

## Subdivision 7.

## SECRETARY OF STATE - PUBLIC PRINTING

Fees and services	\$ 7,000
Supplies and materials	205,000
Total general fund appropriation	\$ 212,000

## Subdivision 8.

## SECRETARY OF STATE

## RECORDS MANAGEMENT AND MICROFILMING

Salaries and wages	\$ 101,104
Fees and services	13,576
Supplies and materials	15,325
Equipment	10,000
Total all funds	\$ 140,005
Less estimated income - central microfilm unit special fund	83,000
Total general fund transfer and appropriation	\$ 57,005

## Subdivision 9.

## ATTORNEY GENERAL

Salaries and wages	\$ 2,021,137
Fees and services	466,966
Data processing	30,200
Microfilming	10,000
Supplies and materials	98,650
Equipment	84,608
Gambling enforcement	142,750
Litigation fees	50,000
Garrison Diversion litigation	100,000
Total all funds	\$ 3,004,311
Less estimated income	312,905
Total general fund transfer and appropriation	\$ 2,691,406

Subdivision 10.

STATE AUDITOR

Salaries and wages	\$ 1,849,085
Fees and services	225,373
Data processing	8,000
Supplies and materials	24,350
Equipment	5,500
Total general fund appropriation	<u>\$ 2,112,308</u>

Subdivision 11.

STATE TREASURER

Salaries and wages	\$ 333,186
Fees and services	38,496
Data processing	16,693
Microfilming	5,243
Supplies and materials	8,531
Equipment	2,451
Total general fund appropriation	<u>\$ 404,600</u>

Subdivision 12.

STATE TAX COMMISSIONER

Salaries and wages	\$ 4,095,209
Fees and services	777,749
Data processing	804,088
Microfilming	3,000
Supplies and materials	223,049
Equipment	20,773
Total general fund appropriation	<u>\$ 5,923,868</u>

Subdivision 13.

COMMISSIONER OF INSURANCE

Salaries and wages	\$ 553,124
Fees and services	57,900
Data processing	28,509
Supplies and materials	19,702
Equipment	4,050
Total general fund appropriation	<u>\$ 663,285</u>

Subdivision 14.

COMMISSIONER OF LABOR

Salaries and wages	\$ 264,287
Fees and services	66,975
Supplies and materials	7,275
Equipment	500
Total general fund appropriation	<u>\$ 339,037</u>

Subdivision 15.

PUBLIC SERVICE COMMISSION

Salaries and wages	\$ 2,267,491
Fees and services	991,684
Data processing	116,119
Microfilming	5,375
Supplies and materials	130,390

Equipment	92,712
Refunds	50,000
Total all funds	\$ 3,653,771
Less estimated income	380,611
Total general fund transfer and appropriation	\$ 3,273,160

## Subdivision 16.

## COMMISSIONER OF AGRICULTURE

Salaries and wages	\$ 1,100,950
Fees and services	516,350
Supplies and materials	41,815
Equipment	15,000
Total all funds	\$ 1,674,115
Less estimated income	131,019
Total general fund transfer and appropriation	\$ 1,543,096

## Subdivision 17.

## STATE OFFICERS EXPENSE PAYMENTS

In order to properly discharge their official duties the following elected officials shall be paid the sum set forth opposite their respective titles for each of the calendar years of 1979 and 1980. The sums are for expenses and moneys expended in the discharge of official duty, and are to be paid quarterly by the department of accounts and purchases without filing of any itemized voucher or statement. The expense payments provided by this Act shall be retroactive to January 1, 1979.

OFFICIAL	EXPENSE	EXPENSE
	PAYMENT	PAYMENT
	1979	1980
Governor	\$17,250	\$20,150
Lieutenant governor	2,350	2,800
Secretary of state	7,850	9,800
Attorney general	10,700	13,000
Superintendent of public instruction	8,900	10,950
Tax commissioner	8,900	10,950
Commissioner of insurance	7,850	9,800
Public service commissioners	27,550	33,400
Commissioner of agriculture	7,850	9,800
State auditor	7,850	9,800
State treasurer	7,850	9,800
Commissioner of labor	350	2,300
Total general fund appropriation for state officers' expense payments		\$257,800

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 \$257,800, or so much thereof as may be necessary, to carry out the provisions of subdivision 17 of this Act.

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

Grand total general fund appropriation	\$ 19,608,078
Grand total special funds appropriated	\$ 2,940,440
Grand total all funds S.B. 2001	\$ 22,548,518

SECTION 4. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

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 or cause any specific appropriation for any item or set of items 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.

SECTION 6. EXEMPTION.) The funds herein appropriated for subdivisions two, three, and four 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. INSURANCE COMMISSIONER - PERFORMANCE AUDIT.) In the course of conducting the next regular audit of the state insurance commissioner's office, the state auditor shall conduct an expanded scope audit (performance audit). Such audit shall begin as soon after the effective date of this Act as possible and upon completion the report shall be presented to the legislative audit and fiscal review committee. The performance audit shall include a financial audit and a review of compliance by the insurance commissioner's office with legislative intent and of the effectiveness and efficiency of the office. The insurance commissioner shall provide the auditor's office such assistance as it may request in conducting the performance audit.

SECTION 8. STATE AUDITOR - CONTENT OF AUDIT REPORTS.) While conducting audits during the 1979-81 biennium, the state auditor's office shall review the activities of all persons employed in public relation positions and shall include comments in audit reports if it determines that such persons are involved in public relation activities which are not consistent with the duties and responsibilities of the departments, boards, bureaus, commissions, agencies, or institutions in which they are employed. The legislative audit and fiscal review committee after receiving audit reports which contain comments and findings in regard to the activities of public relations personnel, shall make a report of its findings to the forty-seventh legislative assembly.

SECTION 9. APPROPRIATION - PUBLIC SERVICE COMMISSION.) 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/or other income, the sum of \$588,201, or so much thereof as may be necessary, to the public service commission for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Fees and services	\$ 529,924
Supplies and materials	8,277
Data processing	<u>50,000</u>
Total all funds	\$ 588,201
Less estimated income	<u>322,905</u>
Total general fund appropriation	\$ 265,296

The funds appropriated in this section shall be expended by the public service commission only for the purpose of completing a state program to comply with the provisions of Public Law 95-87 (Surface Mining Control and Reclamation Act of 1977).

SECTION 10. APPROPRIATION - HIGHWAY DEPARTMENT.) There is hereby appropriated out of any moneys in the general fund of the state treasury, not otherwise appropriated, the sum of \$300,000.00, or so much thereof as may be necessary, and \$1,710,000.00 of federal funds, or so much thereof as may be necessary, to the state highway department for the purpose of providing financial assistance for the continuation of operations and maintenance of any railroad within the state as provided for in the Railroad Revitalization and Regulatory Reform Act of 1976, or other federal legislation, and in accordance with the provisions of House Bill No. 1103 passed by the forty-sixth legislative assembly. The highway department shall make grants of financial assistance pursuant to this appropriation only after such grants have been approved by the public service commission.

Approved April 7, 1979

# CHAPTER 43

SENATE BILL NO. 2002  
 (Committee on Appropriations)

## DEPARTMENT OF PUBLIC INSTRUCTION

AN ACT making an appropriation for defraying the expenses of the department of public instruction of the state of North Dakota.

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/or other income, the sums hereinafter provided, or so much thereof as may be necessary, to the department 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 3,476,689
Fees and services	1,370,448
Data processing	252,546
Microfilming	4,200
Supplies and materials	395,294
Equipment	71,137
Grants - special education	12,739,351
Grants - foundation aid	208,394,000
Grants - school lunch program	1,283,605
Grants - federal grants	<u>35,030,986</u>
Total all funds	\$263,018,256
Less estimated income	<u>55,708,232</u>
Total general fund appropriation	<u>\$207,310,024</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 or cause any specific appropriation for any item or set of items should be held by the court or 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. FEDERAL REVENUE SHARING APPROPRIATION.) There is hereby appropriated to the department of public instruction, from moneys not otherwise appropriated, the sum of \$12,400,000 of federal revenue sharing funds, or such greater amounts of such funds as may be available, during the biennium beginning July 1, 1979, and ending June 30, 1981, for the purpose of utilizing revenue sharing funds in the elementary and secondary foundation aid grants as provided for in section 1 of this Act. The moneys appropriated in this section are reflected as estimated income in section 1 of this Act.

