

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2015

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the state industrial
2 commission and the agencies under the management of the state industrial commission; to
3 provide a continuing appropriation; to authorize transfers; to create and enact section
4 54-17.4-09.1 of the North Dakota Century Code, relating to a fossil excavation and restoration
5 fund; and to declare an emergency.

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

7 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
8 funds as may be necessary, are hereby appropriated out of any moneys in the general fund in
9 the state treasury, not otherwise appropriated, and from special funds derived from federal
10 funds and other income, to the state industrial commission and agencies under its control for
11 the purpose of defraying the expenses of their various divisions, for the biennium beginning
12 July 1, 1997, and ending June 30, 1999, as follows:

13 Subdivision 1.

14 INDUSTRIAL COMMISSION

15 Salaries and wages	\$ 5,319,672
16 Operating expenses	1,616,481
17 Equipment	118,600
18 Grants	13,430,280
19 Administrative contingency	10,000
20 Bond payments	<u>16,562,392</u>
21 Total all funds	\$ 37,057,425
22 Less estimated income	<u>16,350,337</u>
23 Total general fund appropriation	\$ 20,707,088

24 Subdivision 2.

1	BANK OF NORTH DAKOTA - OPERATIONS	
2	Salaries and wages	\$ 13,461,681
3	Operating expenses	10,327,383
4	Equipment	554,000
5	Capital improvements	270,000
6	Contingency	<u>1,385,339</u>
7	Total appropriation from Bank of North Dakota fund	\$ 25,998,403
8	Subdivision 3.	
9	BANK OF NORTH DAKOTA - ECONOMIC DEVELOPMENT	
10	Partnership in assisting community expansion fund	\$ 4,800,000
11	Agriculture partnership in assisting community expansion fund	397,100
12	Beginning farmer	<u>921,500</u>
13	Total general fund appropriation	\$ 6,118,600
14	Subdivision 4.	
15	MILL AND ELEVATOR ASSOCIATION	
16	Salaries and wages	\$ 12,007,663
17	Operating expenses	7,187,880
18	Contingency	250,000
19	Agriculture promotion	<u>50,000</u>
20	Total appropriation from mill and elevator fund	\$ 19,495,543
21	Subdivision 5.	
22	HOUSING FINANCE AGENCY	
23	Salaries and wages	\$ 2,406,081
24	Operating expenses	1,368,269
25	Equipment	75,000
26	Grants	22,014,860
27	Contingency	<u>100,000</u>
28	Total appropriation from housing finance agency fund	\$ 25,964,210
29	Grand total general fund appropriation S.B. 2015	\$ 26,825,688
30	Grand total special funds appropriation S.B. 2015	\$ 87,808,493
31	Grand total all funds appropriation S.B. 2015	\$114,634,181

1 **SECTION 2. APPROPRIATION.** In addition to the amount appropriated to the housing
2 finance agency in subdivision 5 of section 1 of this Act, there is hereby appropriated any
3 additional income from federal or other funds which may become available to the agency for
4 the biennium beginning July 1, 1997, and ending June 30, 1999.

5 **SECTION 3. APPROPRIATION.** In addition to the amount appropriated to the
6 industrial commission in subdivision 1 of section 1 of this Act, there is hereby appropriated, with
7 the approval of the emergency commission, funds which may become available to the
8 commission from bonds authorized by law to be issued by the industrial commission under
9 chapters 4-36 and 54-17.3 and section 54-17-25, for the biennium beginning July 1, 1997, and
10 ending June 30, 1999.

11 **SECTION 4. TRANSFER.** The sum of \$65,340, or so much of the sum as may be
12 necessary, included in the special funds appropriation line item in subdivision 1 of section 1 of
13 this Act, is from the North Dakota mill and elevator association. The moneys must be
14 transferred during the biennium beginning July 1, 1997, and ending June 30, 1999, upon order
15 of the industrial commission.

16 **SECTION 5. TRANSFER.** The sum of \$85,226, or so much of the sum as may be
17 necessary, included in the special funds appropriation line item in subdivision 1 of section 1 of
18 this Act, is from the accumulated and undivided profits of the Bank of North Dakota. The
19 moneys must be transferred during the biennium beginning July 1, 1997, and ending June 30,
20 1999, upon order of the industrial commission.

21 **SECTION 6. TRANSFER.** The sum of \$56,817, or so much of the sum as may be
22 necessary, included in the special funds appropriation line item in subdivision 1 of section 1 of
23 this Act, is from the housing finance agency fund. The moneys must be transferred during the
24 biennium beginning July 1, 1997, and ending June 30, 1999, upon order of the industrial
25 commission.

26 **SECTION 7. TRANSFER.** The sum of \$19,886, or so much of the sum as may be
27 necessary, included in the special funds appropriation line item in subdivision 1 of section 1 of
28 this Act, is from the revenues of the municipal bond bank. The available moneys must be
29 transferred during the biennium beginning July 1, 1997, and ending June 30, 1999, upon order
30 of the industrial commission.

