

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the House accede to the Senate amendments as printed on page 1866-1883 of the House Journal and page 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be further amended as follows:

Page 1, line 3, after the semicolon insert "to provide an appropriation to the department of career and technical education, the department of public instruction, the university of North Dakota, Dickinson state university, the highway patrol, the judicial branch, the department of transportation, and Mayville state university; to create and enact a new section to chapter 10-04 and a new section to chapter 24-02 of the North Dakota Century Code, relating to notice filing for certain legacy fund investments and cooperative transportation agreements;"

Page 1, line 3, after "reenact" insert "subsection 1 of section 10-04-03, section 54-09-05, as amended by section 4 of House Bill No. 1002, as approved by the sixty-seventh legislative assembly, a new chapter to title 54, as created by section 3 of House Bill No. 1452, as approved by the sixty-seventh legislative assembly,"

Page 1, line 5, after "to" insert "qualifications of the securities commissioner, the salary of the secretary of state, the clean sustainable energy authority,"

Page 1, line 10, after "exemption" insert "; to provide a statement of legislative intent"

Page 1, line 11, remove "and"

Page 1, line 11, after "report" insert "; and to declare an emergency"

Page 1, remove lines 21 through 24

Page 2, replace lines 1 through 9 with:

"Salaries and wages	\$21,903,816	\$23,163	\$21,926,979
Operating expenses	14,937,426	1,375,788	16,313,214
Emergency commission contingency fund	500,000	(100,000)	400,000
Capital assets	767,125	4,767,494	5,534,619
Grants	54,000	(54,000)	0
Guardianship grants	1,950,000	500,000	2,450,000
Prairie public broadcasting	1,200,000	0	1,200,000
Community service supervision grants	350,000	0	350,000
State student internship program	0	100,000	100,000
Total all funds	\$41,662,367	\$6,612,445	\$48,274,812
Less estimated income	<u>8,746,515</u>	<u>5,501,898</u>	<u>14,248,413</u>
Total general fund	\$32,915,852	\$1,110,547	\$34,026,399
Full-time equivalent positions	112.00	(4.00)	108.00"

Page 3, line 8, replace "biennium beginning July 1, 2021" with "period beginning with the effective date of this Act"

Page 3, line 10, after "FUND" insert "- TAX RELIEF FUND"

Page 3, line 11, after the boldfaced period insert "1. a."

Page 3, line 14, replace "\$8,100,000" with "\$8,200,000"

Page 3, line 15, after the comma insert "and out of any moneys in the tax relief fund in the state treasury, not otherwise appropriated, the sum of \$1,800,000, or so much of the sum as may be necessary,"

Page 3, line 18, after the period insert "b."

Page 3, line 18, replace "\$8,100,000" with "\$10,000,000"

Page 3, line 21, after "an" insert "equal"

Page 3, line 21, remove "of \$5,000"

Page 3, line 22, after the period insert "c."

Page 3, line 23, replace "section" with "subsection"

Page 3, line 24, replace "section" with "subsection"

Page 3, line 25, after the period insert "d."

Page 3, line 25, replace "section" with "subsection"

Page 3, line 27, replace "section" with "subsection"

Page 3, line 28, after the period insert "e."

Page 3, after line 31, insert:

- "2. a. There is appropriated out of any moneys in the tax relief fund in the state treasury, not otherwise appropriated, the sum of \$10,000,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of providing distributions to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county, for the biennium beginning July 1, 2021, and ending June 30, 2023.
- b. In August 2021, the state treasurer shall distribute \$10,000,000, or so much of the sum as may be necessary, to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county. The distribution to each non-oil-producing county must provide for an allocation to each organized and unorganized township that is proportional to the number of township road miles in each organized and unorganized township relative to the combined total township road miles in all the organized and unorganized townships in all the non-oil-producing counties. The township road miles must be based on certifications provided to the state treasurer using roadway mileage criteria from the department of transportation.
- c. The amount allocated to organized townships under this subsection must be paid by the county treasurer to each organized township. The amount allocated to unorganized townships under this subsection must be credited by the county treasurer to a special fund for unorganized township roads.

- d. The distributions under this subsection must be used for the maintenance and improvement of township paved and unpaved roads and bridges.
- e. For the purposes of this subsection, a "non-oil-producing county" means a county that has received no allocation of funding or a total allocation of funding under subsection 2 of section 57-51-15 of less than \$5,000,000 for the period beginning September 1, 2019, and ending August 31, 2020.

SECTION 5. APPROPRIATION - FEDERAL FUNDS - DEPARTMENT OF TRANSPORTATION. There is appropriated out of any moneys derived from federal funds, not otherwise appropriated, the sum of \$55,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of road and bridge projects, for the biennium beginning July 1, 2021, and ending June 30, 2023. Of the \$55,000,000, \$35,000,000 is federal funds that may be matched by funding appropriated in section 10 of House Bill No. 1431, as approved by the sixty-seventh legislative assembly, for road and bridge projects, and \$20,000,000 is federal funds that may be matched by funding appropriated in section 4 of this Act for township road and bridge projects pursuant to cooperative agreements.

SECTION 6. APPROPRIATION - FEDERAL CORONAVIRUS CAPITAL PROJECTS FUND - MATCHING FUNDS - ONE-TIME FUNDING.

1. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of \$70,000,000, or so much of the sum as may be necessary, to the department of career and technical education for the purpose of a statewide area career center initiative grant program for the period beginning with the effective date of this Act, and ending June 30, 2023. The department of career and technical education shall establish the application process and develop eligibility requirements for the grant program that must include:
 - a. Funding may be used only for career and technical education projects involving construction, addition, maintenance, and equipment for new and existing area career centers;
 - b. Grants awarded to each recipient must be at least \$500,000, but may not exceed \$10,000,000;
 - c. Grants may be awarded only to the extent a ~~school district has~~ secured matching funds from nonstate sources on a dollar-for-dollar basis;
 - d. An applicant identifying sufficient future nonstate sources of funding for ongoing operating and maintenance costs associated with a new or expanded area career center;
 - e. The application period for the grant program begins with the effective date of this Act and ends on June 30, 2022. Any funding not committed by December 31, 2022, may not be spent and must be canceled at the end of the 2021-23 biennium in accordance with section 54-44.1-11;

- f. Preference must be given to school districts that collaborate with other school districts for a regional area career center facility or to school districts to create a new area career center or use an existing area career center to positively affect that region of the state; and
 - g. Preference must be given to school districts that will promote postsecondary education and workforce training education in conjunction with secondary education.
2. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of \$5,900,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing a grant to an entity for the development of a children's science center for the period beginning with the effective date of this Act, and ending June 30, 2023.
 3. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of reconstruction of the university's apron at the Grand Forks airport for the period beginning with the effective date of this Act, and ending June 30, 2023.
 4. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of \$4,000,000, or so much of the sum as may be necessary, to Dickinson state university for the purpose of a Pulver hall project, a meat processing laboratory remodel, and other projects for the period beginning with the effective date of this Act, and ending June 30, 2023.
 5. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of \$3,000,000, or so much of the sum as may be necessary, to the highway patrol for the purpose of a law enforcement training center remodel project for the period beginning with the effective date of this Act, and ending June 30, 2023.
 6. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of providing a grant for the construction of a new medical center located in the county seat of Griggs County for the period beginning with the effective date of this Act, and ending June 30, 2023.
 7. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of \$157,600, or so much of the sum as may be necessary, to the judicial branch for the purpose of purchasing information technology equipment for the period beginning with the effective date of this Act, and ending June 30, 2023.
 8. If the federal government distributes funding derived from the federal coronavirus capital projects fund to the state in more than one funding

round, the office of management and budget shall prioritize the amounts received in the first funding round as follows:

- a. \$21,763,000 to the department of career and technical education;
 - b. \$11,716,400 to the parks and recreation department;
 - c. \$5,900,000 to the department of public instruction;
 - d. \$5,000,000 to the university of North Dakota;
 - e. \$4,200,000 to the state historical society;
 - f. \$4,000,000 to Dickinson state university;
 - g. \$3,000,000 to the highway patrol;
 - h. \$500,000 to the office of management and budget; and
 - i. \$157,600 to the judicial branch.
9. The funding provided under this section may be spent only to the extent the director of the office of management and budget, in consultation with the budget section, determines the use of the funding complies with federal guidance for the federal coronavirus capital projects fund. The funding provided under this section is considered a one-time funding item.

SECTION 7. APPROPRIATION - UNIVERSITY OF NORTH DAKOTA - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$4,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of a space command initiative and related technical programs, including equipment, renovation costs, a sensitive compartmental information facility, and other expenses for the biennium beginning July 1, 2021, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 8. APPROPRIATION - MAYVILLE STATE UNIVERSITY - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,600,000, or so much of the sum as may be necessary, to Mayville state university for a natural gas boiler project, for the period beginning with the effective date of this Act, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 9. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO CULTURAL ENDOWMENT FUND - INTENT. The office of management and budget shall transfer the sum of \$1,000,000 from the strategic investment and improvements fund to the cultural endowment fund during the biennium beginning July 1, 2021, and ending June 30, 2023. It is the intent of the sixty-seventh legislative assembly that the council on the arts expend up to \$50,000 annually from the cultural endowment fund pursuant to the appropriation authority provided in section 2 of Senate Bill No. 2010 during the 2021-23 biennium for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program. It is further the intent of the legislative assembly that the council on the arts continue to expend \$50,000 annually from the cultural endowment fund for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program until the moneys derived from the strategic investment and improvements

fund transfer authorized under this section and deposited in the fund have been fully expended."

Page 4, line 2, replace "\$187,385,888" with "\$187,223,092"

Page 4, line 11, replace "\$2,268,800" with "\$2,168,800"

Page 4, line 12, replace "\$2,268,800" with "\$2,168,800"

Page 4, line 14, replace "\$600,000" with "\$500,000"

Page 4, replace line 26 with:

"Statewide memberships and related expenses \$642,089"

Page 5, line 10, remove "and a maximum of \$250 and a maximum of \$250"

Page 5, line 11, remove "per month"

Page 5, line 11, replace "each" with "the first"

Page 5, line 11, after "biennium" insert "and are to average 2 percent per eligible employee for the second year of the biennium"

Page 5, line 15, remove "and maximum"

Page 5, after line 26, insert:

"SECTION 17. AMENDMENT. Subsection 1 of section 10-04-03 of the North Dakota Century Code is amended and reenacted as follows:

1. The state securities department is under the supervision of a chief officer designated as the securities commissioner. The securities commissioner must be appointed by the governor and confirmed by the senate and shall hold office for a term of four years, beginning on the first day of July following a national presidential election and continuing until a successor has been appointed, confirmed by the senate, and has qualified, unless removed as herein provided. If the senate is not in session, the governor may make an interim appointment, and the interim appointee ~~shall~~may hold office until the senate confirms or rejects the appointment. ~~The commissioner must be skilled in securities and may not be an incumbent of any other public office in the state.~~ The commissioner may not own or control any security required to be registered under this chapter, or any security which is exempt based on the approval of the securities department. The commissioner may not be an officer, director, or employee of any broker-dealer, agent, investment adviser, or investment adviser representative required to be registered under this chapter, or of a federal covered adviser required to be notice-filed under this chapter. The governor may remove from office any commissioner who fails to discharge faithfully the duties of office or who becomes disqualified under the provisions of this section.

