

**Department 405 - Industrial Commission**  
**House Bill No. 1014**

**Executive Budget Comparison to Base Level**

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
2023-25 Executive Budget	\$33,383,040	\$130,444,556	\$163,827,596
2023-25 Base Level	26,489,613	24,369,185	50,858,798
Increase (Decrease)	\$6,893,427	\$106,075,371	\$112,968,798

**Selected Budget Changes Recommended in the Executive Budget**

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
1. Provides funding for state employee salary and benefit increases of which \$1,747,226 is for salary increases and \$605,156 is for health insurance increases	\$2,168,675	\$183,707	\$2,352,382
2. Adds 7.5 FTE positions, including 3 carbon capture positions, 1 paleontology position, 1 critical minerals position, 1 grant administrator position, 1 deputy director position for the Public Finance Authority, and 0.5 records management position	\$1,303,541	\$314,967	\$1,618,508
3. Increases funding for bond payments to provide total funding of \$119,879,913 for bond payments	\$0	\$97,839,192	\$97,839,192
4. Adds <b>one-time funding</b> for inflationary costs primarily related to travel expenses	\$821,456	\$35,688	\$857,144
5. Adds <b>one-time funding</b> for Transmission Authority consulting expenses	\$250,000	\$0	\$250,000
6. Adds <b>one-time funding</b> for a federal electric grid resilience grant and a related match from the general fund	\$1,372,227	\$7,520,258	\$8,892,485
7. Adds <b>one-time funding</b> for a transfer to the fossil restoration fund	\$250,000	\$0	\$250,000

A summary of the executive budget changes to the agency's base level appropriations is attached as an appendix.

A copy of the draft appropriations bill containing the executive budget recommendations is attached as an appendix.

**Selected Bill Sections Recommended in the Executive Budget**

**Legacy earnings fund** - Sections 12 and 13 would transfer \$55 million from the legacy earnings fund to the oil and gas research fund (\$5 million) and to the clean sustainable energy fund (\$50 million).

**Strategic investment and improvements fund** - Section 14 would transfer \$500 million from the strategic investment and improvements fund to the clean sustainable energy fund including \$250 million prior to the end of the 2021-23 biennium and \$250 million during the 2023-25 biennium.

**North Dakota outdoor heritage fund** - Section 15 would decrease the oil and gas tax revenue allocation limit to the North Dakota outdoor heritage fund from \$20 million per fiscal year to \$7.5 million per fiscal year for the 2023-25 biennium, the same as the 2021-23 biennium.

**Oil and gas research fund** - Section 16 would increase the allocations to the oil and gas research fund by \$4.5 million, from \$10 million to \$14.5 million for the 2023-25 biennium, the same as the 2021-23 biennium.

**Federal State Fiscal Recovery Fund exemption** - Sections 20, 21, and 22 would provide an exemption allowing unspent federal funding authorized during the November 2021 special legislative session to be available in the 2023-25 biennium related to a pipeline infrastructure grant (\$150 million), a hydrogen development grant (\$20 million), and an abandoned oil well conversion program (\$3.2 million).

**Abandoned well federal funding exemption** - Section 23 would provide an exemption allowing unspent federal funding authorized by the Emergency Commission to be available in the 2023-25 biennium related to administrative costs for plugging and reclaiming oil wells and oil well sites.

**Survey review exemption** - Section 24 would provide an exemption allowing the Industrial Commission to continue unspent 2017-19 biennium appropriation authority for a survey review during the 2023-25 biennium.

**Continuing Appropriations**

**Abandoned oil and gas reclamation fund** - North Dakota Century Code Section 38-08-04.5 - Abandoned oil and gas reclamation.

**Carbon dioxide storage facility administration fund** - Section 38-22-14 - For defraying costs of processing applications for regulating carbon dioxide storage facilities.

**Carbon dioxide storage facility trust fund** - Section 38-22-15 - For costs associated with long-term monitoring and management of a closed carbon dioxide storage facility.

**Cartographic products fund** - Section 54-17.4-10 - Topographic map sales and purchases.

**Cash bond fund** - Section 38-08-04.11 - For defraying costs incurred in plugging and reclamation of abandoned oil and gas wells and related activities.

**Fossil excavation and restoration fund** - Section 54-17.4-09.1 - Excavation and restoration of fossils.

**Geological data preservation fund** - Section 54-17.4-13 - Data preservation.

**Geophysical, geothermal, subsurface minerals, and coal exploration fund** - Section 38-21-03 - Reclamation of orphaned facilities and exploration holes.

**Global positioning system community base station** - Section 54-17.4-12 - For maintenance of base station.

**Lignite research fund** - Section 57-61-01.5 - Research, development, and marketing for the lignite industry.

**North Dakota outdoor heritage fund** - Section 54-17.8-02 - For grants to conserve natural areas, restore wildlife and fish habitats, and provide access to sportsmen.

**North Dakota Pipeline Authority administrative fund** - Section 54-17.7-11 - For operations of the North Dakota Pipeline Authority.

**Oil and gas research fund** - Section 57-51.1-07.3 - Oil and gas research and education.

**Oil and gas reservoir data fund** - Section 38-08-04.6 - Oil and gas reservoir data.

**Renewable energy development fund** - Section 54-63-04 - Renewable energy research, development, and education.

**Clean sustainable energy fund** - Section 54-63.1-07 - Grants, loans, and other financial assistance for clean sustainable energy project research and development.

### **Deficiency Appropriations**

The executive budget recommends transferring \$250 million from the strategic investment and improvements fund to the clean sustainable energy fund prior to the end of the 2021-23 biennium.

### **Significant Audit Findings**

The operational audit for the Industrial Commission conducted by the State Auditor's office during the 2021-22 interim identified no significant audit findings.

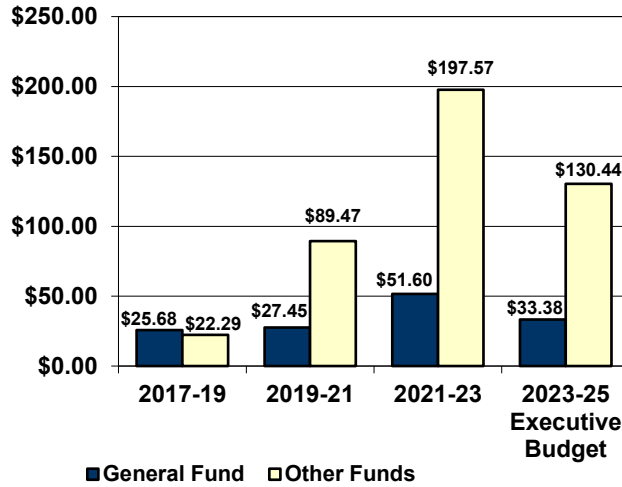
### **Major Related Legislation**

**Senate Bill No. 2059** - Increases the fund balance limit from \$50 million to \$100 million for oil and gas gross production tax revenue allocations to the abandoned oil and gas well plugging and site reclamation fund.

