

**HOUSE BILL NO. 1014**

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the industrial  
2 commission and the agencies under its control; to provide for a transfer; and to provide an  
3 exemption.

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

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
6 as may be necessary, are appropriated out of any moneys in the general fund in the state  
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
8 other income, to the industrial commission and agencies under its control for the purpose of  
9 defraying the expenses of the industrial commission and the agencies under its control, for the  
10 biennium beginning July 1, 2023, and ending June 30, 2025, as follows:

11 Subdivision 1.

12 INDUSTRIAL COMMISSION

13 Governor's

	<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
14 Salaries and wages	\$23,698,119	\$27,837,400	\$23,698,119
15 Operating expenses	5,119,958	6,839,798	5,119,958
16 Capital assets	0	128,000	0
17 Grants - bond payments	22,040,721	119,879,913	22,040,721
18 Grants	0	8,892,485	0
19 Fossil restoration fund	<u>0</u>	<u>250,000</u>	<u>0</u>
20 Total all funds	\$50,858,798	\$163,827,596	\$50,858,798
21 Less estimated income	<u>24,369,185</u>	<u>130,444,556</u>	<u>24,369,185</u>
22 Total general fund	\$26,489,613	\$33,383,040	\$26,489,613
23 Full-time equivalent positions	108.25	115.75	108.25

Sixty-eighth  
Legislative Assembly

1 Subdivision 2.

2 BANK OF NORTH DAKOTA

3 Governor's

4		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
5	Bank of North Dakota operations	\$67,306,548	\$74,395,765	\$67,306,548
6	Capital assets	<u>1,510,000</u>	<u>1,510,000</u>	<u>1,510,000</u>
7	Total special funds	\$68,816,548	\$75,905,765	\$68,816,548
8	Full-time equivalent positions	173.00	181.00	173.00

9 Subdivision 3.

10 HOUSING FINANCE AGENCY

11 Governor's

12		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
13	Salaries and wages	\$9,556,272	\$12,263,870	\$9,556,272
14	Operating expenses	6,109,060	10,738,241	6,109,060
15	Capital assets	150,000	20,000	150,000
16	Grants	42,975,200	47,875,322	42,975,200
17	Housing finance agency contingencies	<u>100,000</u>	<u>100,000</u>	<u>100,000</u>
18	Total all funds	\$58,890,532	\$70,997,433	\$58,890,532
19	Less estimated income	<u>58,890,532</u>	<u>69,427,221</u>	<u>58,890,532</u>
20	Total general fund	\$0	\$1,570,212	\$0
21	Full-time equivalent positions	49.00	52.00	49.00

22 Subdivision 4.

23 MILL AND ELEVATOR ASSOCIATION

24 Governor's

25		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
26	Salaries and wages	\$50,560,209	\$57,565,044	\$50,560,209
27	Operating expenses	36,817,000	42,391,653	36,817,000
28	Contingencies	500,000	500,000	500,000
29	Agriculture promotion	<u>500,000</u>	<u>500,000</u>	<u>500,000</u>
30	Total special funds	\$88,377,209	\$100,956,697	\$88,377,209
31	Full-time equivalent positions	156.00	170.00	156.00

1 Subdivision 5.

2 TOTAL - SECTION 1

		Governor's	
	<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
4			
5	Grand total general fund	\$26,489,613	\$34,953,252
6	Grand total special funds	<u>240,453,474</u>	<u>376,734,239</u>
7	Grand total all funds	\$266,943,087	\$411,687,491

8 **SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding  
9 items approved by the sixty-seventh legislative assembly for the 2021-23 biennium:

	<u>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
10			
11	Paleontology and geological equipment	\$106,260	\$0
12	Transfer to clean sustainable energy fund	25,000,000	0
13	Pipeline grant fund	150,000,000	0
14	Abandoned well conversion program	3,200,000	0
15	Hydrogen grants	20,000,000	0
16	Bank of North Dakota - contingent loan repayment	17,500,000	0
17	Bank of North Dakota - bond proceed allocation	680,000,000	0
18	Bank of North Dakota - agriculture diversification fund	10,000,000	0
19	Bank of North Dakota - fuel production incentives	21,000,000	0
20	Housing finance agency - housing incentive fund	9,500,000	0
21	Housing finance agency - housing assessment	<u>35,000</u>	<u>0</u>
22	Total all funds	\$936,341,260	\$0
23	Less estimated income	<u>874,235,000</u>	<u>0</u>
24	Total general fund	\$62,106,260	\$0

25 **SECTION 3. BOND PAYMENTS.** The amount of \$22,040,721 included in subdivision 1 of  
26 section 1 of this Act in the grants - bond payments line item must be paid from the following  
27 funding sources, during the biennium beginning July 1, 2023, and ending June 30, 2025:

28	North Dakota university system	\$17,204,639
29	North Dakota university system - energy conservation projects	415,114
30	Department of corrections and rehabilitation	492,354
31	Department of corrections and rehabilitation - energy conservation projects	8,181

Sixty-eighth  
Legislative Assembly

1	Department of health and human services	341,365
2	Job service North Dakota	230,600
3	Office of management and budget	564,515
4	Attorney general's office	648,055
5	State historical society	1,179,015
6	Parks and recreation department	66,165
7	Research and extension service	483,447
8	Veterans' home	<u>407,271</u>
9	Total	\$22,040,721

10       **SECTION 4. APPROPRIATION - HOUSING FINANCE AGENCY - ADDITIONAL INCOME.**

11 In addition to the amount appropriated to the housing finance agency in subdivision 3 of  
12 section 1 of this Act, there is appropriated any additional income or unanticipated income from  
13 federal or other funds which may become available to the agency, for the biennium beginning  
14 July 1, 2023, and ending June 30, 2025. The housing finance agency shall notify the office of  
15 management and budget and the legislative council of any additional income or unanticipated  
16 income that becomes available to the agency resulting in an increase in appropriation authority.