Approved April 7, 1979

CHAPTER 44

SENATE BILL NO. 2003  
 (Committee on Appropriations)

DIRECTOR OF ACCOUNTS AND PURCHASES

AN ACT making an appropriation for defraying the expenses of the various divisions under the supervision of the director of accounts and purchases of the state of North Dakota.

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/or other income, the sums as hereinafter provided or so much thereof as may be necessary, to the various divisions under the supervision of the director of accounts and purchases of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Subdivision 1.

DEPARTMENT OF ACCOUNTS AND PURCHASES

Salaries and wages	\$ 1,131,919
Fees and services	61,212
Data processing	405,000
Microfilming	3,000
Supplies and materials	62,609
Equipment	8,565
Total general fund appropriation	<u>\$ 1,672,305</u>

Subdivision 2.

CENTRAL DATA PROCESSING

Salaries and wages	\$ 3,060,388
Fees and services	3,872,540
Supplies and materials	218,874
Equipment	699,757
Contingent	150,000
Total special funds appropriated	<u>\$ 8,001,559</u>

Subdivision 3.

CENTRAL PERSONNEL DIVISION

Salaries and wages	\$ 497,044
Fees and services	158,559
Data processing	18,500
Microfilming	15,525
Supplies and materials	36,058
Equipment	10,818
Total all funds	\$ 736,504
Less estimated income	461,908
Total general fund transfer and appropriation	\$ 274,596
Grand total general fund appropriation S.B. 2003	\$ 2,121,901
Grand total special funds appropriated S.B. 2003	\$ 8,463,467
Grand total all funds appropriated S.B. 2003	\$ 10,585,368

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 \$175,000, or so much thereof as may be necessary, to central data processing for developmental projects during the biennium beginning July 1, 1979, and ending June 30, 1981. Such funds shall only be expended for projects first approved by the budget section of the legislative council.

SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 3, 1979

CHAPTER 45

SENATE BILL NO. 2004  
(Committee on Appropriations)

HOMESTEAD TAX CREDIT

AN ACT making an appropriation for the homestead tax credit, and providing for the distribution of such funds.

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 \$3,550,000 or so much thereof as may be necessary, to the state tax commissioner for the purpose of reimbursing the homestead tax credit, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Grants, benefits, claims	\$ 3,550,000
Total general fund appropriation	\$ 3,550,000

Approved March 12, 1979

## CHAPTER 46

SENATE BILL NO. 2005  
(Committee on Appropriations)

### PERSONAL PROPERTY TAX REPLACEMENT

AN ACT making an appropriation for the distribution of funds for the replacement of personal property taxes.

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/or other income, the sum of \$25,896,447, or so much thereof as may be necessary, to the state tax commissioner for the purpose of replacement of personal property taxes, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Grants, benefits and claims	\$ 25,896,447
Total general fund appropriation	<u>\$ 25,896,447</u>

SECTION 2. DISTRIBUTION.) The distribution of funds appropriated under section 1 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, 1980, such payments shall not exceed one-half of the total appropriation provided for in this Act.

SECTION 3. CONTINGENT.) 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 department of accounts and purchases 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 of total funds it would have received under the application of the formula provided for in section 57-58-01.

Approved March 12, 1979

# CHAPTER 47

SENATE BILL NO. 2006  
(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; 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/or other income, the sums as hereinafter provided or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Subdivision 1.

DIRECTOR OF INSTITUTIONS

Salaries and wages	\$ 1,842,644
Fees and services	907,381
Institutional medical fees	361,378
Supplies and materials	121,474
Equipment	76,890
Land, structures, and major improvements	<u>1,650,000</u>
Total general fund appropriation	\$ 4,959,767

Subdivision 2.

DIRECTOR OF INSTITUTIONS - ENERGY CONVERSION

Land, structures, and major improvements	\$ 488,200
Total general fund appropriation	\$ 488,200

Subdivision 3.

STATE COMMUNICATIONS

Fees and services	\$ 3,662,600
Total all funds	\$ 3,662,600
Less estimated income	<u>1,414,484</u>
Total general fund appropriation	\$ 2,248,116

Grand total general fund appropriation	\$ 7,696,083
Grand total special funds appropriation	\$ 1,414,484
Grand total all funds appropriated S.B. 2006	\$ 9,110,567

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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.

SECTION 4. EMERGENCY.) The line item entitled "land, structures, and major improvements," in subdivision 1 of section 1 of this Act is hereby declared to be an emergency measure and shall be in full force and effect from and after passage and approval.

Approved April 7, 1979

## CHAPTER 48

SENATE BILL NO. 2007  
(Committee on Appropriations)

## INDUSTRIAL SCHOOL

AN ACT making an appropriation for defraying the expenses of the state industrial school 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.) 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/or other income, the sum of \$3,547,659 or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 2,429,877
Operating expenses	815,381
Equipment	56,595
Land, structures, and major improvements	245,806
Total all funds	\$ 3,547,659
Less estimated income	744,388
Total general fund transfer and appropriation	\$ 2,803,271

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

SECTION 3. EMERGENCY.) The line item entitled "land, structures, and major improvements" in section 1 of this Act is hereby declared to be an emergency measure and shall be in effect from and after passage and approval.

Approved April 7, 1979

## CHAPTER 49

SENATE BILL NO. 2008  
(Committee on Appropriations)

### SCHOOLS FOR THE DEAF AND 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.) There is 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/or other income, the sums as hereinafter provided or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Subdivision 1.

SCHOOL FOR THE DEAF

Salaries and wages	\$ 1,943,461
Operating expense	343,105
Equipment	101,163
Land, structures, and major improvements	232,000
Total all funds	<u>\$ 2,619,729</u>
Less estimated income	359,634
Total general fund transfer and appropriation	<u>\$ 2,260,095</u>

Subdivision 2.

SCHOOL FOR THE BLIND

Salaries and wages	\$ 1,111,287
Operating expense	273,509
Equipment	54,715
Land, structures, and major improvements	140,000
Total all funds	<u>\$ 1,579,511</u>
Less estimated income	326,395
Total general fund transfer and appropriation	<u>\$ 1,253,116</u>
Grand total general fund appropriation	<u>\$ 3,513,211</u>

Grand total special funds appropriated	\$ 686,029
Grand total all funds appropriated S.B. 2008	\$ 4,199,240

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 7, 1979

## CHAPTER 50

SENATE BILL NO. 2009  
(Committee on Appropriations)

## GRAFTON STATE SCHOOL AND SAN HAVEN

AN ACT making an appropriation for defraying the expenses of the Grafton state school and the San Haven state hospital of the state of North Dakota.

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/or other income, the sums as hereinafter provided or so much thereof as may be necessary, to the Grafton state school and San Haven state hospital 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, 1979, and ending June 30, 1981, as follows:

Subdivision 1.

GRAFTON STATE SCHOOL	
Salaries and wages	\$ 15,941,532
Operating expense	3,339,785
Equipment	236,653
Land, structures, and major improvements	<u>967,103</u>
Total all funds	\$ 20,485,073
Less estimated income	<u>2,534,439</u>
Total general fund transfer and appropriation	\$ 17,950,634

Subdivision 2.

SAN HAVEN STATE HOSPITAL	
Salaries and wages	\$ 5,786,332
Operating expense	1,251,040
Equipment	93,203
Land, structures, and major improvements	<u>563,258</u>
Total all funds	\$ 7,693,833
Less estimated income	<u>572,948</u>
Total general fund transfer and appropriation	\$ 7,120,885
Grand total general fund appropriation	\$ 25,071,519
Grand total special funds appropriated	\$ 3,107,387
Grand total all funds appropriated S.B. 2009	\$ 28,178,906

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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.