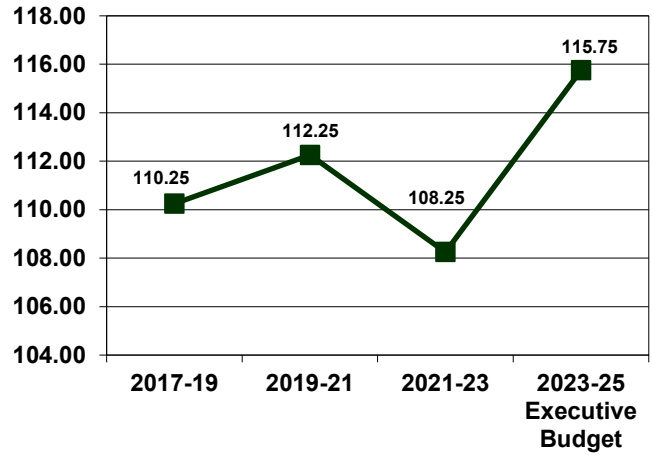
# Historical Appropriations Information

## Agency Appropriations and FTE Positions

Agency Funding (Millions)



FTE Positions



### Ongoing General Fund Appropriations

	2015-17	2017-19	2019-21	2021-23	2023-25 Executive Budget
Ongoing general fund appropriations	\$24,957,746	\$25,408,987	\$27,254,198	\$26,489,613	\$30,362,191
Increase (decrease) from previous biennium	N/A	\$451,241	\$1,845,211	(\$764,585)	\$3,872,578
Percentage increase (decrease) from previous biennium	N/A	1.8%	7.3%	(2.8%)	14.6%
Cumulative percentage increase (decrease) from 2015-17 biennium	N/A	1.8%	9.2%	6.1%	21.7%

### Major Increases (Decreases) in Ongoing General Fund Appropriations

#### 2017-19 Biennium

1. Removed 8.5 FTE positions, including 6.5 FTE engineering technician positions and 2 FTE administrative assistant positions (\$577,999)
2. Added funding for contingent FTE engineering technician positions \$221,737
3. Added funding for operating expenses primarily related to travel, information technology software and services, and professional services \$448,753

#### 2019-21 Biennium

1. Increased funding for 2 FTE positions that were partially funded as contingent positions in the 2017-19 biennium \$40,464
2. Added funding for 2 FTE contingent positions \$229,544
3. Added funding for operating expenses, primarily related to travel, building leases, and information technology costs \$556,254

#### 2021-23 Biennium

1. Removed 1 FTE computer network specialist position (\$222,366), 1 FTE engineering technician position (\$180,551), and 2 FTE contingent positions (\$229,544) (\$632,461)
2. Decreased funding for salaries and wages for anticipated savings from vacant positions and employee turnover (\$214,360)
3. Decreased funding for temporary salaries (\$60,000)
4. Adjusted funding for operating expenses, primarily related to a decrease in travel (\$730,400)

**2023-25 Biennium (Executive Budget Recommendation)**

- 1. Adds 7.5 FTE positions, including 3 carbon capture positions, 1 paleontology position, 1 critical minerals position, 1 grant administrator position, 1 deputy director position for the Public Finance Authority, and 0.5 records management position \$1,303,541

**One-Time General Fund Appropriations**

	<b>2015-17</b>	<b>2017-19</b>	<b>2019-21</b>	<b>2021-23</b>	<b>2023-25 Executive Budget</b>
One-time general fund appropriations	\$7,718,143	\$269,408	\$195,000	\$25,106,260	\$3,020,849

**Major One-Time General Fund Appropriations**

**2017-19 Biennium**

- 1. Provided a deficiency appropriation for litigation expenses related to various lawsuits associated with oil and gas regulatory disputes and other environmental issues \$269,408

**2019-21 Biennium**

- 1. Added one-time funding for temporary employees who will record historical information to provide guidance to current and future employees \$175,000
- 2. Added one-time funding for a transfer to the high-level radioactive waste fund \$20,000

**2021-23 Biennium**

- 1. Added one-time funding from the general fund for paleontology and geological equipment \$106,260
- 2. Added one-time funding for a transfer to the clean sustainable energy fund pursuant to House Bill No. 1452 (2021) \$25,000,000

**2023-25 Biennium (Executive Budget Recommendation)**

- 1. Adds one-time funding for inflationary costs primarily related to travel expenses \$821,456
- 2. Adds one-time funding for Transmission Authority consulting expenses \$250,000
- 3. Adds one-time funding for a federal electric grid resilience grant and a related match from the general fund \$1,372,227
- 4. Adds one-time funding for a transfer to the fossil restoration fund \$250,000

**Department 471 - Bank of North Dakota**  
**House Bill No. 1014**

**Executive Budget Comparison to Base Level**

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
2023-25 Executive Budget	\$0	\$75,905,765	\$75,905,765
2023-25 Base Level	0	68,816,548	68,816,548
Increase (Decrease)	\$0	\$7,089,217	\$7,089,217

**Selected Budget Changes Recommended in the Executive Budget**

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
1. Provides funding for state employee salary and benefit increases of which \$2,685,488 is for salary increases and \$863,226 is for health insurance increases	\$0	\$3,548,714	\$3,548,714
2. Adds 2 FTE credit underwriter positions	\$0	\$476,628	\$476,628
3. Adds 2 FTE valuation supervisor positions	\$0	\$580,428	\$580,428
4. Adds 2 FTE collateral valuation positions	\$0	\$471,711	\$471,711
5. Adds 1 FTE collateral valuation analyst position	\$0	\$253,976	\$253,976
6. Adds 1 FTE loan operations supervisor position	\$0	\$222,652	\$222,652
7. Increases funding for ITD rate changes	\$0	\$405,524	\$405,524
8. Adds <b>one-time funding</b> for IT projects	\$0	\$804,278	\$804,278

A summary of the executive budget changes to the agency's base level appropriations is attached as an appendix.

A copy of the draft appropriations bill containing the executive budget recommendations is attached as an appendix.

**Selected Bill Sections Recommended in the Executive Budget**

**Transfer to partnership in assisting community expansion (PACE) fund** - Section 6 would provide for a transfer of \$39 million from the Bank of North Dakota's current earnings and undivided profits to the PACE fund for the 2023-25 biennium.

**Transfer to Ag PACE fund** - Section 7 would provide for a transfer of \$5 million from the Bank's current earnings and undivided profits to the Ag PACE fund for the 2023-25 biennium.