It is the prime duty of the commissioner to administer the provisions of this chapter. The commissioner shall receive a salary within the amount appropriated for salaries by the legislative assembly. The commissioner shall use a seal with the words "securities commissioner, North Dakota" and such design as the commissioner may prescribe engraved thereon by which seal the commissioner may authenticate documents used in the

administration of this chapter. The commissioner may employ such employees as are necessary for the administration of this chapter. In the absence or disability of the commissioner, the deputy or designee of the commissioner ~~shall~~ may administer the provisions of this chapter as acting commissioner.

SECTION 18. A new section to chapter 10-04 of the North Dakota Century Code is created and enacted as follows:

Legacy fund investments - Notice filing.

Within thirty days of completion of the transaction, any issuer of securities in receipt of an investment from the legacy fund under paragraph 3 of subdivision a of subsection 3 of section 21-10-11 or under subdivision b of subsection 3 of section 21-10-11, as created by section 4 of House Bill No. 1425 as approved by the sixty-seventh legislative assembly, shall file electronically a notice on a form prescribed by the commissioner and containing information as required by the commissioner.

2. The notice filing requirement under this section does not exempt the issuer from or supersede any other provision of this chapter.

SECTION 19. A new section to chapter 24-02 of the North Dakota Century Code is created and enacted as follows:

Cooperative agreements - Federal transportation-related aid and safety and mobility.

The director may enter into cooperative agreements with any transferee under section 54-27-19 or any federal agency operating a national park and may expend highway fund moneys pursuant to legislative appropriations to match federal funds for the purposes of providing assistance with the assessment, design, and construction of projects to improve the safety and mobility of people or goods in the state.

SECTION 20. AMENDMENT. Section 54-09-05 of the North Dakota Century Code, as amended by section 4 of House Bill No. 1002, as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

54-09-05. Salary of secretary of state.

The annual salary of the secretary of state is one hundred twelve thousand two hundred forty-one dollars through June 30, ~~2021~~2022, and one hundred fourteen thousand four hundred eighty-six dollars thereafter.

SECTION 21. AMENDMENT. A new chapter to title 54 of the North Dakota Century Code, as created by section 3 of House Bill No. 1452 as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

Definitions.

As used in this chapter:

1. "Authority" means the clean sustainable energy authority.

2. "Clean" means a technology or concept that reduces emissions to the air, water, or land and meets or exceeds state and federal environmental regulations.
3. "Commission" means the industrial commission.
4. "Fund" means the clean sustainable energy fund.
5. "Program" means the clean sustainable energy program.
6. "Sustainable" means a technology or concept that allows the use of a natural resource to be maintained or enhanced through increased efficiency and life cycle benefits while either increasing or not adversely impacting energy security, affordability, reliability, resilience, or national security.

Clean sustainable energy authority - Purpose.

There is created the clean sustainable energy authority to support research, development, and technological advancements through partnerships and financial support for the large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery. The purpose of the financial support is to enhance the production of clean sustainable energy, to make the state a world leader in the production of clean sustainable energy, and to diversify and grow the state's economy.

Clean sustainable energy authority - Membership - Meetings.

1. The clean sustainable energy authority consists of sixteen members, including eight voting members and eight nonvoting technical advisors.
2. The eight voting members consist of:
 - a. One member appointed by the legislative management to serve as chairman;
 - b. Two members appointed by the lignite research council;
 - c. Two members appointed by the oil and gas research council;
 - d. Two members appointed by the renewable energy council; and
 - e. One member appointed by the western Dakota energy association.
3. The eight nonvoting technical advisors consist of:
 - a. One member appointed by the North Dakota outdoor heritage fund advisory board;
 - b. The commissioner of commerce or the commissioner's designee;
 - c. The director of the department of environmental quality or the director's designee;
 - d. The director of mineral resources or the director's designee;

- e. The director of the North Dakota pipeline authority or the director's designee;
 - f. The director of the North Dakota transmission authority or the director's designee;
 - g. The director of the state energy research center or the director's designee;
 - h. The president of the Bank of North Dakota or the president's designee;
4. The term of office for the chairman is two years. The term of office for the other voting members is four years, and the other voting members may not serve more than two consecutive terms. The terms of office for the voting members commence on July first. The initial terms for the voting members of the authority must be staggered following a method determined by the authority.
 5. The authority shall meet at least semiannually. The chairman shall call a meeting upon written request from three voting members of the authority. Five voting members is a quorum at any meeting.
 6. The authority may not forward a recommendation to the commission unless the recommendation fulfills the purposes of this chapter and is approved by a majority of the voting members of the authority.

Clean sustainable energy authority - Duties - Report.

