

Fifty-seventh
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 industrial commission; to provide a
3 continuing appropriation; to authorize transfers; to limit Bank of North Dakota transfers to the
4 general fund; to provide legislative intent; to provide for a legislative council study; and to
5 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, 2001, and ending June 30, 2003, as follows:

13 Subdivision 1.

14 INDUSTRIAL COMMISSION

15 Salaries and wages	\$6,330,025
16 Operating expenses	1,805,269
17 Equipment	154,000
18 Grants	16,450,000
19 Bond payments	17,956,059
20 Geophysical exploration	<u>254,818</u>
21 Total all funds	\$42,950,171
22 Less estimated income	<u>35,585,990</u>
23 Total general fund appropriation	\$7,364,181

24 Subdivision 2.

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1	BANK OF NORTH DAKOTA - OPERATIONS	
2	Salaries and wages	\$15,416,543
3	Operating expenses	11,747,824
4	Equipment	736,500
5	Capital improvements	30,000
6	Contingency	<u>2,850,000</u>
7	Total appropriation from Bank of North Dakota fund	\$30,780,867
8	Subdivision 3.	
9	BANK OF NORTH DAKOTA - ECONOMIC DEVELOPMENT	
10	Partnership in assisting community expansion fund	\$6,000,000
11	Agriculture partnership in assisting community expansion fund	1,500,000
12	Beginning farmer	<u>1,000,000</u>
13	Total general fund appropriation	\$8,500,000
14	Subdivision 4.	
15	MILL AND ELEVATOR ASSOCIATION	
16	Salaries and wages	\$13,887,818
17	Operating expenses	7,553,476
18	Contingency	250,000
19	Agriculture promotion	<u>50,000</u>
20	Total appropriation from mill and elevator fund	\$21,741,294
21	Subdivision 5.	
22	HOUSING FINANCE AGENCY	
23	Salaries and wages	\$3,369,713
24	Operating expenses	2,213,510
25	Equipment	125,000
26	Grants	34,064,040
27	HFA contingency	<u>100,000</u>
28	Total appropriation from housing finance agency fund	\$39,872,263
29	Grand total general fund appropriation S.B. 2015	\$15,864,181
30	Grand total special funds appropriation S.B. 2015	\$127,980,414
31	Grand total all funds appropriation S.B. 2015	\$143,844,595

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 or unanticipated income from federal or other funds which may become
4 available to the agency for the biennium beginning July 1, 2001, and ending June 30, 2003.

5 **SECTION 3. APPROPRIATION - EMERGENCY COMMISSION APPROVAL.** In
6 addition to the amount appropriated to the industrial commission in subdivision 1 of section 1 of
7 this Act, there is hereby appropriated, with the approval of the emergency commission, funds
8 that may become available to the commission from bonds authorized by law to be issued by the
9 industrial commission under chapters 4-36 and 54-17.2 and section 54-17-25, for the biennium
10 beginning July 1, 2001, and ending June 30, 2003.

11 **SECTION 4. TRANSFER.** The sum of \$65,447, 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, 2001, and ending June 30, 2003, upon order
15 of the industrial commission.

16 **SECTION 5. TRANSFER.** The sum of \$85,403, 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, 2001, and ending June 30,
20 2003, upon order of the industrial commission.

21 **SECTION 6. TRANSFER.** The sum of \$56,936, 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, 2001, and ending June 30, 2003, upon order of the industrial
25 commission.

26 **SECTION 7. TRANSFER.** The sum or \$19,957, 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, 2001, and ending June 30, 2003, 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 \$75,550, 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, 2001, and ending June 30, 2003, 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 \$6,000,000 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 2001, and ending June 30, 2003.