**Transfer to biofuels PACE fund** - Section 8 would provide for a transfer of \$1 million from the Bank's current earnings and undivided profits to the biofuels PACE fund for the 2023-25 biennium.

**Transfer to beginning farmer revolving loan fund** - Section 9 would provide for a transfer of \$15 million from the Bank's current earnings and undivided profits to the beginning farmer revolving loan fund for the 2023-25 biennium.

**Transfer to the agricultural products utilization fund** - Section 10 would provide for a transfer of \$3 million from the Bank's current earnings and undivided profits to the agricultural products utilization fund for the 2023-25 biennium.

**Continuing Appropriations**

**Agriculture diversification and development fund** - North Dakota Century Code Section 4.1-01.1-07 - Loans and grants to support new or expanding value-added agriculture businesses.

**PACE** - Section 6-09.14-02 - Buy down interest rates on loans for new or expanding businesses.

**Ag PACE** - Section 6-09.13-04 - Buy down interest rates on agriculture-related loans.

**Beginning farmer revolving loan fund** - Section 6-09-15.5 - Direct loans or to buy down interest rates on loans to beginning farmers for the first purchase of farm real estate or chattels.

**College SAVE** - Section 6-09-38 - Higher education savings plan.

**North Dakota achieving a better life experience plan** - Section 6-09-38.1 - Savings plans for individuals with disabilities.

**Rebuilders permanent loan fund** - Section 6-09-46.2 - Loan program for residents affected by extraordinary losses from a presidentially declared disaster or governor-declared disaster or emergency in the state.

**Medical facility infrastructure loan fund** - Section 6-09-47 - Loans for medical facility construction.

**Federal student loan proceeds** - Section 6-09-48 - Funds received in relation to federal student loans used to support the functions of the Bank related to higher education programs.

**Infrastructure revolving loan fund** - Section 6-09-49 - Loans for political subdivision infrastructure projects.

### **Deficiency Appropriations**

There are no deficiency appropriations for this agency.

### **Significant Audit Findings**

The financial statement audit for the Bank of North Dakota conducted by Eide Bailly LLP, during the 2021-22 interim identified no significant findings.

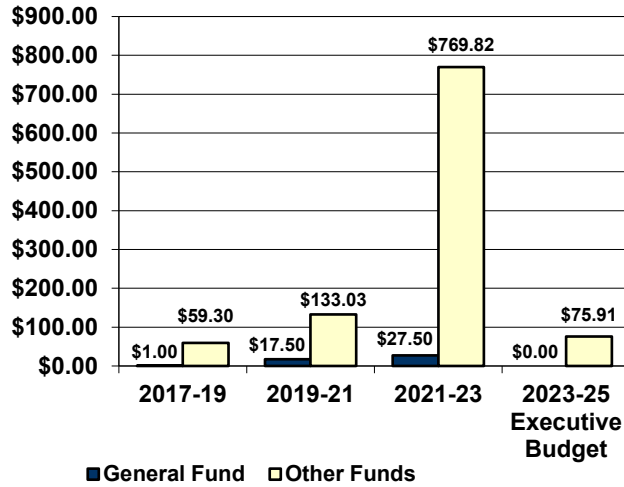
### **Major Related Legislation**

At this time, no major legislation has been introduced affecting this agency.

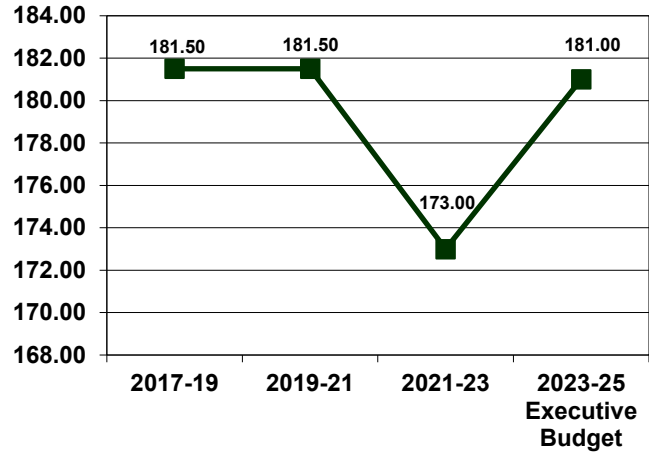
# Historical Appropriations Information

## Agency Appropriations and FTE Positions

Agency Funding (Millions)



FTE Positions



### Ongoing Other Funds Appropriations

	2015-17	2017-19	2019-21	2021-23	2023-25 Executive Budget
Ongoing other funds appropriations	\$59,287,301	\$59,299,204	\$64,357,799	\$68,816,548	\$75,101,307
Increase (decrease) from previous biennium	N/A	\$11,903	\$5,058,595	\$4,458,749	\$6,284,759
Percentage increase (decrease) from previous biennium	N/A	0.0%	8.5%	6.9%	9.1%
Cumulative percentage increase (decrease) from 2015-17 biennium	N/A	0.0%	8.6%	16.1%	26.7%

### Major Increases (Decreases) in Ongoing Other Funds Appropriations

#### 2017-19 Biennium

1. Provided funding for additional salary increases related to higher starting salaries for new employees and higher than anticipated salary adjustments for market rate adjustments \$1,459,131
2. Reduced funding for operating expenses primarily related to marketing activities that were funded with a federal grant that expired in calendar year 2016 as well as cost-savings from efficiencies (\$2,385,776)
3. Added funding for IT equipment \$65,000

#### 2019-21 Biennium

1. Increased funding for Bank operations related to IT costs (\$876,800); professional development and services (\$139,508); Microsoft Office 365 licensing costs (\$37,352); and utilities, insurance, and other operating expenses (\$250,000) \$1,303,660
2. Decreased funding for Bank operations related to postage and temporary employees (\$75,550)
3. Increased funding for Bank contingencies to provide total contingency funding of \$3.5 million \$1,000,000
4. Added funding for IT equipment and software to provide total funding of \$1.51 million for capital assets \$700,000

#### 2021-23 Biennium

1. Transferred 16 FTE positions to ITD for a unification initiative resulting in a decrease in salaries and wages of \$3,287,172 and an increase in operating expenses of \$3,370,515 \$83,343
2. Added 7.5 new undesignated FTE positions to support future growth in Bank of North Dakota operations \$1,024,128
3. Increased funding for IT expenses (\$1,811,661) and Microsoft Office 365 licensing expenses (\$21,812) \$1,833,473
4. Decreased funding for Bank contingencies to provide total contingency funding of \$3 million (\$500,000)

- 5. Added funding during the November 2021 special legislative session for salaries and wages to provide funding for the 2<sup>nd</sup> year of the biennium for new FTE positions authorized in the 2021 regular legislative session \$1,025,369

