

**SECOND ENGROSSMENT**

Fifty-fifth  
Legislative Assembly  
of North Dakota

**REENGROSSED 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               | \$ 5,329,672      |
| 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                  | \$ 37,067,425     |
| 22 Less estimated income            | <u>16,350,337</u> |
| 23 Total general fund appropriation | \$ 20,717,088     |

24 Subdivision 2.

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|    |                                                               |                  |
|----|---------------------------------------------------------------|------------------|
| 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              | \$ 26,835,688    |
| 30 | Grand total special funds appropriation S.B. 2015             | \$ 87,808,493    |
| 31 | Grand total all funds appropriation S.B. 2015                 | \$114,644,181    |

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.