SECTION 4. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that \$13,438 of the increase in Grafton state school salaries and wages and \$11,413 of the increase in the San Haven state hospital salaries and wages be for the purpose of increasing institutional support worker salaries because of contemplated reclassification of institutional support workers effective July 1, 1979. It is not the intent of the legislative assembly that everyone within each classification receive the same salary. It is the intent of the legislative assembly that the institutions work closely with representatives of the central personnel division so that any salary increases given to institutional support workers be compatible with the central personnel division pay grades for such classifications.

Approved April 7, 1979

## CHAPTER 51

SENATE BILL NO. 2010  
(Committee on Appropriations)

## STATE 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.) 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/or other income, the sum of \$1,424,417 or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$	851,117
Fees and services		253,744
Data processing		187,113
Supplies and materials		40,582
Equipment		91,861
Total all funds	\$	<u>1,424,417</u>
Less estimated income		30,000
Total general fund transfer and appropriation	\$	<u>1,394,417</u>

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 March 25, 1979

## CHAPTER 52

SENATE BILL NO. 2011  
(Committee on Appropriations)

## STATE PENITENTIARY AND ROUGH RIDER INDUSTRIES

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.) 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/or other income, the sums as hereinafter provided or so much thereof as may be necessary, to the state penitentiary and the 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, 1979, and ending June 30, 1981, as follows:

Subdivision 1.

STATE PENITENTIARY

Salaries and wages	\$ 3,885,326
Operating expense	1,803,977
Equipment	87,137
Land, structures, and major improvements	397,630
Staff training - lump sum	<u>21,900</u>
Total all funds	\$ 6,195,970
Less estimated income	<u>490,220</u>
Total general fund transfer and appropriation	\$ 5,705,750

Subdivision 2.

ROUGH RIDER INDUSTRIES

Salaries and wages	\$ 435,154
Operating expense	2,662,098
Equipment	323,600
Land, structures, and major improvements	<u>214,000</u>
Total appropriation from industries income	\$ 3,634,852
Grand total general fund appropriation	\$ 5,705,750
Grand total special funds appropriated	\$ 4,125,072

Grand total all funds appropriated S.B. 2011            § 9,830,822

SECTION 2. TRANSFER AND APPROPRIATION.) There is hereby transferred from the penitentiary insurance recovery fund to the roughrider industries the sum of \$125,390.00, which amount is hereby appropriated, for expenditures pursuant to the line item "land, structures, and major improvements" in subdivision 2 of section 1 of this Act.

SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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.

SECTION 5. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the roughrider industries employ a salesperson to promote and sell roughrider industry products and services. It is the intent of the legislative assembly that remuneration of the salesperson be based on a commission of the products and services sold by such person and that remuneration be paid from the operating expense line item in subdivision 2 of section 1 of this Act.

Approved April 7, 1979

## CHAPTER 53

SENATE BILL NO. 2012  
(Committee on Appropriations)

## STATE LIBRARY

AN ACT making an appropriation for defraying the expenses of the state library commission of the state of North Dakota.

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/or other income, the sum of \$1,506,472 or so much thereof as may be necessary, to the state library commission 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 688,415
Fees and services	431,306
Data processing	30,000
Microfilming	6,000
Supplies and materials	274,251
Equipment	26,500
Grants, benefits, and claims	50,000
Total all funds	\$ 1,506,472
Less estimated income	817,419
Total general fund transfer and appropriation	\$ 689,053

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation

for any item or set of items 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 purpose provided for herein.

SECTION 4. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury the sum of \$189,000.00, or so much thereof as may be necessary, to the state library commission during the biennium beginning July 1, 1979, and ending June 30, 1981, to be used only in the event of a reduction and only to the extent of such reduction in the receipt of federal funds by the library commission. The library commission shall not spend funds pursuant to this appropriation without the approval of the legislative council's committee on budget.

Grand total general fund appropriation SB 2012	\$ 878,053
Grand total special fund appropriation SB 2012	\$ 817,419
Grand total all funds appropriated SB 2012	\$ 1,695,472

Approved April 7, 1979

CHAPTER 54

SENATE BILL NO. 2013  
 (Committee on Appropriations)

STATE HOSPITAL

AN ACT making an appropriation for defraying the expenses of the state hospital 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.) 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/or other income, the sum of \$28,350,152 or so much thereof as may be necessary, to the state hospital of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 21,590,486
July 1, 1979, salaries and wages	300,000
Operating expense	4,397,852
Equipment	338,814
Land, structures, and major improvements	<u>1,723,000</u>
Total all funds	\$ 28,350,152
Less estimated income	<u>7,341,423</u>
Total general fund transfer and appropriation	\$ 21,008,729

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

SECTION 3.) The state hospital is authorized to use up to \$700,000.00 of federal funds appropriated in other acts passed by the forty-sixth legislative assembly, if such funds are available, towards the construction of the coal boiler at the hospital. If the \$700,000.00 of federal funds, or any portion thereof is available,

the hospital is authorized to use up to \$250,000.00 of the \$1,450,000.00 general fund appropriation in the land, structures, and major improvements line item in section 1 of this Act for other maintenance projects at the hospital and thereafter the balance of the general fund appropriation of \$1,450,000.00 for the coal boiler in the land, structures, and major improvements line item shall be returned to the state general fund.

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 or cause any specific appropriation for any item or set of items 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.

SECTION 5. EMERGENCY.) The line item entitled "land, structures, and major improvements" in section 1 of this Act is hereby declared to be an emergency measure and shall be in full force and effect on and after its passage and approval.

Approved April 7, 1979

## CHAPTER 55

SENATE BILL NO. 2014  
(Committee on Appropriations)

## SOLDIERS' HOME

AN ACT making an appropriation for defraying the expenses of the soldiers' home of the state of North Dakota.

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/or other income, the sum of \$1,744,733 or so much thereof as may be necessary, to the soldiers' home of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 897,525
Operating expenses	416,067
Equipment	27,444
Land, structures, and major improvements	403,697
Total all funds	\$ 1,744,733
Less estimated income	997,084
Total general fund transfer and appropriation	\$ 747,649

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

SECTION 3. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the sum of \$57,649 included in the salaries and wages line item be distributed to employees in order to provide for equity and retention. It is the intent of the legislative assembly that the soldiers' home work closely with representatives of the central personnel division for the purpose of filing a pay administration plan with the office of the budget. The

salary funds provided herein shall be distributed only upon approval of the pay administration plan by the office of the budget.

SECTION 4. VIETNAM BONUS FUND - TRANSFER.) One hundred forty-three thousand eighty-six dollars (\$143,086) for expenditures pursuant to the line item "land, structures, and major improvements" in section 1 of this Act shall be transferred from the Vietnam bonus fund in the state treasury to the soldiers' home during the biennium beginning July 1, 1979, and ending June 30, 1981.

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 or cause any specific appropriation for any item or set of items 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 March 8, 1979

## CHAPTER 56

SENATE BILL NO. 2015  
(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.

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 sums as hereinafter provided, or so much thereof as may be necessary, to the various commissions, departments, and divisions thereof of the state of North Dakota for defraying the expenses for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

## Subdivision 1.

	ARREST AND RETURN OF FUGITIVES	
Fees and services		\$ 16,000
Total general fund appropriation		\$ 16,000

## Subdivision 2.

	BOYS AND GIRLS CLUBWORK	
Grants, benefits and claims		\$ 31,800
Total general fund appropriation		\$ 31,800

## Subdivision 3.

	CAPITOL GROUNDS PLANNING COMMISSION	
Fees and services		\$ 24,000
Total general fund appropriation		\$ 24,000

## Subdivision 4.

	COUNCIL OF STATE GOVERNMENTS	
Fees and services		\$ 57,830
Total general fund appropriation		\$ 57,830

## Subdivision 5.

	EDUCATION COMMISSION OF THE STATES	
Fees and services		\$ 41,000

Total general fund appropriation \$ 41,000

Subdivision 6.