13 **SECTION 10. LIGNITE RESEARCH, DEVELOPMENT, AND MARKETING**
14 **PROGRAM - APPROPRIATION - LIGNITE MARKETING FEASIBILITY STUDY.** The amount
15 of \$1,300,000, 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 appropriated
17 from the lignite research fund for the purpose of contracting for independent, nonmatching
18 lignite marketing feasibility study or studies that determine those focused priority areas where
19 near-term, market-driven projects, activities, or processes will generate matching private
20 industry investment and have the most potential of preserving existing lignite production and
21 jobs or that will lead to increased development of lignite and its products and create new jobs
22 and economic growth for the general welfare of this state. Moneys appropriated pursuant to
23 this section may also be used for the purpose of contracting for nonmatching studies and
24 activities in support of the Lignite Vision 21 Project; for nonmatching externality studies and
25 activities in externality proceedings; or other marketing or environmental activities that assist
26 with marketing of lignite-based electricity and lignite-based byproducts. Moneys not needed for
27 the purposes stated herein are available to the commission for funding projects, processes, or
28 activities under the lignite research, development, and marketing program.

29 **SECTION 11. LEGISLATIVE INTENT - LEASE PAYMENTS.** The amount of
30 \$17,956,059 included in subdivision 1 of section 1 of this Act in the bond payments line item

1 must be paid from the following funding sources during the biennium beginning July 1, 2001,
2 and ending June 30, 2003:

3 Higher education institutions	\$12,730,841
4 Job service	295,047
5 Department of human services	577,764
6 Department of human services - State hospital	566,500
7 Department of human services - Developmental center at	649,234
8 westwood park, Grafton	
9 Department of corrections - State penitentiary	2,250,168
10 Department of corrections - Youth correctional center	541,427
11 Adjutant general	73,950
12 Veterans' home improvement fund	<u>271,128</u>
13 Total	\$17,956,059

14 **SECTION 12. APPROPRIATION - TRANSFER.** The funds appropriated by
15 subdivision 3 of section 1 of this Act must be transferred by the Bank of North Dakota to the
16 partnership in assisting community expansion fund established by section 6-09.14-02; the
17 agricultural partnership in assisting community expansion fund established by section
18 6-09.13-04; and the beginning farmer loan fund established by section 6-09.15.5; in the
19 amounts set out in that subdivision. The Bank of North Dakota may not be construed to be a
20 general fund agency because of the appropriation made by subdivision 3 of section 1 of this
21 Act.

22 **SECTION 13. BEGINNING FARMER AND AG PACE FUND TRANSFERS.**
23 Notwithstanding any other provision of law, the industrial commission may transfer any
24 unobligated funds between the beginning farmer loan fund and the agriculture partnership in
25 assisting community expansion fund during the period beginning January 1, 2003, and ending
26 June 30, 2003.

27 **SECTION 14. BANK OF NORTH DAKOTA TRANSFERS TO GENERAL FUND -**
28 **LIMITATIONS.** Any transfer provided for in House Bill No. 1015 may only be made to the
29 extent that the transfer does not reduce the Bank's capital structure below \$140,000,000.

30 **SECTION 15. LEGISLATIVE INTENT - FULL-TIME EQUIVALENT POSITION.** It is
31 the intent of the legislative assembly that the new information technology coordinator position

1 included in the salaries and wages line item in subdivision 1 of section 1 of this Act be shared
2 by the oil and gas division and geological survey as directed by the industrial commission for
3 the biennium beginning July 1, 2001, and ending June 30, 2003.

4 **SECTION 16. LEGISLATIVE COUNCIL STUDY - INDUSTRIAL COMMISSION.** The
5 legislative council shall consider studying during the 2001-02 interim the mission of the
6 industrial commission relating to the responsibilities of the oil and gas division and geological
7 survey and the potential for efficiencies resulting from shared administrative and service
8 delivery functions.

9 **SECTION 17. EMERGENCY.** The appropriation in subdivision 3 of section 1 and the
10 transfer in section 12 of this Act for the partnership in assisting community expansion fund and
11 the agriculture partnership in assisting community expansion fund are declared to be
12 emergency measures.