**2023-25 Biennium (Executive Budget Recommendation)**

- 1. Adds funding for 8 FTE positions, including 2 credit underwriter positions, 2 valuation supervisor positions, 2 collateral valuation positions, 1 collateral valuation analyst position, and 1 loan operations supervisor position \$2,005,395
- 2. Increases funding for ITD rate changes \$405,524

**One-Time Other Funds Appropriations**

	2015-17	2017-19	2019-21	2021-23	2023-25 Executive Budget
One-time general fund appropriations	\$17,000,000	\$0	\$0	\$701,000,000	\$804,278

**Major One-Time Other Funds Appropriations**

**2017-19 Biennium**

None \$0

**2019-21 Biennium**

None \$0

**2021-23 Biennium**

- 1. Added one-time funding from bond proceeds for allocations to infrastructure projects and programs \$680,000,000
- 2. Added one-time funding from the federal State Fiscal Recovery Fund for a fuel production facility incentive program \$21,000,000

**2023-25 Biennium (Executive Budget Recommendation)**

- 1. Adds one-time funding for IT projects \$804,278



**Department 473 - Housing Finance Agency**  
**House Bill No. 1014**

**Executive Budget Comparison to Base Level**

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
2023-25 Executive Budget	\$1,570,212	\$69,427,221	\$70,997,433
2023-25 Base Level	0	58,890,532	58,890,532
Increase (Decrease)	\$1,570,212	\$10,536,689	\$12,106,901

**Selected Budget Changes Recommended in the Executive Budget**

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
1. Provides funding for state employee salary and benefit increases of which \$716,072 is for salary increases and \$267,478 is for health insurance increases	\$0	\$983,550	\$983,550
2. Adds 2 FTE home loan program administrator positions (\$466,592) and increases service premium fees (\$4,531,830) for growth in the home loan program	\$0	\$4,998,422	\$4,998,422
3. Adds 1 FTE compliance officer position	\$0	\$218,908	\$218,908
4. Increases federal funding for salary adjustments	\$0	\$800,102	\$800,102
5. Adds federal funding for temporary salaries	\$0	\$78,000	\$78,000
6. Transfers the homeless grant programs from the Department of Commerce	\$1,570,212	\$1,147,341	\$2,717,553
7. Increases funding for federal grants to provide total funding of \$44,655,110 from federal sources for grants	\$0	\$1,949,910	\$1,949,910
8. Increases funding for housing rehabilitation grants from the agency's operating funds	\$0	\$380,000	\$380,000

A summary of the executive budget changes to the agency's base level appropriations is attached as an appendix.

A copy of the draft appropriations bill containing the executive budget recommendations is attached as an appendix.

**Selected Bill Sections Recommended in the Executive Budget**

**Additional appropriation authority** - Section 4 would provide appropriation authority to the Housing Finance Agency for any additional or unanticipated income from federal or other funds which may become available during the 2023-25 biennium.

**Legacy earnings fund** - Section 11 would transfer \$25 million from the legacy earnings fund to the housing incentive fund for the 2023-25 biennium.

**Continuing Appropriations**

**Housing incentive fund** - North Dakota Century Code Section 54-17-40 - Provides grants for housing projects.

**Deficiency Appropriations**

There are no deficiency appropriations for this agency.

**Significant Audit Findings**

The financial statement audit for the Housing Finance Agency conducted by Brady, Martz & Associates PC, during the 2021-22 interim identified no significant findings.

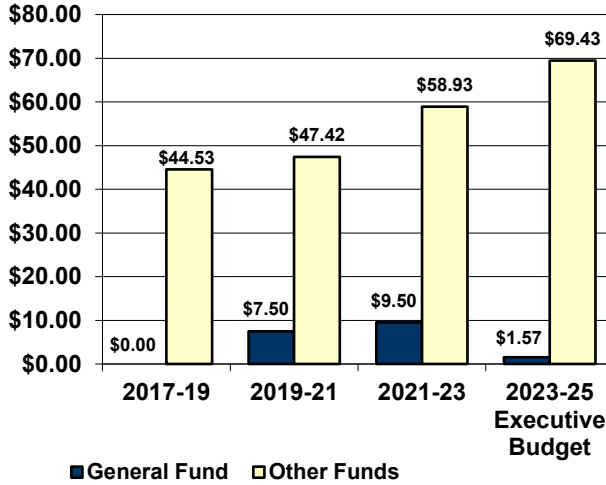
**Major Related Legislation**

At this time, no major legislation has been introduced affecting this agency.

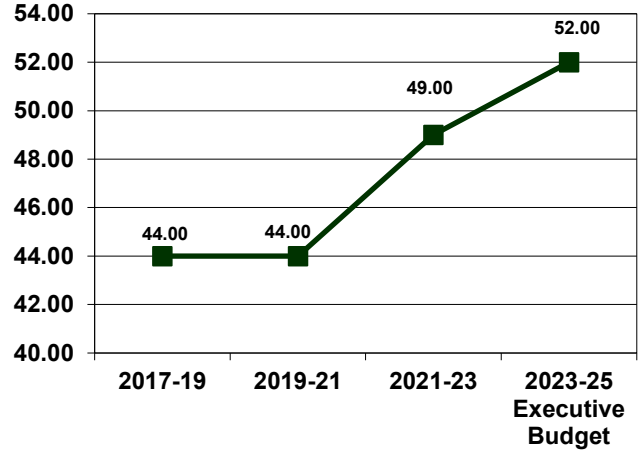
# Historical Appropriations Information

## Agency Appropriations and FTE Positions

Agency Funding (Millions)



FTE Positions



### Ongoing Other Funds Appropriations

	2015-17	2017-19	2019-21	2021-23	2023-25 Executive Budget
Ongoing other funds appropriations	\$37,520,089	\$44,530,239	\$47,421,891	\$58,890,532	\$69,427,221
Increase (decrease) from previous biennium	N/A	\$7,010,150	\$2,891,652	\$11,468,641	\$10,536,689
Percentage increase (decrease) from previous biennium	N/A	18.7%	6.5%	24.2%	17.9%
Cumulative percentage increase (decrease) from 2015-17 biennium	N/A	18.7%	26.4%	57.0%	85.0%

### Major Increases (Decreases) in Ongoing Other Funds Appropriations

#### 2017-19 Biennium

1. Removed funding for 2 FTE positions and reduced funding for salaries and wages related to a vacant FTE position (\$322,044)
2. Increased funding for operating expenses to continue additional expenses relating to increased volume in mortgage servicing premiums during the 2015-17 biennium, which were paid pursuant to additional income appropriation authority in Section 4 of House Bill No. 1014 (2015) \$970,000
3. Added funding for federal Housing and Urban Development grants related to distributions from the federal Housing Trust Fund \$6,017,048
4. Increased funding for operating expenses \$29,080
5. Reduced grant funding for the helping hand program, technical assistance, and program outreach (\$153,000)