1. The authority shall make recommendations to the commission for program guidelines, including eligibility criteria for entities to receive funding under this chapter.
2. The nonvoting technical advisors shall develop a process to review and evaluate projects to determine the technical merits and feasibility of any application, including potential benefits of the development of low-emission technology, the expansion of the development of the state's natural resources or energy production, and the contribution to the economic diversity in the state.
3. The authority may develop a loan program or a loan guarantee program under the clean sustainable energy fund. The Bank of North Dakota shall administer the loan program or loan guarantee program. The interest rate of a loan under this program may not exceed two percent per year. The maximum term of a loan under this section must be approved by the commission based on a recommendation from the authority. The Bank shall review applications for loans or loan guarantees and shall consider the business plan, financial statements, and other information necessary to evaluate the application. To be eligible for a loan or loan guarantee, an entity shall agree to provide the Bank of North Dakota with information as requested. The Bank of North Dakota may develop policies for loan participation with local financial institutions.
4. The authority shall make recommendations to the commission for grant awards, loan approvals, or other financial assistance to provide funding to support research, development, and technological advancements for the

large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery in accordance with this chapter. Any projects, processes, activities, and technologies selected by the commission for funding must have been recommended by the authority, must demonstrate feasibility based on a technical review conducted by the nonvoting technical advisors of the authority, must have other sources of financial support, and must achieve the priorities and purposes of the program. At the request of the authority, the Bank of North Dakota shall provide a recommendation regarding the economic feasibility of a project, process, activity, or technology under consideration by the authority. The Bank shall review the business plan, financial statements, and other information necessary to provide a recommendation.

5. The authority may consult with any other state agency necessary to carry out the purposes under this chapter.
6. Each biennium, the authority shall provide a written report to the legislative management regarding its activities and the program's financial impact on state revenues and the state's economy.

Clean sustainable energy program - Powers and duties of the commission.

1. The commission is granted all the powers necessary to carry out the purposes of this chapter, including the power to:
 - a. Provide grants, loans, or other forms of financial assistance to qualified entities for the research, demonstration, development, and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and use energy sources derived from within the state. Other forms of financial assistance include venture capital investments and interest rate buydowns. The commission must require an entity to provide assurance of financial and other types of support that demonstrate a commitment to the project, process, activity, or technology. The commission may develop policies for the approval of loans or loan guarantees issued from the clean sustainable energy fund.
 - b. Enter into contracts or agreements to carry out the purposes of this chapter, including contracting for the administration of the program.
 - c. Keep accurate records of all financial transactions performed under this chapter.
 - d. Cooperate with any private, local, state, or national organization to make contracts and agreements for programs that advance the mission of the program.
 - e. Accept loan repayments, donations, grants, contributions, or gifts from any public or private source to carry out the purposes of this chapter, which must be deposited in the clean sustainable energy fund.
 - f. Make guidelines necessary to carry out the purposes of this chapter, including guidelines relating to the ownership of intellectual property.

- g. Borrow from the Bank of North Dakota, as authorized by the legislative assembly, to make loans or loan guarantees under a loan program or loan guarantee program developed by the clean sustainable energy authority.
2. The commission may acquire, purchase, hold, use, lease, license, sell, transfer, or dispose of any interest in an asset necessary for clean sustainable energy technology development to facilitate the production, transportation, distribution, or delivery of clean energy commodities produced in the state as a purchases of last resort.
3. The commission shall provide administrative support to the authority for the operation of the program, including the preparation of forms, review of applications, and ongoing review of any contracts. The commission may contract with a public or private entity to provide technical assistance necessary to implement the purposes of this chapter.
4. The commission is not subject to the reporting requirements under chapter 54-60.1.

Clean sustainable energy program - Access to records.

1. To the extent the commission or authority determines the materials or data consist of trade secrets or commercial, financial, or proprietary information of individuals or entities applying to or contracting with the commission or receiving commission services under this chapter, materials and data submitted to, made by, or received by the commission or authority, are not public records subject to section 44-04-18 and section 6 of article XI of the Constitution of North Dakota, and are subject to section 44-04-18.4.
2. A person or entity may file a request with the commission to have material designated as confidential under subsection 1. The request must contain any information required by the commission and must include at least the following:
 - a. A general description of the nature of the information sought to be protected.
 - b. An explanation of why the information derives independent economic value, actual or potential, from not being generally known to other persons.
 - c. An explanation of why the information is not readily ascertainable by proper means of other persons.
 - d. A general description of any person that may obtain economic value from disclosure or use of the information, and how the person may obtain this value.
 - e. A description of the efforts used to maintain the secrecy of the information.
3. Any request under subsection 2 is confidential. The commission shall examine the request and determine whether the information is relevant to the matter at hand and is a trade secret under the definition in section 47-25.1-01 or 44-04-18.4. If the commission determines the information is

either not relevant or not a trade secret, the commission shall notify the requester and the requester may ask for the return of the information and the request within ten days of the notice. If no return is sought, the information and request are public record.

4. The names or identities of independent technical reviewers on a project or program are confidential, may not be disclosed by the commission, and are not public records subject to section 44-04-18 or section 6 of article XI of the Constitution of North Dakota.

Clean sustainable energy fund - Continuing appropriation - Line of credit - Loans - Repayments.