17       **SECTION 5. TRANSFER - ENTITIES UNDER THE CONTROL OF THE INDUSTRIAL**  
18 **COMMISSION TO INDUSTRIAL COMMISSION FUND.** The sum of \$1,214,768, or so much of  
19 the sum as may be necessary, included in the appropriation in subdivision 1 of section 1 of this  
20 Act, may be transferred from the entities within the control of the industrial commission or  
21 entities directed to make payments to the industrial commission fund for administrative services  
22 rendered by the commission. Transfers must be made during the biennium beginning July 1,  
23 2023, and ending June 30, 2025, upon order of the commission. Transfers from the student  
24 loan trust fund must be made to the extent permitted by sections 54-17-24 and 54-17-25.

25       **SECTION 6. TRANSFER - BANK OF NORTH DAKOTA PROFITS TO GENERAL FUND.**

26 The industrial commission shall transfer \$140,000,000 from the current earnings and the  
27 accumulated profits of the Bank of North Dakota to the general fund during the biennium  
28 beginning July 1, 2023, and ending June 30, 2025. The moneys must be transferred in the  
29 amounts and at the times requested by the director of the office of management and budget  
30 after consultation with the Bank of North Dakota president. For legislative council budget status  
31 reporting purposes, the transfer under this section is considered an ongoing revenue source.

1           **SECTION 7. TRANSFER - PARTNERSHIP IN ASSISTING COMMUNITY EXPANSION.**

2   The Bank of North Dakota shall transfer the sum of \$26,000,000, or so much of the sum as may  
3   be necessary, from the Bank's current earnings and undivided profits to the partnership in  
4   assisting community expansion fund during the biennium beginning July 1, 2023, and ending  
5   June 30, 2025.

6           **SECTION 8. TRANSFER - AGRICULTURE PARTNERSHIP IN ASSISTING COMMUNITY**

7   **EXPANSION.** The Bank of North Dakota shall transfer the sum of \$5,000,000, or so much of the  
8   sum as may be necessary, from the Bank's current earnings and undivided profits to the  
9   agriculture partnership in assisting community expansion fund during the biennium beginning  
10  July 1, 2023, and ending June 30, 2025.

11          **SECTION 9. TRANSFER - BIOFUELS PARTNERSHIP IN ASSISTING COMMUNITY**

12  **EXPANSION.** The Bank of North Dakota shall transfer the sum of \$1,000,000, or so much of the  
13  sum as may be necessary, from the Bank's current earnings and undivided profits to the  
14  biofuels partnership in assisting community expansion fund during the biennium beginning  
15  July 1, 2023, and ending June 30, 2025.

16          **SECTION 10. TRANSFER - BEGINNING FARMER REVOLVING LOAN FUND.** The Bank

17  of North Dakota shall transfer the sum of \$8,000,000, or so much of the sum as may be  
18  necessary, from the Bank's current earnings and undivided profits to the beginning farmer  
19  revolving loan fund during the biennium beginning July 1, 2023, and ending June 30, 2025.

20          **SECTION 11. LIGNITE RESEARCH, DEVELOPMENT, AND MARKETING PROGRAM -**

21  **LIGNITE MARKETING FEASIBILITY STUDY.** The amount of \$4,500,000 from the lignite  
22  research fund, or so much of the amount as may be necessary, may be used for the purpose of  
23  contracting for an independent, nonmatching lignite marketing feasibility study or studies that  
24  determine those focused priority areas where near-term, market-driven projects, activities, or  
25  processes will generate matching private industry investment and have the most potential of  
26  preserving existing lignite production and industry jobs or that will lead to increased  
27  development of lignite and its products and create new lignite industry jobs and economic  
28  growth for the general welfare of this state. Moneys appropriated pursuant to this section also  
29  may be used for the purpose of contracting for nonmatching studies and activities in support of  
30  advanced energy technology and other technology development programs; for litigation that  
31  may be necessary to protect and promote the continued development of lignite resources; for

1 nonmatching externality studies and activities in externality proceedings; or other marketing,  
2 environmental, or transmission activities that assist with marketing of lignite-based electricity  
3 and lignite-based byproducts. Moneys needed for the purposes stated in this section are  
4 available to the industrial commission for funding projects, processes, or activities under the  
5 lignite research, development, and marketing program.

6 **SECTION 12. EXEMPTION - INDUSTRIAL COMMISSION FUND.** The amount of  
7 \$1,172,603 appropriated to the industrial commission in subdivision 1 of section 1 of chapter 42  
8 of the 2021 Session Laws and transferred pursuant to section 7 of chapter 42 of the  
9 2021 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended  
10 funds from this appropriation are available to the industrial commission for administrative  
11 services rendered by the commission during the biennium beginning July 1, 2023, and ending  
12 June 30, 2025.