#### 2019-21 Biennium

1. Removed funding for temporary employees (\$57,219)
2. Increased funding for mortgage servicing premium expenses \$602,921
3. Increased funding for agency program grants (\$20,000) and federal housing grants (\$1,651,772) \$1,671,772

#### 2021-23 Biennium

1. Transferred the federal HOME program from the Department of Commerce, including 2 FTE positions, \$356,421 for salaries and wages, \$236,950 for operating expenses, \$50,000 for capital assets, and \$7.7 million for grants \$8,343,371
2. Transferred a mortgage loan program from the Bank of North Dakota and added 3 FTE positions, including \$396,656 for salaries and wages and \$244,883 for operating expenses, for the management of the loan program with 1 FTE position funded for the 2<sup>nd</sup> year of the biennium only \$641,539

- 3. Increased funding for operating expenses primarily related to information technology costs (\$122,224), added funding for a statewide housing needs assessment (\$80,000), and increased funding for Microsoft Office 365 licensing expenses (\$4,847) \$207,071
  - 4. Added funding for multifamily housing-related software \$173,880
  - 5. Increased federal funding for Housing and Urban Development grants \$1,808,600
- 2023-25 Biennium (Executive Budget Recommendation)**
- 1. Adds 2 FTE home loan program administrator positions (\$466,592) and increases service premium fees (\$4,531,830) for growth in the home loan program \$4,998,422
  - 2. Increases federal funding for salary adjustments \$800,102
  - 3. Transfers the homeless grants program from the Department of Commerce \$1,147,341
  - 4. Increases funding for federal grants to provide total funding of \$44,655,110 from federal sources for grants \$1,949,910
  - 5. Increases funding for housing rehabilitation grants from the agency's operating fund \$380,000

**One-Time Other Funds Appropriations**

	2015-17	2017-19	2019-21	2021-23	2023-25 Executive Budget
One-time general fund appropriations	\$0	\$0	\$0	\$35,000	\$0

**Major One-Time Other Funds Appropriations**

**2017-19 Biennium**

None \$0

**2019-21 Biennium**

None \$0

**2021-23 Biennium**

- 1. Added one-time funding from the Housing Finance Agency operating fund for a statewide housing needs assessment \$35,000

**2023-25 Biennium (Executive Budget Recommendation)**

None \$0

**Department 475 - Mill and Elevator Association  
House Bill No. 1014**

**Executive Budget Comparison to Base Level**

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
2023-25 Executive Budget	\$0	\$100,956,697	\$100,956,697
2023-25 Base Level	0	88,377,209	88,377,209
Increase (Decrease)	\$0	\$12,579,488	\$12,579,488

**Selected Budget Changes Recommended in the Executive Budget**

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
1. Provides funding for state employee health insurance increases	\$0	\$771,600	\$771,600
2. Provides funding for salary increases subject to union negotiations	\$0	\$2,314,183	\$2,314,183
3. Adds 14 new undesignated FTE positions for increased milling capacity	\$0	\$2,367,332	\$2,367,332
4. Increases funding for overtime to provide total funding of \$11,434,121	\$0	\$1,352,923	\$1,352,923
5. Increases funding for inflationary costs and mill capacity growth, primarily related to utilities, supplies, insurance, and repairs	\$0	\$5,569,550	\$5,569,550

A summary of the executive budget changes to the agency's base level appropriations is attached as an appendix.

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**Selected Bill Sections Recommended in the Executive Budget**

**Transfer of profits to general fund** - Section 17 would provide an exemption to suspend the transfer of 50 percent of the Mill and Elevator's profits to the general fund for the 2023-25 biennium.

**Gain-sharing program** - Section 18 would provide an exemption allowing the Industrial Commission to approve a gain-sharing program for the 2023-25 biennium without a transfer of profits to the general fund.

**Continuing Appropriations**

There are no continuing appropriations for this agency.

**Deficiency Appropriations**

There are no deficiency appropriations for this agency.

**Significant Audit Findings**

The financial statement audit for the Mill and Elevator Association conducted by the State Auditor's office during the 2021-22 interim identified no significant findings.

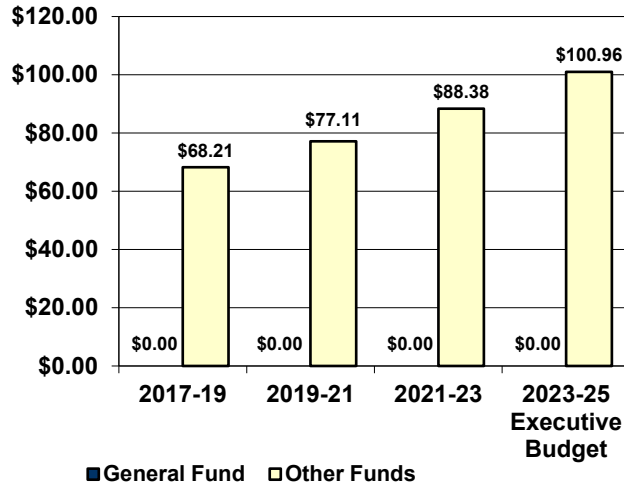
**Major Related Legislation**

At this time, no major related legislation has been introduced affecting this agency.

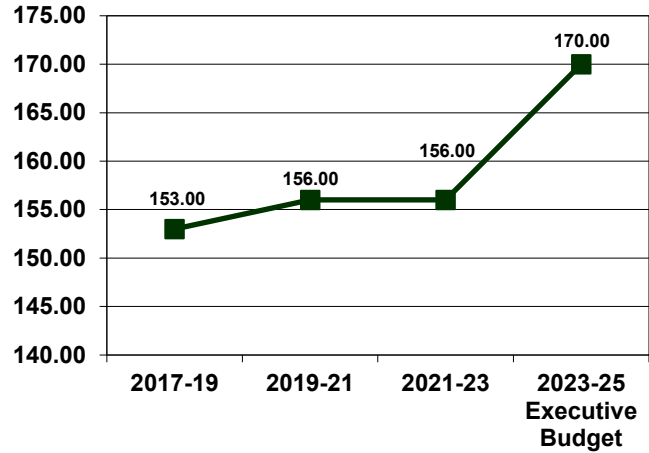
# Historical Appropriations Information

## Agency Appropriations and FTE Positions

Agency Funding (Millions)