FIREMEN'S ASSOCIATION

Grants, benefits and claims \$ 20,000

Total general fund appropriation \$ 20,000

Subdivision 7.

MISCELLANEOUS REFUNDS

Grants, benefits and claims \$ 80,000

Total general fund appropriation \$ 80,000

Subdivision 8.

NURSES' SCHOLARSHIP

Fees and services \$ 3,105

Supplies and materials 750

Grants, benefits and claims 85,000

Total general fund appropriation \$ 88,855

Subdivision 9.

THEODORE ROOSEVELT ROUGH RIDER AWARD

Grants, benefits and claims \$ 4,000

Total general fund appropriation \$ 4,000

Subdivision 10.

PRESIDENTIAL ELECTORS

Fees and services \$ 600

Total general fund appropriation \$ 600

Subdivision 11.

COMMISSION ON UNIFORM STATE LAWS

Fees and services \$ 12,600

Total general fund appropriation \$ 12,600

Grand total general fund appropriation \$ 376,685

S.B. 2015

SECTION 2. EXEMPTION.) The funds herein appropriated for subdivisions 1, 3, 4, and 5 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 or cause any specific appropriation for any item or set of items 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 7, 1979

## CHAPTER 57

SENATE BILL NO. 2016  
(Committee on Appropriations)

## EDUCATIONAL BROADCASTING COUNCIL

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

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 \$663,675 or so much thereof as may be necessary, to the educational broadcasting council of the state of North Dakota for defraying the expenses thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 82,809
Fees and services	25,000
Supplies and materials	3,940
Equipment	1,926
Land, structures, and major improvements	150,000
Grants, benefits, and claims	<u>400,000</u>
Total general fund appropriation	\$ 663,675

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 or cause any specific appropriation for any item or set of items should be held by the court or 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. APPROPRIATION.) It is the intent of the legislative assembly that should funds be made available from federal or other sources other than the state general fund for defraying the costs of construction relating to the educational broadcasting system under the supervision of the educational broadcasting council, that such funds are hereby appropriated and may be spent upon approval of the emergency commission.

Approved April 7, 1979

# CHAPTER 58

SENATE BILL NO. 2017  
(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.) 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/or other income, the sum of \$500,000, or so much thereof as may be necessary, to the department of accounts and purchases for the purpose of making payments for unemployment insurance claims, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Grants, benefits and claims	\$ 500,000
Total general fund appropriation	<u>\$ 500,000</u>

SECTION 2. ASSESSMENTS TO DEPARTMENTS AND INSTITUTIONS.) Beginning July 1, 1979, all departments and institutions of the state of North Dakota shall pay to the department of accounts and purchases one percent of the first six thousand dollars of each employee's earnings. Such assessments shall be paid to the department of accounts and purchases in accordance with guidelines established by the office of the budget, from the general fund and special funds appropriated for salaries and wages to the individual departments and institutions. The moneys received from such assessments shall be deposited by the department of accounts and purchases into a fund for the purpose of paying unemployment compensation claims.

SECTION 3. APPROPRIATION.) All assessments received by the department of accounts and purchases and deposited into the fund for unemployment compensation claims are hereby appropriated.

SECTION 4. PAYMENT OF UNEMPLOYMENT COMPENSATION CLAIMS.) The department of accounts and purchases from the appropriations made in

sections 1 and 3 of this Act shall quarterly reimburse the state unemployment compensation division for the amount of actual claims paid by the unemployment compensation division to eligible recipients previously employed by state departments and institutions. It shall be the responsibility of each department and institution to verify and certify the validity of each unemployment claim prior to the reimbursement of funds to the unemployment compensation division.

SECTION 5. INTENT.) It is the intent of the legislative assembly that the general fund appropriation made in section 1 will be reverted to the general fund at the close of the biennium ending June 30, 1981, or at such time as it is determined by the office of the budget that sufficient funds are available from assessments to meet the needs of unemployment compensation claims.

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 or cause any specific appropriation for any item or set of items 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 March 8, 1979

## CHAPTER 59

SENATE BILL NO. 2018  
(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.) 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, the sum of \$590,349 or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

State contingencies	<u>\$ 590,349</u>
Total all funds	<u>\$ 590,349</u>
Less estimated income	<u>90,349</u>
Total general fund appropriation	<u>\$ 500,000</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 or cause any specific appropriation for any item or set of items 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 March 27, 1979

## CHAPTER 60

SENATE BILL NO. 2019  
(Committee on Appropriations)

## DIVISION OF SURPLUS PROPERTY

AN ACT making an appropriation for defraying the expenses of the division of surplus property of the state of North Dakota.

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/or other income, the sum of \$427,345 or so much thereof as may be necessary, to the superintendent of public instruction of the state of North Dakota, for the purpose of defraying the expenses of the division of surplus property, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 190,815
Fees and services	152,025
Data processing	12,180
Supplies and materials	11,175
Equipment	11,150
Contingency	50,000
Total all funds	\$ 427,345
Less estimated income	277,345
Total general fund appropriation	\$ 150,000

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 or cause any specific appropriation for any item or set of items 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 March 21, 1979

## CHAPTER 61

SENATE BILL NO. 2021  
(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.) 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/or other income, the sums as hereinafter provided or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Subdivision 1.

PARDON BOARD

Fees and services	\$	1,200
Total general fund appropriation	\$	<u>1,200</u>

Subdivision 2.

PAROLE AND PROBATION OFFICE

Salaries and wages	\$	835,905
Fees and services		137,947
Supplies and materials		21,100
Equipment		<u>38,000</u>
Total all funds	\$	1,032,952
Less estimated income		<u>87,000</u>
Total general fund transfer and appropriation	\$	945,952
Grand total general fund appropriation	\$	947,152
Grand total special funds appropriated	\$	87,000
Grand total all funds appropriated S.B. 2021	\$	<u>1,034,152</u>

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of

the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 7, 1979

## CHAPTER 62

SENATE BILL NO. 2023  
(Committee on Appropriations)

### ADJUTANT GENERAL

AN ACT making an appropriation for defraying the expenses of the adjutant general of the state of North Dakota.

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/or other income, the sum of \$3,077,558 or so much thereof as may be necessary, to the adjutant general of the state of North Dakota for the purpose of defraying the expenses of the various divisions thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 604,682
Fees and services	721,634
Recruiting/retention	200,000
Army guard service contract	540,000
Supplies and materials	70,655
Equipment	25,000
Inauguration - Flags	4,500
Land, structures, and major improvements	911,087
Total all funds	<u>\$ 3,077,558</u>
Less estimated income	1,151,000
Total general fund transfer and appropriation	<u>\$ 1,926,558</u>

SECTION 2. APPROPRIATION.) The funds provided for in section 1 of this Act for the construction of an armory at Camp Grafton in the amount of \$500,000 and for participation in the construction of other local armories in the amount of \$240,000 are hereby appropriated from surplus funds on deposit in the Vietnam bonus fund of the state of North Dakota.

SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of

the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 March 26, 1979

# CHAPTER 63

SENATE BILL NO. 2024  
(Committee on Appropriations)

## DIVISION OF 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.) 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/or other income, the sum of \$981,009 or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 771,110
Fees and services	143,923
Data processing	550
Supplies and materials	46,245
Equipment	<u>19,181</u>
Total all funds	\$ 981,009
Less estimated income	<u>703,671</u>
Total general fund appropriation	\$ 277,338

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 March 21, 1979

## CHAPTER 64

SENATE BILL NO. 2025  
(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.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$69,743 or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 9,343
Fees and services	21,900
Supplies and materials	27,600
Equipment	10,900
Total general fund appropriation	\$ 69,743

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 March 7, 1979

## CHAPTER 65

SENATE BILL NO. 2026  
(Committee on Appropriations)

## INSURANCE PREMIUM TAX PAYMENTS

AN ACT making an appropriation for the payment of insurance premium taxes 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 general fund in the state treasury, not otherwise appropriated, the sum of \$2,000,000, 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, 1979, and ending June 30, 1981, as follows:

Grants, benefits, claims	\$ 2,000,000
Total general fund appropriation	<u>\$ 2,000,000</u>

Approved April 7, 1979

## CHAPTER 66

SENATE BILL NO. 2027  
(Committee on Appropriations)

## HISTORICAL BOARDS AND COMMISSIONS

AN ACT making an appropriation for defraying the expenses of the state historical board and international peace garden of the state of North Dakota.