1. There is created in the state treasury the clean sustainable energy fund. The fund consists of all moneys transferred to the fund by the legislative assembly; loan proceeds; interest upon moneys in the fund; principal and interest payments to the fund; and donations, grants, and other contributions received by the commission for deposit in the fund. All moneys in the fund are appropriated to the commission on a continuing basis to provide grants, loans, and other financial assistance and for administrative and operating costs of the authority and program pursuant to the provisions under this chapter.
2. Any bond proceeds deposited in the fund must be used for loans or loan guarantees. The Bank of North Dakota shall deposit in the fund all principal and interest paid on the loans made from the fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay for administrative costs, not to exceed one-half of one percent of the amount of the interest payment. The Bank shall contract with a certified public accounting firm to audit the fund annually if the fund has any outstanding loans. The cost of the audit must be paid from the fund.
3. The Bank of North Dakota shall extend a line of credit to the industrial commission to support loans or loan guarantees issued from the clean sustainable energy fund. The line of credit may not exceed two hundred fifty million dollars, and the interest rate associated with the line of credit must be the prevailing interest rate charged to North Dakota governmental entities. The industrial commission shall repay the line of credit from moneys available in the clean sustainable energy fund derived from payments received on loans issued under this chapter or other sources. If the moneys available from the clean sustainable energy fund on June 30, 2025, are not sufficient to repay the line of credit, the industrial commission shall request from the legislative assembly a deficiency appropriation to repay the line of credit or the industrial commission may repay the line of credit from other funds, as appropriated by the legislative assembly.
4. The industrial commission may access the line of credit to the extent needed through June 30, 2025, to provide funding as authorized by the legislative assembly to support loans or loan guarantees issued from the clean sustainable energy fund. Any moneys borrowed from the Bank of North Dakota pursuant to this section must be transferred to the clean sustainable energy fund to support loans or loan guarantees."

Page 11, after line 25, insert:

"SECTION 33. LEGISLATIVE INTENT - AREA CAREER CENTERS - FUTURE COSTS. It is the intent of the sixty-seventh legislative assembly that school districts:

1. Prepare to provide for any future operating and maintenance costs relating to new or expanded area career centers resulting from the expenditure of federal coronavirus capital projects funds because state funds will not be provided to replace these federal funds; and
2. Prepare to provide increased local support for area career centers since state grant funding is limited and may not be available to support any increased future costs related to new or expanded area career centers completed with these federal funds."

Page 12, after line 12, insert:

"SECTION 35. LEGISLATIVE MANAGEMENT STUDY - STATE EMPLOYEE COMPENSATION. During the 2021-22 interim, the legislative management shall consider studying the classified state employee compensation system, including a review of the development and determination of pay grades and classifications. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 36. LEGISLATIVE MANAGEMENT STUDY - CHARITABLE GAMING. During the 2021-22 interim, the legislative management shall study the expansion of electronic pull tab devices in the state. The study must include the laws and regulatory structure of electronic pull tab devices; the allowable and actual expenses of electronic pull tab devices; the impacts on charitable and tribal gaming revenues; the impacts on gambling addiction; and a cost-benefit analysis of the increase in charitable gaming revenues, tribal casino jobs, and impacted services. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 37. EMERGENCY. Sections 3, 6, and 8 of this Act and Senate Bill No. 2140, as approved by the sixty-seventh legislative assembly, are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Office of Management and Budget						
Total all funds	\$41,662,367	\$47,361,750	\$1,413,062	\$48,774,812	\$48,824,813	(\$50,001)
Less estimated income	8,746,515	14,252,906	495,507	14,748,413	14,748,413	0
General fund	\$32,915,852	\$33,108,844	\$917,555	\$34,026,399	\$34,076,400	(\$50,001)
FTE	112.00	112.00	(4.00)	108.00	108.00	0.00
State Treasurer						
Total all funds	\$0	\$8,100,000	\$11,900,000	\$20,000,000	\$8,200,000	\$11,800,000
Less estimated income	0	8,100,000	11,900,000	20,000,000	8,200,000	11,800,000
General fund	\$0	\$0	\$0	\$0	\$0	\$0

FTE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Judicial Branch							
Total all funds	\$0	\$0	\$157,600	\$157,600	\$157,600	\$0	
Less estimated income	0	0	157,600	157,600	157,600	0	
General fund	\$0	\$0	\$0	\$0	\$0	\$0	
FTE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Department of Public Instruction							
Total all funds	\$0	\$0	\$5,900,000	\$5,900,000	\$5,900,000	\$0	
Less estimated income	0	0	5,900,000	5,900,000	5,900,000	0	
General fund	\$0	\$0	\$0	\$0	\$0	\$0	
FTE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
University of North Dakota							
Total all funds	\$0	\$0	\$9,000,000	\$9,000,000	\$9,000,000	\$0	
Less estimated income	0	0	5,000,000	5,000,000	5,000,000	0	
General fund	\$0	\$0	\$4,000,000	\$4,000,000	\$4,000,000	\$0	
FTE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Dickinson State University							
Total all funds	\$0	\$0	\$4,000,000	\$4,000,000	\$4,000,000	\$0	
Less estimated income	0	0	4,000,000	4,000,000	4,000,000	0	
General fund	\$0	\$0	\$0	\$0	\$0	\$0	
FTE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Mayville State University							
Total all funds	\$0	\$0	\$1,600,000	\$1,600,000	\$0	\$1,600,000	
Less estimated income	0	0	0	0	0	0	
General fund	\$0	\$0	\$1,600,000	\$1,600,000	\$0	\$1,600,000	
FTE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Dept. of Career and Technical Education							
Total all funds	\$0	\$0	\$70,000,000	\$70,000,000	\$78,000,000	(\$8,000,000)	
Less estimated income	0	0	70,000,000	70,000,000	78,000,000	(8,000,000)	
General fund	\$0	\$0	\$0	\$0	\$0	\$0	
FTE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Highway Patrol							
Total all funds	\$0	\$0	\$3,000,000	\$3,000,000	\$3,000,000	\$0	
Less estimated income	0	0	3,000,000	3,000,000	3,000,000	0	
General fund	\$0	\$0	\$0	\$0	\$0	\$0	
FTE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Department of Agriculture							
Total all funds	\$0	\$0	\$0	\$0	\$5,000,000	(\$5,000,000)	
Less estimated income	0	0	0	0	5,000,000	(5,000,000)	
General fund	\$0	\$0	\$0	\$0	\$0	\$0	
FTE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Department of Transportation							
Total all funds	\$0	\$0	\$55,000,000	\$55,000,000	\$21,800,000	\$33,200,000	
Less estimated income	0	0	55,000,000	55,000,000	21,800,000	33,200,000	
General fund	\$0	\$0	\$0	\$0	\$0	\$0	
FTE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Bill total							
Total all funds	\$41,662,367	\$55,461,750	\$161,970,662	\$217,432,412	\$183,882,413	\$33,549,999	
Less estimated income	8,746,515	22,352,906	155,453,107	177,806,013	145,806,013	32,000,000	
General fund	\$32,915,852	\$33,108,844	\$6,517,555	\$39,626,399	\$38,076,400	\$1,549,999	
FTE	112.00	112.00	(4.00)	108.00	108.00	0.00	