FTE Positions



### Ongoing Other Funds Appropriations

	2015-17	2017-19	2019-21	2021-23	2023-25 Executive Budget
Ongoing other funds appropriations	\$64,315,898	\$68,213,519	\$76,994,824	\$88,377,209	\$100,956,697
Increase (decrease) from previous biennium	N/A	\$3,897,621	\$8,781,305	\$11,382,385	\$12,579,488
Percentage increase (decrease) from previous biennium	N/A	6.1%	12.9%	14.8%	14.2%
Cumulative percentage increase (decrease) from 2015-17 biennium	N/A	6.1%	19.7%	37.4%	57.0%

### Major Increases (Decreases) in Ongoing Other Funds Appropriations

#### 2017-19 Biennium

1. Reduced funding for salaries and wages, primarily related to overtime (\$684,923)
2. Added funding for 6 FTE positions, including 2 grain handling positions, 2 food safety positions, 1 flour packer position, and 1 utility worker position \$768,893
3. Added funding for operating expenses related to utilities, supplies, and repairs \$868,000

#### 2019-21 Biennium

1. Increased funding for overtime and temporary employees \$2,538,685
2. Added funding for 3 FTE positions, including 2 food safety workers and 1 utility worker \$440,094
3. Added funding for increased costs related to utilities, insurance, and repairs \$1,642,000

#### 2021-23 Biennium

1. Increased funding for overtime \$1,744,760
2. Increased funding for operating expenses, primarily related to insurance and repairs \$3,680,000
3. Added funding for mill capacity increases, primarily related to utilities and supplies \$3,300,000

#### 2023-25 Biennium (Executive Budget Recommendation)

1. Adds 14 new undesignated FTE positions for increased milling capacity \$2,367,332
2. Increases funding for overtime to provide total funding of \$11,434,121 \$1,352,923
3. Increases funding for inflationary costs and mill capacity growth, primarily related to utilities, supplies, insurance, and repairs \$5,569,550

**One-Time Other Funds Appropriations**

	<b>2015-17</b>	<b>2017-19</b>	<b>2019-21</b>	<b>2021-23</b>	<b>2023-25 Executive Budget</b>
One-time general fund appropriations	\$0	\$0	\$0	\$0	\$0

**Major One-Time Other Funds Appropriations**

<b>2017-19 Biennium</b>					
None					\$0
<b>2019-21 Biennium</b>					
None					\$0
<b>2021-23 Biennium</b>					
None					\$0
<b>2023-25 Biennium (Executive Budget Recommendation)</b>					
None					\$0

**Industrial Commission - Budget No. 405**  
**House Bill No. 1014**  
**Base Level Funding Changes**

	<b>Executive Budget Recommendation</b>			
	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
<b>2023-25 Biennium Base Level</b>	108.25	\$26,489,613	\$24,369,185	\$50,858,798
<b>2023-25 Ongoing Funding Changes</b>				
Cost to continue salary increase		\$167,219	\$8,697	\$175,916
Salary increase		1,604,665	142,561	1,747,226
Health insurance increase		564,010	41,146	605,156
Adds FTE carbon capture positions	3.00	760,911		760,911
Adds FTE paleontology position	1.00	196,610		196,610
Adds FTE critical minerals position	1.00	276,523		276,523
Adds FTE grant administration position	1.00		182,321	182,321
Adds FTE deputy director position	1.00		132,646	132,646
Adds FTE records management position	0.50	69,497		69,497
Transfers \$104,785 from operating expenses to salaries				0
Increases federal funding for salaries and wages			29,996	29,996
ITD rate increases		3,143	1,756	4,899
Adds funding for computer server transition		230,000		230,000
Increases funding for bond payments			97,839,192	97,839,192
<b>Total ongoing funding changes</b>	<b>7.50</b>	<b>\$3,872,578</b>	<b>\$98,378,315</b>	<b>\$102,250,893</b>
<b>One-time funding items</b>				
Adds one-time funding for FTE carbon capture positions		\$31,031		\$31,031
Adds one-time funding for FTE paleontology position		9,234		9,234
Adds one-time funding for FTE critical minerals position		20,134		20,134
Adds one-time funding for FTE grant administration position			\$1,155	1,155
Adds one-time funding for FTE deputy director position			10,955	10,955
Adds one-time funding for FTE records management position		3,119		3,119
Adds one-time funding for temporary employees			75,000	75,000
Adds one-time funding for inflationary increases		821,456	35,688	857,144
Adds one-time funding for core and mineral analysis		100,000		100,000
Adds one-time funding for Transmission Authority consulting		250,000		250,000
Adds one-time funding for drones and computers		83,648	54,000	137,648
Adds one-time funding for computer server transition		80,000		80,000
Adds one-time funding for an electric grid resilience grant		1,372,227	7,520,258	8,892,485
Adds one-time funding for fossil restoration		250,000		250,000
<b>Total one-time funding changes</b>	<b>0.00</b>	<b>\$3,020,849</b>	<b>\$7,697,056</b>	<b>\$10,717,905</b>
<b>Total Changes to Base Level Funding</b>	<b>7.50</b>	<b>\$6,893,427</b>	<b>\$106,075,371</b>	<b>\$112,968,798</b>
<b>2023-25 Total Funding</b>	<b>115.75</b>	<b>\$33,383,040</b>	<b>\$130,444,556</b>	<b>\$163,827,596</b>
<i>Federal funds included in other funds</i>			\$7,788,258	
<i>Total ongoing changes as a percentage of base level</i>	6.9%	14.6%	403.7%	201.0%
<i>Total changes as a percentage of base level</i>	6.9%	26.0%	435.3%	222.1%

**Other Sections in Industrial Commission - Budget No. 405**

	<b>Executive Budget Recommendation</b>
Bond payments	Section 3 would provide legislative intent for bond payments during the 2023-25 biennium.
Administrative cost transfers	Section 5 would allow the Industrial Commission to transfer up to \$1,619,045 from special funds from the entities under the control of the Industrial Commission for administrative services. Section 19 would provide an exemption allowing unspent prior biennium appropriation authority for administrative costs to be available in the 2023-25 biennium.