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/or other income, the sum as hereinafter provided or so much thereof as may be necessary, to the state historical board, the international peace garden, and the heritage 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, 1979, and ending June 30, 1981, as follows:

## Subdivision 1.

## STATE HISTORICAL BOARD

Salaries and wages	\$ 1,247,035
Fees and services	568,220
Data processing	21,700
Microfilm	15,000
Supplies and materials	141,763
Equipment	72,590
Grants, benefits, claims	502,090
Land, structures, and major improvements	213,375
Total all funds	<u>\$ 2,781,773</u>
Less estimated income	964,000
Total general fund appropriation	<u>\$ 1,817,773</u>

## Subdivision 2.

## INTERNATIONAL PEACE GARDEN

Office building	\$ 100,000
Completion of water treatment system	88,000
Grants, benefits, claims	220,000
Total all funds	<u>\$ 408,000</u>
Less estimated income	<u>61,000</u>

Total general fund appropriation	\$ 347,000
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## Subdivision 3.

## HERITAGE COMMISSION

Salaries and wages	\$ 73,128
Fees and services	13,780
Supplies and materials	3,740
Total special fund appropriation	\$ 90,648
Grand total general fund appropriation	\$ 2,164,773
Grand total special fund appropriation	\$ 1,115,648
Grand total all funds appropriated S.B. 2027	\$ 3,280,421

SECTION 2. APPROPRIATION.) The special funds appropriated under subdivision 3 of section 1 of this Act are to be derived from the interest on heritage commission funds which are on deposit with the Bank of North Dakota.

SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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.

SECTION 5. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the sum of \$400,000.00 or so much thereof as may be necessary, which is appropriated in the fees and services line item in subdivision 1 of section 1 of this Act be used by the state historical board for development of displays. Of this amount, \$200,000.00, or so much thereof as may be necessary, which is included in the appropriation of estimated income in subdivision 1 of section 1 of this Act, shall be expended from federal funds received by the state historical board.

Approved April 7, 1979

## CHAPTER 67

SENATE BILL NO. 2028  
(Committee on Appropriations)

## COUNCIL ON THE ARTS

AN ACT making an appropriation for defraying the expenses of the council on arts and humanities of the state of North Dakota.

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/or other income, the sum of \$1,730,950 or so much thereof as may be necessary, to the council on arts and humanities of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 113,777
Fees and services	45,001
Supplies and materials	6,050
Equipment	1,360
Grants, benefits, claims	1,564,762
Total all funds	<u>\$1,730,950</u>
Less estimated income	<u>1,531,850</u>
Total general fund appropriation	<u>\$ 199,100</u>

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

SECTION 3. LEGISLATIVE INTENT.) The sum of \$35,000.00 included in section 1 of this Act within the line item for grants, benefits, and claims is to be utilized to establish an endowment fund for which the income is hereby appropriated for the furthering of the cultural arts in the state of North Dakota. The principal

sum in said endowment shall not be available for any other purpose except by a specific act of the legislative assembly.

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 or cause any specific appropriation for any item or set of items 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 7, 1979

## CHAPTER 68

SENATE BILL NO. 2029  
(Committee on Appropriations)

## SOIL CONSERVATION COMMITTEE

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.) 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/or other income, the sum of \$577,798 or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 345,699
Fees and services	209,739
Data processing	700
Supplies and materials	10,910
Equipment	750
Grants, benefits, claims	10,000
Total all funds	<u>\$ 577,798</u>
Less estimated income	75,711
Total general fund appropriation	<u>\$ 502,087</u>

SECTION 2. CONTINGENT.) The funds appropriated under section 1 of this Act for salaries and wages include an amount of \$115,759 in general funds which shall be available only in the event that funding from the old west regional commission expires. If old west regional commission funding is reduced to a level whereby funds are not available in at least the amount of \$115,759 for salaries of soil scientists and cartographers, a proportionate share of the general funds provided herein shall be available to allow for a level of \$115,759. These funds shall only be made available upon certification to the office of the budget that such expiration or reduction in funding has occurred.

SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 March 8, 1979

# CHAPTER 69

SENATE BILL NO. 2030  
 (Committee on Appropriations)

## GEOLOGICAL SURVEY

AN ACT making an appropriation for defraying the expenses of the geological survey of the state of North Dakota.

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/or other income, the sum of \$2,811,262 or so much thereof as may be necessary, to the geological survey under the supervision of the 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 1,676,588
Fees and services	283,147
Data processing	42,980
Supplies and materials	198,787
Equipment	109,760
Land, structures, and major improvements	500,000
Total all funds	<u>\$ 2,811,262</u>
Less estimated income	<u>1,098,645</u>
Total general fund appropriation	<u>\$ 1,712,617</u>

SECTION 2. LANDS AND MINERALS TRUST FUND - TRANSFER.) The sum of \$1,011,880 or so much thereof as may be necessary, at such times as may be requested by the state geologist shall be transferred by the state treasurer from the lands and minerals trust fund created by section 15-08.1-08 of the North Dakota Century Code to the geological survey for the biennium beginning July 1, 1979, and ending June 30, 1981.

SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of

the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 March 10, 1979

## CHAPTER 70

SENATE BILL NO. 2031  
(Committee on Appropriations)

## WATER CONSERVATION COMMISSION

AN ACT making an appropriation for defraying the expenses of the water commission of the state of North Dakota.

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/or other income, the sum of \$6,153,234 or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 2,662,293
Fees and services	602,330
Data processing	90,360
Microfilm	5,000
Supplies and materials	323,891
Equipment	139,845
Contracts	2,305,000
Special assessments	<u>24,515</u>
Total all funds	\$ 6,153,234
Less estimated income	<u>1,423,949</u>
Total general fund appropriation	\$ 4,729,285

SECTION 2. LANDS AND MINERALS TRUST FUND - TRANSFER.) The sum of \$223,949.00 or so much thereof as may be necessary at such times as may be requested by the state engineer of the state water commission shall be transferred by the state treasurer from the lands and minerals trust fund created by section 15-08.1-08 of the North Dakota Century Code to the state water commission for the biennium beginning July 1, 1979, and ending June 30, 1981.

SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be

made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 7, 1979

CHAPTER 71

SENATE BILL NO. 2033  
 (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.) 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/or other income, the sum of \$12,707,338 or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 1,897,882
Fees and services	488,784
Data processing	2,000
Supplies and materials	348,411
Equipment	322,386
Land, structures, and major improvements	497,875
Snowmobile trails	100,000
Grants, benefits, and claims	9,050,000
Total all funds	<u>\$ 12,707,338</u>
Less estimated income	8,895,633
Total general fund transfer and appropriation	<u>\$ 3,811,705</u>

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 7, 1979

## CHAPTER 72

SENATE BILL NO. 2034  
(Committee on Appropriations)

## BONDING AND FIRE AND TORNADO FUNDS

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.) There is hereby appropriated out of any moneys in special funds in the state treasury, not otherwise appropriated, derived from federal funds and/or other income, the sums as hereinafter provided or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

## Subdivision 1.

BONDING FUND		
Salaries and wages		\$ 24,919
Fees and services		13,906
Data processing		747
Supplies and materials		755
Equipment		200
Contingent		3,000
Total appropriation from state bonding fund		<u>\$ 43,527</u>

## Subdivision 2.

FIRE AND TORNADO FUND		
Salaries and wages		\$ 104,238
Fees and services		62,337
Data processing		10,201
Supplies and materials		1,855
Equipment		1,000
Contingent		4,000
Total appropriation from state fire and tornado fund		<u>\$ 183,631</u>