House Bill No. 1015 - Office of Management and Budget - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$21,903,816	\$22,797,003	(\$870,024)	\$21,926,979	\$21,926,979	
Operating expenses	14,937,426	15,430,128	883,086	16,313,214	16,313,214	
Capital assets	767,125	5,534,619		5,534,619	5,534,619	
Grants	54,000					
Emergency commission contingency fund	500,000	400,000		400,000	400,000	
Guardianship grants	1,950,000	2,050,000	400,000	2,450,000	2,450,000	
Prairie public broadcasting	1,200,000	800,000	400,000	1,200,000	1,200,001	(\$1)
Community service supervision grants	350,000	250,000	100,000	350,000	400,000	(\$50,000)
Student internship program		100,000		100,000	100,000	
Federal coronavirus capital projects			500,000	500,000	500,000	
Total all funds	\$41,662,367	\$47,361,750	\$1,413,062	\$48,774,812	\$48,824,813	(\$50,001)
Less estimated income	8,746,515	14,252,906	495,507	14,748,413	14,748,413	0
General fund	\$32,915,852	\$33,108,844	\$917,555	\$34,026,399	\$34,076,400	(\$50,001)
FTE	112.00	112.00	(4.00)	108.00	108.00	0.00

Department 110 - Office of Management and Budget - Detail of Conference Committee Changes

	Adjusts Funding for Salary Increases ¹	Transfers FTE Positions for IT Unification ²	Adds Funding for Statewide Dues ³	Adds Funding for Grants ⁴	Total Conference Committee Changes
Salaries and wages	(\$23,477)	(\$846,547)			(\$870,024)
Operating expenses		866,061	\$17,025		883,086
Capital assets					
Grants					
Emergency commission contingency fund					
Guardianship grants				\$400,000	400,000
Prairie public broadcasting				400,000	400,000
Community service supervision grants				100,000	100,000
Student internship program					
Federal coronavirus capital projects				500,000	500,000
Total all funds	(\$23,477)	\$19,514	\$17,025	\$1,400,000	\$1,413,062
Less estimated income	(4,493)	0	0	500,000	495,507
General fund	(\$18,984)	\$19,514	\$17,025	\$900,000	\$917,555
FTE	0.00	(4.00)	0.00	0.00	(4.00)

¹ Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022, the same as the Senate. The House provided salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of \$100 and a maximum monthly increase of \$250.

² Four FTE positions are transferred to the Information Technology Department for the IT unification project, reducing salaries and wages by \$846,547 and increasing operating expenses by \$866,061. The Senate included the IT unification project, but the House did not.

³ Funding of \$17,025 from the general fund is added for increased costs associated with statewide memberships and dues, the same as the Senate. The House did not increase funding for statewide memberships and dues.

⁴ Funding of \$1,400,000 is added as follows:

- \$400,000 from the general fund for guardianship grants to provide a total of \$2,450,000, the same as the Senate. The House provided a total of \$2,050,000.
- \$400,000 from the general fund for Prairie Public Broadcasting to provide a total of \$1,200,000, a decrease of \$1 from the Senate. The House provided a total of \$800,000.
- \$100,000 from the general fund for community service supervision grants to provide a total of \$350,000. The

House provided a total of \$250,000, and the Senate provided a total of \$400,000.

- \$500,000 from federal funds derived from the federal Coronavirus Capital Projects Fund for a capital project grant for construction of a new medical center in Griggs County, the same as the Senate. The House did not include this funding.