**Other Sections in Industrial Commission - Budget No. 405**

**Executive Budget Recommendation**

Legacy earnings fund	Sections 12 and 13 would transfer \$55 million from the legacy earnings fund to the oil and gas research fund (\$5 million) and to the clean sustainable energy fund (\$50 million).
Strategic investment and improvements fund	Section 14 would transfer \$500 million from the strategic investment and improvements fund to the clean sustainable energy fund including \$250 million prior to the end of the 2021-23 biennium and \$250 million during the 2023-25 biennium.
North Dakota outdoor heritage fund	Section 15 would decrease the oil and gas tax revenue allocation limit to the North Dakota outdoor heritage fund from \$20 million per fiscal year to \$7.5 million per fiscal year for the 2023-25 biennium, the same as the 2021-23 biennium.
Oil and gas research fund	Section 16 would increase the allocations to the oil and gas research fund by \$4.5 million, from \$10 million to \$14.5 million for the 2023-25 biennium, the same as the 2021-23 biennium.
Federal State Fiscal Recovery Fund exemption	Sections 20, 21, and 22 would provide an exemption allowing unspent federal funding authorized during the November 2021 special legislative session to be available in the 2023-25 biennium related to a pipeline infrastructure grant (\$150 million), a hydrogen development grant (\$20 million), and an abandoned oil well conversion program (\$3.2 million).
Abandoned well federal funding exemption	Section 23 would provide an exemption allowing unspent federal funding authorized by the Emergency Commission to be available in the 2023-25 biennium related to administrative costs for plugging and reclaiming oil wells and oil well sites.
Survey review exemption	Section 24 would provide an exemption allowing the Industrial Commission to continue unspent 2017-19 biennium appropriation authority for a survey review during the 2023-25 biennium.



**Bank of North Dakota - Budget No. 471**  
**House Bill No. 1014**  
**Base Level Funding Changes**

	<b>Executive Budget Recommendation</b>			
	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
<b>2023-25 Biennium Base Level</b>	173.00	\$0	\$68,816,548	\$68,816,548
<b>2023-25 Ongoing Funding Changes</b>				
Cost to continue salary increase			\$280,646	\$280,646
Salary increase			2,685,488	2,685,488
Health insurance increase			863,226	863,226
Adds FTE credit underwriter IV position	1.00		253,976	253,976
Adds FTE agricultural valuation supervisor position	1.00		290,214	290,214
Adds FTE credit underwriter III position	1.00		222,652	222,652
Adds FTE commercial valuation supervisor position	1.00		290,214	290,214
Adds FTE collateral valuation III position	1.00		217,735	217,735
Adds FTE collateral valuation analyst IV position	1.00		253,976	253,976
Adds FTE collateral valuation IV position	1.00		253,976	253,976
Adds FTE loan operations supervisor position	1.00		222,652	222,652
Increases funding for shared software and service rates			44,660	44,660
Increases funding for ITD rate changes			405,524	405,524
<b>Total ongoing funding changes</b>	<b>8.00</b>	<b>\$0</b>	<b>\$6,284,939</b>	<b>\$6,284,939</b>
<b>One-time funding items</b>				
Adds one-time funding for IT projects			\$804,278	\$804,278
<b>Total one-time funding changes</b>	<b>0.00</b>	<b>\$0</b>	<b>\$804,278</b>	<b>\$804,278</b>
<b>Total Changes to Base Level Funding</b>	<b>8.00</b>	<b>\$0</b>	<b>\$7,089,217</b>	<b>\$7,089,217</b>
<b>2023-25 Total Funding</b>	<b>181.00</b>	<b>\$0</b>	<b>\$75,905,765</b>	<b>\$75,905,765</b>
<i>Federal funds included in other funds</i>			\$0	
<i>Total ongoing changes as a percentage of base level</i>	4.6%		9.1%	9.1%
<i>Total changes as a percentage of base level</i>	4.6%		10.3%	10.3%

**Other Sections in Bank of North Dakota - Budget No. 471**

	<b>Executive Budget Recommendation</b>
Transfer to PACE fund	Section 6 would provide for a transfer of \$39 million from the Bank of North Dakota's current earnings and undivided profits to the PACE fund for the 2023-25 biennium.
Transfer to Ag PACE fund	Section 7 would provide for a transfer of \$5 million from the Bank of North Dakota's current earnings and undivided profits to the Ag PACE fund for the 2023-25 biennium.
Transfer to biofuels PACE fund	Section 8 would provide for a transfer of \$1 million from the Bank of North Dakota's current earnings and undivided profits to the biofuels PACE fund for the 2023-25 biennium.
Transfer to beginning farmer revolving loan fund	Section 9 would provide for a transfer of \$15 million from the Bank of North Dakota's current earnings and undivided profits to the beginning farmer revolving loan fund for the 2023-25 biennium.
Transfer to agricultural products utilization fund	Section 10 would provide for a transfer of \$3 million from the Bank of North Dakota's current earnings and undivided profits to the agricultural products utilization fund for the 2023-25 biennium.

**Housing Finance Agency - Budget No. 473**  
**House Bill No. 1014**  
**Base Level Funding Changes**

	<b>Executive Budget Recommendation</b>			
	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
<b>2023-25 Biennium Base Level</b>	49.00	\$0	\$58,890,532	\$58,890,532
<b>2023-25 Ongoing Funding Changes</b>				
Cost to continue salary increase			\$75,908	\$75,908
Salary increase			716,072	716,072
Health insurance increase			267,478	267,478
Adds FTE compliance officer position	1.00		218,908	218,908
Adds FTE positions and increases funding for home loan programs	2.00		4,998,422	4,998,422
Increases federal funding for salary adjustments			800,102	800,102
Adds federal funding for temporary salaries			78,000	78,000
Transfers homeless grants from Department of Commerce		1,570,212	1,147,341	2,717,553
Increases federal funding for operating expenses			21,135	21,135
Increases funding for shared software and service rates			13,413	13,413
Decreases funding for capital assets			(130,000)	(130,000)
Increases funding for federal grants			1,949,910	1,949,910
Increases funding for housing rehabilitation grants			380,000	380,000
Total ongoing funding changes	3.00	\$1,570,212	\$10,536,689	\$12,106,901
<b>One-time funding items</b>				
No one-time funding items				\$0
Total one-time funding changes	0.00	\$0	\$0	\$0
<b>Total Changes to Base Level Funding</b>	3.00	\$1,570,212	\$10,536,689	\$12,106,901
<b>2023-25 Total Funding</b>	52.00	\$1,570,212	\$69,427,221	\$70,997,433
<i>Federal funds included in other funds</i>			\$48,099,128	
<i>Total ongoing changes as a percentage of base level</i>	6.1%		17.9%	20.6%
<i>Total changes as a percentage of base level</i>	6.1%		17.9%	20.6%

**Other Sections in Housing Finance Agency - Budget No. 473**

	<b>Executive Budget Recommendation</b>
Additional appropriation authority	Section 4 would provide appropriation authority to the Housing Finance Agency for any additional or unanticipated income from federal or other funds which may become available during the 2023-25 biennium.
Legacy earnings fund	Section 11 would transfer \$25 million from the legacy earnings fund to the housing incentive fund for the 2023-25 biennium.