## CHAPTER 73

SENATE BILL NO. 2035  
(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.) There is hereby appropriated out of any moneys in the unsatisfied judgment fund in the state treasury, not otherwise appropriated, the sum of \$60,000 or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 23,730
Fees and services	34,770
Supplies and materials	1,000
Equipment	500
Total appropriation from unsatisfied judgment fund	<u>\$ 60,000</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 or cause any specific appropriation for any item or set of items 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 March 25, 1979

## CHAPTER 74

SENATE BILL NO. 2036  
(Committee on Appropriations)

## AGRICULTURAL ENTITIES

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.) 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/or other income, the sums as hereinafter provided or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

## Subdivision 1.

	EDIBLE BEAN COUNCIL	
Fees and services		\$ 129,900
Supplies and materials		100
Total appropriation from edible bean fund		\$ 130,000

## Subdivision 2.

	SUNFLOWER COUNCIL	
Salaries and wages		\$ 74,451
Fees and services		250,100
Supplies and materials		10,000
Equipment		11,000
Total appropriation from sunflower fund		\$ 345,551

## Subdivision 3.

	STATE POTATO COUNCIL	
Fees and services		\$ 556,088
Total appropriation from spud fund		\$ 556,088

## Subdivision 4.

	STATE SEED DEPARTMENT	
Salaries and wages		\$ 1,402,492

Fees and services	389,405
Supplies and materials	109,916
Equipment	20,986
Contingent	75,000
Land, structures, and major improvements	85,000
Total appropriation from seed department fund	<u>\$ 2,082,799</u>

## Subdivision 5.

## TURKEY FUND

Fees and services	\$ 10,600
Supplies and materials	9,400
Total appropriation from turkey promotion fund	<u>\$ 20,000</u>

## Subdivision 6.

## STATE WHEAT COMMISSION

Salaries and wages	\$ 346,092
Fees and services	1,138,435
Data processing	6,602
Supplies and materials	59,554
Equipment	4,000
Grants, benefits, and claims	63,000
Contingent	5,000
Total appropriation from wheat promotion fund	<u>\$ 1,622,683</u>

## Subdivision 7.

## PREDATORY ANIMAL CONTROL

Salaries and wages	\$ 276,310
Fees and services	149,108
Supplies and materials	200
Total general fund appropriation	<u>\$ 425,618</u>
Grand total general fund appropriation	\$ 425,618
Grand total special funds appropriated	\$ 4,757,121
Grand total all funds appropriated S.B. 2036	<u>\$ 5,182,739</u>

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or 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 or cause any specific appropriation for any item or set of items 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 March 25, 1979

CHAPTER 75

SENATE BILL NO. 2037  
 (Committee on Appropriations)

STATE-LOCAL 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.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$16,077,500, or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Grants, benefits, and claims	\$ 7,497,700
July 1, 1979, through June 30, 1980	
Grants, benefits, and claims	8,579,800
July 1, 1980, through June 30, 1981	
Total general fund transfer and appropriation	<u>\$ 16,077,500</u>

SECTION 2. APPROPRIATION.) The funds appropriated in section 1 of this Act are to be transferred by the state treasurer to the state revenue sharing fund for distribution in accordance with the initiated measure providing for the sharing of general fund revenues of the state of North Dakota and in accordance with the attorney general's opinion, dated December 20, 1978.

Approved March 28, 1979

## CHAPTER 76

SENATE BILL NO. 2038  
(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.

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/or other income, the sums as hereinafter provided, or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

## Subdivision 1.

## SUPREME COURT

Salaries and wages	\$ 1,957,226
Fees and services	357,416
Central data processing	40,000
Supplies and materials	150,000
Equipment	70,000
Total all funds	\$ 2,574,642
Less estimated income	<u>272,854</u>
Total general fund appropriation	\$ 2,301,788

## Subdivision 2.

## JUDGES OF DISTRICT COURT

Salaries and wages	\$ 2,370,658
Judges' retirement	402,957
Fees and services	183,724
Supplies and materials	2,000
Total all funds	\$ 2,959,339
Less estimated income	<u>151,000</u>
Total general fund appropriation	\$ 2,808,339

SECTION 2. 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/or other income, the sum of \$127,757, or so much thereof as may be necessary, to the judicial qualifications commission of the state of North Dakota for the purpose of defraying the expenses of the commission, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

JUDICIAL QUALIFICATIONS COMMISSION	
Salaries and wages	\$ 81,661
Fees and services	43,105
Supplies and materials	2,591
Equipment	400
Total all funds	<u>\$ 127,757</u>
Less estimated income	63,000
Total general fund appropriation	<u>\$ 64,757</u>
Grand total general fund appropriation	\$ 5,174,884
Grand total special funds appropriation	\$ 486,854
Grand total all funds appropriated S.B. 2038	\$ 5,661,738

SECTION 3. TRANSFERS.) The director of accounts and purchases and the state treasurer shall make such transfer of funds between lined 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 require such transfers in properly carrying on the functions of the judicial branch of government.

SECTION 4. DISTRICT JUDGES.) The appropriation provided within subdivision 2 of section 1 provides for five additional district court judges to be assigned pursuant to Constitution - section 93 order 1-1978 and any future amendments thereof of the supreme court with two additional judges in the east central judicial district, one additional judge in the northeast judicial district, one additional judge in the south central judicial district, and one additional judge in the northwest judicial district and to be assigned to chambers by the supreme court.

Within thirty days after the effective date of this section, the governor shall, pursuant to chapter 27-25 if House Bill No. 1067 is approved give written notice of the five district court district court judgeship vacancies created by this section.

If House Bill No. 1067 is not approved, within ninety days after the effective date of this section, the governor shall, pursuant to law, fill the five district court judgeship vacancies created by this section.

Approved April 7, 1979

## CHAPTER 77

SENATE BILL NO. 2039  
(Committee on Appropriations)

## COAL DEVELOPMENT IMPACT OFFICE

AN ACT making an appropriation for defraying the expenses of the coal development impact office of the state of North Dakota; and setting forth legislative intent and guidelines.

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 coal development impact fund in the state treasury, not otherwise appropriated, the sums hereinafter provided, or so much thereof as may be necessary, to the coal development impact office of the state of North Dakota, for the purpose of defraying the expense of that office, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$	108,986
Fees and services		20,428
Supplies and materials		1,200
Equipment		1,800
Grants, benefits and claims		8,229,509
Total appropriation from coal development impact fund	\$	8,361,923

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

\* SECTION 3. LEGISLATIVE INTENT AND GUIDELINES ON IMPACT GRANTS.) The legislative assembly intends that the moneys appropriated to, and distributed by, the coal development impact office for grants are to be used by grantees to meet initial impacts affecting basic governmental services, and directly necessitated by coal development impact. As used in this section, "basic governmental services" do not include activities relating to

\* NOTE: Section 3 was vetoed by the Governor. See chapter 669. Section 5 of House Bill No. 1304, chapter 628, enacts language identical to the portion of this bill vetoed by the Governor.

marriage or guidance counseling, services or programs to alleviate other sociological impacts, or services or facilities to meet secondary impacts. All grant applications and presentations to the coal development impact office shall be made by an appointed or elected government official.

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 or cause any specific appropriation for any item or set of items 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 March 12, 1979

## CHAPTER 78

SENATE BILL NO. 2040  
(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; providing for a performance review; 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 game and fish fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, the sums hereinafter provided, or so much thereof as may be necessary, 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, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 3,857,824
(Including salary of commissioner not to exceed \$66,080 for the biennium)	
Fees and services	898,480
Data processing	91,850
Microfilming	5,000
Supplies and materials	940,355
Equipment	660,800
Land, structures, and major improvements	1,060,000
Grants, benefits, and claims	361,000
In lieu of taxes	344,000
Private land habitat improvement and deer depredation fund	650,000
Noxious weed control	100,000
Contingent	80,000
Total appropriation from game and fish fund	<u>\$ 9,049,309</u>

SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of

the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

SECTION 3. FUND BALANCE - LIMITATION ON SALARIES - PRIVATE LAND HABITAT IMPROVEMENT AND DEPREDATION FUND.) Of the moneys appropriated in section 1 of this Act for the private land habitat improvement and deer depredation fund, moneys spent for salaries from the fund shall not exceed ten percent of the line item amount. The balance of the private land habitat improvement and deer depredation fund is to be maintained at a minimum of \$100,000.00, except when such funds are used for depredation programs during the months of November through April. If the balance of the fund goes below \$100,000.00 due to expenditures for depredations during the months of November through April, the moneys derived from interest earned on the game and fish fund shall be first used to restore the balance of the private land habitat improvement fund to \$100,000.00.