This amendment also:

- Includes a section added by the Senate to appropriate funding from the federal Coronavirus Capital Projects Fund to various agencies for eligible capital projects. The House did not include this section.
- Appropriates \$20 million from the tax relief fund (\$11.8 million) and the state disaster relief fund (\$10 million) to the State Treasurer for allocations to townships for road and bridge projects. The Senate provided \$30 million from the state disaster relief fund (\$8.2 million), the tax relief fund (\$11.8 million), and the strategic investment and improvements fund (\$10 million) for township road and bridge projects. The House provided \$8.1 million from the state disaster relief fund for township road and bridge projects.
- Transfers \$1 million from the strategic investment and improvements fund to the cultural endowment fund for arts initiatives, the same as the Senate. The House did not include this transfer.
- Adjusts the transfer from the tax relief fund to the human service finance fund to provide \$187,223,092, the same as the Senate. The House provided for a transfer of \$187,385,888.
- Adjusts the funding identified from the Capitol building fund for extraordinary repairs to match the \$500,000 appropriated in Section 1 of the bill, the same as the Senate. The House appropriated \$500,000 for extraordinary repairs.
- Increases the amount of funding identified for statewide memberships and dues totaling \$642,089. The Senate increased the funding for statewide memberships and dues. The House provided \$625,064 for statewide memberships and dues.
- Adjusts the compensation guidelines to reflect an average increase of 1.5 percent with a monthly minimum of \$100 in the 1st year of the biennium and an average increase of 2 percent in the 2nd year of the biennium, the same as the Senate. The House provided an average increase of 1.5 percent with a monthly minimum of \$100 and a monthly maximum of \$200 for both years of the biennium.
- Removes the requirement for the Securities Commissioner to be skilled in securities and removes the restriction that the Securities Commissioner may not hold any other public office. The Senate also removed this requirement, but the House did not include this change.
- Requires a notice filing for certain securities held as investments from the legacy fund, the same as the Senate. The House did not include this requirement.
- Authorizes the Bank of North Dakota to provide a line of credit of up to \$250 million to support loans or loan guarantees under the clean sustainable energy fund, which was added by the Senate. The House did not authorize this line of credit.
- Adds a Legislative Management study of state employee compensation, the same as the Senate. The House did not include a study of state employee compensation.
- Provides an emergency clause for community service supervision fund grants, federal coronavirus capital projects, a boiler project at Mayville State University, and Senate Bill No. 2140, relating to repayments under the professional student exchange program. The Senate included an emergency clause for selected items, but the House did not.

House Bill No. 1015 - State Treasurer - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Non-oil township grants		\$8,100,000	\$11,900,000	\$20,000,000	\$8,200,000	\$11,800,000
Total all funds	\$0	\$8,100,000	\$11,900,000	\$20,000,000	\$8,200,000	\$11,800,000
Less estimated income	0	8,100,000	11,900,000	20,000,000	8,200,000	11,800,000
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 120 - State Treasurer - Detail of Conference Committee Changes

	Increases Funding for Grants ¹	Total Conference Committee Changes
Non-oil township grants	\$11,900,000	\$11,900,000
Total all funds	\$11,900,000	\$11,900,000
Less estimated income	11,900,000	11,900,000
General fund	\$0	\$0
FTE	0.00	0.00

¹ Funding for grants to non-oil-producing townships is increased by \$11.9 million to provide a total of \$20 million for township road and bridge projects. Of the \$20 million, \$8.2 million is from the state disaster relief fund and \$11.8 million is from the tax relief fund. The State Treasurer is required to distribute \$10 million as equal allocations to all the townships and \$10 million based on road miles. The House provided \$8.1 million from the disaster relief fund for township road and bridge projects. The Senate provided a total of \$30 million for township road and bridge projects, including \$8.2 million from the disaster relief fund, \$11.8 million from the tax relief fund, and \$10 million from the strategic investment and improvements fund.

House Bill No. 1015 - Judicial Branch - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			\$157,600	\$157,600	\$157,600	
Total all funds	\$0	\$0	\$157,600	\$157,600	\$157,600	\$0
Less estimated income	0	0	157,600	157,600	157,600	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 180 - Judicial Branch - Detail of Conference Committee Changes

	Adds Funding for Capital Projects ¹	Total Conference Committee Changes
Federal coronavirus capital projects	\$157,600	\$157,600
Total all funds	\$157,600	\$157,600
Less estimated income	157,600	157,600
General fund	\$0	\$0
FTE	0.00	0.00

¹ One-time funding of \$157,600 from the federal Coronavirus Capital Projects Fund is added for information technology equipment, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - Department of Public Instruction - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			\$5,900,000	\$5,900,000	\$5,900,000	
Total all funds	\$0	\$0	\$5,900,000	\$5,900,000	\$5,900,000	\$0
Less estimated income	0	0	5,900,000	5,900,000	5,900,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 201 - Department of Public Instruction - Detail of Conference Committee Changes

	Adds Funding for Capital Projects¹	Total Conference Committee Changes
Federal coronavirus capital projects	\$5,900,000	\$5,900,000
Total all funds	\$5,900,000	\$5,900,000
Less estimated income	5,900,000	5,900,000
General fund	\$0	\$0
FTE	0.00	0.00

¹ One-time funding of \$5.9 million from the federal Coronavirus Capital Projects Fund is added for a grant to an entity for the development of a children's science center in Minot, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - University of North Dakota - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			\$5,000,000	\$5,000,000	\$5,000,000	
Space command initiative			4,000,000	4,000,000	4,000,000	
Total all funds	\$0	\$0	\$9,000,000	\$9,000,000	\$9,000,000	\$0
Less estimated income	0	0	5,000,000	5,000,000	5,000,000	0
General fund	\$0	\$0	\$4,000,000	\$4,000,000	\$4,000,000	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 230 - University of North Dakota - Detail of Conference Committee Changes

	Adds Funding for Capital Projects¹	Total Conference Committee Changes
Federal coronavirus capital projects	\$5,000,000	\$5,000,000
Space command initiative	4,000,000	4,000,000
Total all funds	\$9,000,000	\$9,000,000
Less estimated income	5,000,000	5,000,000
General fund	\$4,000,000	\$4,000,000
FTE	0.00	0.00

¹ One-time funding of \$5 million from the federal Coronavirus Capital Projects Fund is added for reconstruction of the University of North Dakota's apron at the Grand Forks airport. One-time funding of \$4 million from the general fund is added for a space command initiative. These items were also added by the Senate. The House did not include funding for these items.