1 **SECTION 8. INCOME AUTHORIZATION - STUDENT LOAN TRUST.** There is hereby
2 authorized the receipt of fees by the industrial commission in the sum of \$56,817, or so much of
3 the sum as is owed, included in the special funds appropriation line item in subdivision 1 of
4 section 1 of this Act, from the student loan trust for administrative services rendered by the
5 industrial commission to the extent permitted by sections 54-17-24 and 54-17-25. The fees
6 must be received during the biennium beginning July 1, 1997, and ending June 30, 1999, upon
7 order of the industrial commission.

8 **SECTION 9. TRANSFER.** The industrial commission shall transfer to the general fund
9 in the state treasury, the sum of \$2,000,000 from the North Dakota mill and elevator
10 association. The moneys must be transferred in amounts and at such times as requested by
11 the director of the office of management and budget during the biennium beginning July 1,
12 1997, and ending June 30, 1999.

13 **SECTION 10. LIGNITE RESEARCH, DEVELOPMENT, AND MARKETING**
14 **PROGRAM - APPROPRIATION - LIGNITE MARKETING FEASIBILITY STUDY.** The amount
15 of \$400,000, or so much of the amount as may be necessary, included in the grants and
16 special funds appropriation line items in subdivision 1 of section 1 of this Act, is from the lignite
17 research fund for the purpose of contracting for an independent, nonmatching lignite marketing
18 feasibility study or studies that determine those focused priority areas where near-term,
19 market-driven projects, activities, or processes will generate matching private industry
20 investment and have the most potential of preserving existing lignite production and jobs or that
21 will lead to increased development of lignite and its products and create new jobs and
22 economic growth for the general welfare of this state. Moneys appropriated pursuant to this
23 section may also be used for the purpose of contracting for nonmatching externality studies and
24 activities for the lignite industry and the state in externality proceedings or funding for the
25 development and implementation of a regional marketing plan. Moneys not needed for the
26 purposes stated herein are available to the commission for funding projects, processes, or
27 activities under the lignite research, development, and marketing program.

28 **SECTION 11. LEGISLATIVE INTENT - LEASE PAYMENTS.** The amount of
29 \$16,562,392 included in subdivision 1 of section 1 of this Act in the bond payments line item
30 must be paid from the following funding sources during the biennium beginning July 1, 1997,
31 and ending June 30, 1999:

1	Higher education institutions	\$ 1,090,590
2	General fund	14,688,383
3	Job service North Dakota	361,290
4	Federal portion for southeast human service center	154,507
5	Veterans' home improvement fund	<u>267,622</u>
6	Total	\$16,562,392

7 **SECTION 12. TRANSFERS.** During the biennium ending June 30, 1999, the industrial
8 commission shall transfer to the state general fund up to \$32,000,000 from the current earnings
9 of the Bank of North Dakota. The moneys shall be transferred in amounts and at such times as
10 requested by the director of the office of management and budget.

11 If, during the biennium ending June 30, 1999, the director of the office of management
12 and budget determines via revised projections that general fund revenue collections will not
13 meet the revenues as forecast in the March 1997 legislative forecast, then the industrial
14 commission shall transfer to the state general fund an additional amount, as determined by the
15 director of the office of management and budget and as approved by the budget section, from
16 the earnings and accumulated and undivided profits of the Bank of North Dakota. The moneys
17 must be transferred in amounts and at such times as requested by the director of the office of
18 management and budget. The additional amount transferred may not exceed the lesser of
19 \$25,000,000 or the revenue shortfall of actual collections compared to the March 1997
20 legislative forecast.

21 No transfer may be made which would reduce the Bank's capital structure below
22 \$90,000,000.

23 **SECTION 13.** Section 54-17.4-09.1 of the North Dakota Century Code is created and
24 enacted as follows:

25 **54-17.4-09.1. Fossil excavation and restoration fund - Continuing appropriation.**

26 A special fund known as the fossil excavation and restoration fund must be maintained in the
27 state treasury. Funds received by the geological survey for the excavation and restoration of
28 fossils must be deposited in the fund. All moneys in the fund are appropriated on a continuing
29 basis to the geological survey for the purpose of excavation and restoration of fossils. The
30 provisions of section 54-27-10 do not apply to appropriations from this fund.

1 **SECTION 14. APPROPRIATION - TRANSFER.** The funds appropriated by
2 subdivision 3 of section 1 of this Act must be transferred by the Bank of North Dakota to the
3 partnership in assisting community expansion fund established by section 6-09.14-02; the
4 agricultural partnership in assisting community expansion fund established by section
5 6-09.13-04; and the beginning farmer loan fund established by section 6-09-15.5, in the
6 amounts set out in that subdivision. The Bank of North Dakota may not be construed to be a
7 general fund agency as a result of the appropriation made by subdivision 3 of section 1 of this
8 Act.

9 **SECTION 15. EMERGENCY.** Section 13 of this Act is declared to be an emergency
10 measure.