

Sixty-fifth  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1054

Introduced by

Representative Delzer

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

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

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

6 **54-44.1-11. (Effective through July 31, 2017) Office of management and budget to**  
7 **cancel unexpended appropriations - When they may continue.**

8 Except as otherwise provided by law, the office of management and budget, thirty days after  
9 the close of each biennial period, shall cancel all unexpended appropriations or balances of  
10 appropriations after the expiration of the biennial period during which they became available  
11 under the law. Unexpended appropriations for the state historical society are not subject to this  
12 section and the state historical society shall report on the amounts and uses of funds carried  
13 over from one biennium to the next to the appropriations committees of the next ~~subsequent~~  
14 legislative assembly. Unexpended appropriations for the North Dakota university system are not  
15 subject to this section and the North Dakota university system shall report on the amounts and  
16 uses of funds carried over from one biennium to the next to ~~subsequent~~ the appropriations  
17 committees of the next legislative assembly. ~~The~~Upon request, the majority leaders of the  
18 senate and house of representatives of the legislative assembly and the chairmen of the  
19 appropriations committees of the senate and house of representatives of the legislative  
20 assembly with the office of the budget may, subject to approval by at least three of the four  
21 legislative members, continue appropriations or balances in force for not more than two years  
22 after the expiration of the biennial period during which they became available upon  
23 recommendation of the director of the budget for:

24 1. New construction projects.

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

11 The office of management and budget shall provide the appropriation continuation requests to  
12 the legislative council a minimum of one week prior to the meeting at which the requests are  
13 considered.

14           **(Effective after July 31, 2017) Office of management and budget to cancel**  
15 **unexpended appropriations - When they may continue.** The office of management and  
16 budget, thirty days after the close of each biennial period, shall cancel all unexpended  
17 appropriations or balances of appropriations after the expiration of the biennial period during  
18 which they became available under the law. Unexpended appropriations for the state historical  
19 society are not subject to this section and the state historical society shall report on the amounts  
20 and uses of funds carried over from one biennium to the next to the appropriations committees  
21 of the next ~~subsequent~~ legislative assembly. Upon request, the majority leaders of the  
22 senate and house of representatives of the legislative assembly and the chairmen of the  
23 appropriations committees of the senate and house of representatives of the legislative  
24 assembly with the office of the budget may, subject to approval by at least three of the four  
25 legislative members, continue appropriations or balances in force for not more than two years  
26 after the expiration of the biennial period during which they became available upon  
27 recommendation of the director of the budget for:

- 28           1. New construction projects.
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10 The office of management and budget shall provide the appropriation continuation requests to  
11 the legislative council a minimum of one week prior to the meeting at which the requests are  
12 considered.

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