House Bill No. 1015 - Dickinson State University - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			\$4,000,000	\$4,000,000	\$4,000,000	
Total all funds	\$0	\$0	\$4,000,000	\$4,000,000	\$4,000,000	\$0
Less estimated income	0	0	4,000,000	4,000,000	4,000,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 239 - Dickinson State University - Detail of Conference Committee Changes

	Adds Funding for Capital Projects¹	Total Conference Committee Changes
Federal coronavirus capital projects	\$4,000,000	\$4,000,000
Total all funds	\$4,000,000	\$4,000,000
Less estimated income	4,000,000	4,000,000
General fund	\$0	\$0
FTE	0.00	0.00

¹ One-time funding of \$4 million from the federal Coronavirus Capital Projects Fund is added for a Pulver Hall, meat processing laboratory, and other projects at Dickinson State University, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - Mayville State University - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Capital assets			\$1,600,000	\$1,600,000		\$1,600,000
Total all funds	\$0	\$0	\$1,600,000	\$1,600,000	\$0	\$1,600,000
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$0	\$1,600,000	\$1,600,000	\$0	\$1,600,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 240 - Mayville State University - Detail of Conference Committee Changes

	Adds Funding for Capital Projects¹	Total Conference Committee Changes
Capital assets	\$1,600,000	\$1,600,000
Total all funds	\$1,600,000	\$1,600,000
Less estimated income	0	0
General fund	\$1,600,000	\$1,600,000
FTE	0.00	0.00

¹ One-time funding of \$1.6 million from the general fund is added a boiler project at Mayville State University. Neither the House nor the Senate included this funding.

House Bill No. 1015 - Dept. of Career and Technical Education - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			\$70,000,000	\$70,000,000	\$78,000,000	(\$8,000,000)
Total all funds	\$0	\$0	\$70,000,000	\$70,000,000	\$78,000,000	(\$8,000,000)
Less estimated income	0	0	70,000,000	70,000,000	78,000,000	(8,000,000)
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 270 - Dept. of Career and Technical Education - Detail of Conference Committee Changes

	Adds Funding for Capital Projects¹	Total Conference Committee Changes
Federal coronavirus capital projects	\$70,000,000	\$70,000,000
Total all funds	\$70,000,000	\$70,000,000
Less estimated income	70,000,000	70,000,000
General fund	\$0	\$0
FTE	0.00	0.00

¹ One-time funding of \$70 million from the federal Coronavirus Capital Projects Fund is added for a statewide career academy initiative grant program. The Senate provided \$78 million from the federal Coronavirus Capital Projects fund, but the House did not include this funding.

House Bill No. 1015 - Highway Patrol - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			\$3,000,000	\$3,000,000	\$3,000,000	
Total all funds	\$0	\$0	\$3,000,000	\$3,000,000	\$3,000,000	\$0
Less estimated income	0	0	3,000,000	3,000,000	3,000,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 504 - Highway Patrol - Detail of Conference Committee Changes

	Adds Funding for Capital Projects¹	Total Conference Committee Changes
Federal coronavirus capital projects	\$3,000,000	\$3,000,000
Total all funds	\$3,000,000	\$3,000,000
Less estimated income	3,000,000	3,000,000
General fund	\$0	\$0
FTE	0.00	0.00

¹ One-time funding of \$3 million from the federal Coronavirus Capital Projects Fund is added for a law enforcement training center remodel project, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - Department of Agriculture - Conference Committee Action

The Conference Committee did not add the funding for the grasslands grazing grant program included in the Senate version. The funding was included in House Bill No. 1009, the budget for the Agriculture Commissioner.

House Bill No. 1015 - Department of Transportation - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Capital assets			\$55,000,000	\$55,000,000		\$55,000,000
Township road projects					\$21,800,000	(21,800,000)
Total all funds	\$0	\$0	\$55,000,000	\$55,000,000	\$21,800,000	\$33,200,000
Less estimated income	0	0	55,000,000	55,000,000	21,800,000	33,200,000
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 801 - Department of Transportation - Detail of Conference Committee Changes

	Adds Funding for Road and Bridge Projects ¹	Total Conference Committee Changes
Capital assets	\$55,000,000	\$55,000,000
Township road projects		
Total all funds	\$55,000,000	\$55,000,000
Less estimated income	55,000,000	55,000,000
General fund	\$0	\$0
FTE	0.00	0.00

¹ Funding of \$55 million from federal funds is added as matching funds for road and bridge projects, of which \$35 million is to match funding provided through bonding in House Bill No. 1431 and \$20 million is to match funding allocated to townships. Neither the House nor the Senate included this funding.

House Bill No. 1015 - Other Changes - Conference Committee Action

Other changes in this amendment, which were not included by the House or Senate, include:

- Authorizes the Department of Transportation to create cooperative agreements for matching federal funds.
- Amends North Dakota Century Code Section 54-09-05, as amended by House Bill No. 1002, to correct the effective date for the salary increase of the Secretary of State.
- Adds a statement of legislative intent regarding future funding for operating and maintenance costs associated with new area career centers.
- Adds a Legislative Management study regarding charitable gaming.