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 or cause any specific appropriation for any item or set of items 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.

\* SECTION 5. SALARIES AND QUALIFICATIONS OF COMMISSIONER.) The legislative assembly encourages the appointment of a game and fish commissioner possessing a bachelor's degree, or the equivalent thereof, in fishery and wildlife management or a related natural science, and having experience in fish and wildlife management and public administration, including the supervision of employees, development of programs, and the preparation of budgets. If the commissioner meets such qualifications, the commissioner's salary shall be \$32,000 for the first year of the biennium and \$34,080 for the second year of the biennium. If the new commissioner does not meet such qualifications, the commissioner's salary shall not exceed \$51,000 for the 1979-81 biennium.

SECTION 6. LEGISLATIVE INTENT - LANDS ACQUIRED BY GAME AND FISH DEPARTMENT.) Lands acquired by the game and fish department shall qualify as mitigated acres required by the federal fish and wildlife department in regard to the Garrison Diversion Project.

SECTION 7. PERFORMANCE REVIEW - APPROPRIATION.) There is hereby appropriated out of any moneys in the game and fish fund in the state treasury, not otherwise appropriated, the sum of \$50,000.00, or so much thereof as may be necessary, to the legislative council for a performance review of the game and fish department during the biennium beginning July 1, 1979, and ending June 30, 1981. Funds made available to the legislative council pursuant to this appropriation shall be used to contract for services from a firm experienced in management reviews of

\* NOTE: Section 5 was vetoed by the Governor. See chapter 670.

governmental operations. The legislative council shall make its report on the performance review to the forty-seventh legislative assembly accompanied with any legislation which may be necessary to implement the report recommendations.

SECTION 8. NOXIOUS WEED CONTROL.) Upon failure of the game and fish department to adequately destroy noxious weeds, or control and prevent spreading and dissemination of noxious weeds, on any parcel of land under its control, the county control authority for the county in which all or a portion of the land owned and leased by the game and fish department is located may, upon approval of the commissioner, enter upon the land owned and leased by the game and fish department for the purposes of destruction, control, or prevention of noxious weeds. All expenditures by county control authorities for destruction, control, or prevention of noxious weeds on game and fish lands pursuant to this section shall be reimbursed by the state game and fish department to the county control authority upon adequate certification by the county control authority.

SECTION 9. EMERGENCY.) Section 6 of this Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval.

Approved April 12, 1979

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## CHAPTER 79

SENATE BILL NO. 2041  
(Committee on Appropriations)

### MOTOR VEHICLE FUEL TAX TRANSFER

AN ACT to transfer a portion of the motor vehicle fuel tax revenues to the general fund to cover 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, collected pursuant to section 57-54-08 of the North Dakota Century Code, the sum of \$556,000 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 March 12, 1979

## CHAPTER 80

SENATE BILL NO. 2042  
(Committee on Appropriations)

## DEFICIENCY APPROPRIATIONS

AN ACT to amend and reenact section 1 of chapter 4 of the 1977 Session Laws of North Dakota, relating to the appropriation for the personal property tax replacement and homestead tax credit; and making an appropriation for defraying the expenses of various departments and institutions 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.) 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/or 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, 1979, and ending June 30, 1979, as follows:

## Subdivision 1.

## NORTH DAKOTA SOLDIERS' HOME

Salaries and wages	\$	11,721
Fees and services		1,000
Supplies and materials		9,433
Total general fund appropriation	\$	<u>22,154</u>

## Subdivision 2.

## STATE HOSPITAL - JAMESTOWN

Fees and services	\$	294,877
Supplies and materials		342,171
Total general fund appropriation	\$	<u>637,048</u>

## Subdivision 3.

## SECURITIES COMMISSIONER

Salaries and wages	\$	10,000
Total general fund appropriation	\$	<u>10,000</u>

## Subdivision 4.

DIRECTOR OF INSTITUTIONS

Fees and services	\$ 93,528
Institutional medical fees	49,338
Total general fund appropriation	<u>\$ 142,866</u>

Subdivision 5.

STATE COMMUNICATIONS

Fees and services	\$ 230,720
Total general fund appropriation	<u>\$ 230,720</u>

Subdivision 6.

STATE PENITENTIARY

Fees and services	\$ 38,657
Supplies and materials	231,876
Total all funds	<u>\$ 270,533</u>
Less estimated income	225,000
Total general fund appropriation	<u>\$ 45,533</u>

Subdivision 7.

GRAFTON STATE SCHOOL

Fees and services	\$ 174,353
Supplies and materials	90,767
Total all funds	<u>\$ 265,120</u>
Less estimated income	130,000
Total general fund appropriation	<u>\$ 135,120</u>

Subdivision 8.

SAN HAVEN STATE HOSPITAL

Fees and services	\$ 20,150
Supplies and materials	32,394
Total special funds appropriated	<u>\$ 52,544</u>

Subdivision 9.

DEPARTMENT OF ACCOUNTS AND PURCHASES

Supplies and materials	\$ 6,000
Data processing	1,000
Total general fund appropriation	<u>\$ 7,000</u>

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 \$20,000 or so much thereof as may be necessary to the division of surplus property under the supervision of the superintendent of public instruction for the purpose of providing operating funds which were not derived from the revenues of the division, for the period beginning January 1, 1979, and ending June 30, 1979.

Grand total general fund appropriation	\$ 1,250,441
Grand total special funds appropriated	\$ 407,544
Grand total all funds appropriated S.B. 2042	\$ 1,657,985

SECTION 3. AMENDMENT.) Section 1 of chapter 4 of the 1977 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

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 \$24,300,000.00, or so much thereof as may be necessary, for the replacement of personal property taxes, in accordance with the formula for personal property tax replacement payments as provided for in section 57-58-01, and as a supplemental appropriation for the homestead tax credit in addition to the appropriation provided in section 2 of chapter 4 of the 1977 Session Laws of North Dakota during the biennium beginning July 1, 1977, and ending June 30, 1979. During the year ending June 30, 1978, such payments shall not exceed one-half of the total appropriation provided for in this Act.

SECTION 4. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved March 7, 1979

## CHAPTER 81

SENATE BILL NO. 2103  
(Thane)

SCHOOL OF SCIENCE CLASSROOM —  
AUDITORIUM BUILDING

AN ACT to provide an appropriation for construction of a classroom-auditorium building at the state school of science; and to declare an emergency.

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

SECTION 1. APPROPRIATION.) There is hereby appropriated to the state school of science from any federal or private funds the sum of \$2,500,000.00, or so much thereof as may be necessary, for the purpose of constructing a classroom-auditorium building at the state school of science for the fiscal period beginning with the effective date of this Act and ending June 30, 1981.

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

Approved February 8, 1979

## CHAPTER 82

SENATE BILL NO. 2154  
(Committee on Appropriations)  
(At the request of the Disaster Emergency Services)

### 1978 FAMILY GRANT PROGRAM

AN ACT to authorize the reimbursement of the federal government for the state's twenty-five percent share of the individual and family grant program that was conducted in North Dakota following the spring flood of 1978; and provide for an appropriation.

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

SECTION 1. ADMINISTRATION.) The social service board of North Dakota is hereby authorized to reimburse the federal government (the president's disaster fund) for the state's share of the individual and family grant program.

SECTION 2. REPORTS.) The division of disaster emergency services will prepare a complete financial report of the individual and family grant program. The report will be presented to the legislative council budget committees and department of accounts and purchases. All unencumbered funds will be transferred to the general fund when the reimbursement is completed.

SECTION 3. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$22,365.00, or so much thereof as may be necessary to the social service board of North Dakota for the purpose of closing out the individual and family grant program that the board administered, for the biennium beginning July 1, 1979, and ending June 30, 1981.

Approved March 12, 1979

## CHAPTER 83

SENATE BILL NO. 2284  
(Senator Tallackson)  
(Representatives Kingsbury, Gorder)

### GRAFTON INDEMNIFICATION

AN ACT to provide an appropriation to the Grafton state school to indemnify Mrs. Ray Holt, Mrs. Myrtle McDonald, Mr. Tim Holt, Nygard's Auto, Inc., and Wally's Fairway Foods, all of Grafton, North Dakota, for property and other losses suffered due to the acts of residents of Grafton state school.

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 \$1,868.41, or so much thereof as may be necessary, to the Grafton state school for the purpose of indemnifying Mrs. Ray Holt, Mrs. Myrtle McDonald, Mr. Tim Holt, Nygard's Auto, Inc., and Wally's Fairway Foods, all of Grafton, North Dakota, for their claim for relief for damage to property and other financial losses incurred due to the acts of residents of Grafton state school, for the biennium beginning July 1, 1979, and ending June 30, 1981. The claim for indemnification shall be submitted to the office of the budget for payment in accordance with chapter 54-14.

Approved March 28, 1979

## CHAPTER 84

SENATE BILL NO. 2305  
(Senators Nething, Hoffner, Wright)  
(Representatives Backes, Leibhan, Strinden)

### MILITARY SERVICE RECORD PUBLICATION

AN ACT to direct the adjutant general to compile and publish a record of men and women in military service during the Vietnam conflict; and to provide an appropriation.

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

SECTION 1. RECORD OF MILITARY SERVICE DURING VIETNAM CONFLICT.) The adjutant general shall compile, publish, and distribute a record of all veterans who rendered military service on behalf of the state in the Vietnam conflict. For the purposes of this section, unless otherwise provided by rule promulgated by the adjutant general pursuant to chapter 28-32, "veteran" means a man or woman who served honorably and faithfully for more than sixty days on active duty in the armed forces of the United States at any time from August 5, 1964, to January 28, 1973, and who was a resident of this state at the time he or she commenced active duty and for at least six months prior thereto.

SECTION 2. APPROPRIATION.) There is hereby appropriated out of any moneys in the Vietnam veterans adjusted compensation fund, not otherwise appropriated, the sum of \$125,000.00, or so much thereof as may be necessary, to the adjutant general for the purpose of compiling, publishing, and distributing a record of military service during the Vietnam conflict for the biennium beginning July 1, 1979, and ending June 30, 1981.

Approved March 23, 1979

## CHAPTER 85

SENATE BILL NO. 2378  
(Reiten, Redlin)

## PIONEER HALL RENOVATION

AN ACT making an appropriation for defraying the expense of remodeling and renovating pioneer hall at Minot state college; 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 unappropriated moneys in the general fund in the state treasury the sum of \$100,000.00, or so much of as may be necessary, and the sum of \$100,000.00 from the Vietnam bonus fund in the state treasury, or so much thereof as may be necessary for the purpose of remodeling and renovating pioneer hall at Minot state college for the biennium beginning July 1, 1979, and ending June 30, 1981.

SECTION 2. INTENT.) The intent of this appropriation is to supplement the bond issuance authorized by the forty-fifth legislative assembly in section 8 of chapter 24 of the 1977 Session Laws.

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

Approved March 13, 1979

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## CHAPTER 86

SENATE BILL NO. 2478  
(Committee on Delayed Bills)  
(At the request of  
Senator Vosper and Representative Olson)

### PEMBINA HISTORIC SITE MUSEUM RENOVATION

AN ACT making an appropriation to the state historical society to renovate the museum at the Pembina state historic site.

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

SECTION 1. APPROPRIATION.) There is hereby appropriated from any private or other funds the sum of \$5,000.00, or so much thereof as may be necessary, to the state historical board to be matched with funds appropriated to the state historical board in Senate Bill No. 2027 for the purpose of renovating the museum located at the Pembina state historic site for the biennium beginning July 1, 1979, and ending June 30, 1981.

Approved March 21, 1979

## CHAPTER 87

SENATE BILL NO. 2487

(Committee on Delayed Bills)

(At the request of the Senate Appropriations Committee)

## CAPITAL CONSTRUCTION FUND

AN ACT for a conditional transfer of funds to a state capital construction fund, providing for budget section approval, and providing an appropriation for the construction, remodeling, and equipping of, or additions to, buildings of state agencies, departments, and institutions.

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

SECTION 1. TRANSFER.) In the event that the cash balance in the general fund of the state treasury as of the close of business on June 30, 1979, less outstanding financial obligations for the biennium ending June 30, 1979, to be paid after June 30, 1979, exceeds \$148,600,000.00, the director of the department of accounts and purchases, after approval of the budget section of the legislative council, shall direct the state treasurer to transfer from the general fund to the state capital construction fund the sum of \$10,730,000.00, or so much thereof as may be necessary, or the amount by which the cash balance in the general fund on the close of business on June 30, 1979, less outstanding financial obligations for the biennium ending June 30, 1979, to be paid after June 30, 1979, exceeded \$148,600,000.00 whichever is less. In the event that the cash balance in the general fund of the state treasury on June 30, 1980, exceeds \$110,550,000.00, the director of the department of accounts and purchases, after approval by the budget section of the legislative council, shall direct the state treasurer to transfer from the general fund to the state capital construction fund that amount of funds that were in excess of \$110,550,000.00, or so much thereof as may be necessary, for the projects listed in section 2 of this Act for which funds were not previously transferred from the general fund to the capital construction fund, or the amount by which the cash balance in the general fund on the close of business on June 30, 1980, exceeded \$110,550,000.00 whichever is less. Such funds shall be expended by the various agencies, departments, and institutions for the construction or addition, remodeling, and equipping of buildings in accordance with specific appropriations made by the legislative assembly in section 2 of this Act.

SECTION 2. APPROPRIATIONS.) There is hereby appropriated out of any moneys in the state capital construction fund, the sum of \$10,730,000.00, or so much thereof as may be necessary, to the state agencies, departments, and institutions listed herein for the construction and equipping of buildings and facilities, the construction and equipping of additions to buildings and facilities, or the remodeling of buildings and facilities within the limitations hereafter stated in this section during the biennium beginning July 1, 1979, and ending June 30, 1981.

<u>Name of agency, department, or institution</u>	<u>Type of facility</u>	<u>State funds</u>
North Dakota state university	Music education building	\$ 3,000,000
Industrial school	Vocational education and maintenance shop	635,000
University of North Dakota	Library addition	4,500,000
San Haven state hospital	Food service, laundry, and commissary building	1,320,000
State school of science	Maintenance storage building and site	930,000
School for the deaf	Three residential cottages	345,000
Total		<u>\$10,730,000</u>

The order in which the projects are listed in this section shall be the priority list for the construction or remodeling of such buildings or facilities. The construction or remodeling of a building or facility shall not be commenced until a sufficient amount of funds to complete such building or facility has been transferred from the general fund to the state capital construction fund as provided in this Act. If on June 30, 1981, there are not sufficient funds in the capital construction fund to complete a building or facility in accordance with the priority list as provided in this section, construction of such building or facility shall not be commenced, and such funds shall be returned to the general fund. If on June 30, 1981, sufficient funds are in the capital construction fund to complete a building or facility in accordance with the priority list as provided in this section but have not been paid out for all expenses to be incurred in completion of such building or facility, such funds as may be necessary for the completion of such project or projects shall remain in the capital construction fund until spent for such purposes. In addition to the appropriations and authorization set forth in this Act, there is hereby appropriated to the state agencies, departments, and institutions listed herein, any moneys available from private, federal, or other sources to construct or remodel the buildings and facilities set forth in this Act. In no event shall any building or facility exceed the cost indicated in the column "state funds" except to the extent funds may be received from federal and private sources.

Approved April 8, 1979