**Mill and Elevator Association - Budget No. 475**  
**House Bill No. 1014**  
**Base Level Funding Changes**

	<b>Executive Budget Recommendation</b>			
	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
<b>2023-25 Biennium Base Level</b>	156.00	\$0	\$88,377,209	\$88,377,209
<b>2023-25 Ongoing Funding Changes</b>				
Cost to continue salaries			\$198,797	\$198,797
Salary increase				0
Health insurance increase			771,600	771,600
Provides funding for salary increases subject to union negotiations			2,314,183	2,314,183
Adds new undesignated FTE positions for increased milling capacity	14.00		2,367,332	2,367,332
Increases funding for overtime			1,352,923	1,352,923
Increases funding for inflation costs and mill capacity growth			5,569,550	5,569,550
ITD rate increases			5,103	5,103
Total ongoing funding changes	14.00	\$0	\$12,579,488	\$12,579,488
<b>One-time funding items</b>				
No one-time funding items				\$0
Total one-time funding changes	0.00	\$0	\$0	\$0
<b>Total Changes to Base Level Funding</b>	14.00	\$0	\$12,579,488	\$12,579,488
<b>2023-25 Total Funding</b>	170.00	\$0	\$100,956,697	\$100,956,697
<i>Federal funds included in other funds</i>			\$0	
<i>Total ongoing changes as a percentage of base level</i>	9.0%		14.2%	14.2%
<i>Total changes as a percentage of base level</i>	9.0%		14.2%	14.2%

**Other Sections in Mill and Elevator Association - Budget No. 475**

	<b>Executive Budget Recommendation</b>
Transfer of profits to general fund	Section 17 would provide an exemption to suspend the transfer of 50 percent of the Mill's profits to the general fund for the 2023-25 biennium.
Gain-sharing program	Section 18 would provide an exemption allowing the Industrial Commission to approve a gain-sharing program for the 2023-25 biennium without a transfer of profits to the general fund.

**HOUSE BILL NO. 1014  
(Governor's Recommendation)**

Introduced by

Appropriations Committee

(At the request of the Governor)

A bill for an Act to provide an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission; to amend and reenact sections 15-17-07.3 and 15-17-07.9; to provide transfers; and to provide an exemption.

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

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

Subdivision 1.

**INDUSTRIAL COMMISSION**

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$23,698,119	\$4,139,281	\$27,837,400
Operating Expenses	5,119,958	1,719,840	6,839,798
Capital Assets	0	128,000	128,000
Grants	0	8,892,485	8,892,485
General Fund Transfers	0	250,000	250,000
Bond Payments	<u>22,040,721</u>	<u>97,839,192</u>	<u>119,879,913</u>
Total All Funds	\$50,858,798	\$112,968,798	\$163,827,596
Less Estimated Income	<u>24,369,185</u>	<u>106,075,371</u>	<u>130,444,556</u>
Total General Fund	\$26,489,613	\$6,893,427	\$33,383,040
Full-Time Equivalent Positions	108.25	7.50	115.75

Subdivision 2.

**BANK OF NORTH DAKOTA - OPERATIONS**

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Bank of North Dakota Operations	\$67,308,548	\$7,089,217	\$74,395,765
Capital Assets	<u>1,510,000</u>	<u>0</u>	<u>1,510,000</u>
Total Special Funds	\$68,816,548	\$7,089,217	\$75,905,765
Full-Time Equivalent Positions	173.00	8.00	181.00

Subdivision 3.

HOUSING FINANCE AGENCY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$9,556,272	\$2,707,598	\$12,263,870
Operating Expenses	6,109,060	4,629,181	10,738,241
Capital Assets	150,000	(130,000)	20,000
Grants	42,975,200	4,900,122	47,875,322
Housing Finance Agency Contingencies	<u>100,000</u>	<u>0</u>	<u>100,000</u>
Total All Funds	\$58,890,532	\$12,106,901	\$70,997,433
Less Estimated Income	<u>58,890,532</u>	<u>10,536,689</u>	<u>69,427,221</u>
Total General Fund	\$0	\$1,570,212	\$1,570,212
Full-Time Equivalent Positions	49.00	3.00	52.00

Subdivision 4.

MILL AND ELEVATOR ASSOCIATION

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$50,560,209	\$7,004,835	\$57,565,044
Operating Expenses	36,817,000	5,574,653	42,391,653
Contingencies	500,000	0	500,000
Agriculture Promotion	<u>500,000</u>	<u>0</u>	<u>500,000</u>
Total Special Funds	\$88,377,209	\$12,579,488	\$100,956,697
Full-Time Equivalent Positions	156.00	14.00	170.00

Subdivision 5.

BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand Total General Fund	\$26,489,613	\$8,463,639	\$34,953,252
Grand Total Special Funds	<u>240,453,474</u>	<u>136,280,765</u>	<u>376,734,239</u>
Grand Total All Funds	\$266,943,087	\$144,744,404	\$411,687,491

**SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding 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>
Housing Finance Agency – Housing Assessment	\$35,000	0
Paleontology and Geological Equipment	106,206	0
Clean Sustainable Energy Fund Transfer	25,000,000	0
Agriculture Diversification and Development Fund Transfer	10,000,000	0
Housing Invention Fund Transfer	9,500,000	0
Bank of North Dakota – Bond Proceeds	680,000,000	0
Inflation	0	857,144
Equipment and Software	0	137,648
Server Transition	0	80,000
Operating Expenses for New FTE	0	75,628
Infrastructure Investment and Jobs Act Grant and Match	0	8,892,485
North Dakota Transmission Authority Consulting	0	250,000
Paleo Fund Transfer	0	250,000
Core and Mineral Analysis	0	100,000
Contract Staffing	0	75,000
IT Consulting and Developing Costs	<u>0</u>	<u>804,278</u>
Total All Funds	\$724,641,206	\$11,522,183
Total Special Fund	<u>680,035,000</u>	<u>8,501,334</u>
Total General Fund	\$44,606,206	\$3,020,849

The 2023-25 biennium one-time funding amounts are not a part of the entity's base budget for the 2025-27 biennium. The department of commerce shall report to the appropriations committees of the sixty-ninth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2023 and ending June 30, 2025.

**SECTION 3. LEGISLATIVE INTENT - BOND PAYMENTS.** The amount of \$119,879,913 included in subdivision 1 of section 1 of this Act in the grants - bond payments line item must be paid from the following funding sources during the biennium beginning July 1, 2023 and ending June 30, 2025:

Legacy Bond Payments	102,620,461
North Dakota University System	15,021,771
North Dakota University System - Energy Conservation Projects	207,649
Department of Corrections and Rehabilitation	143,375
Office of Management and Budget	283,875
Office of Attorney General	330,000
State Historical Society	592,375
Parks and Recreation Department	30,950
Research and Extension Service	242,205
Veterans' Home	407,252
Total	\$119,879,913

**SECTION 4. APPROPRIATION – HOUSING FINANCE AGENCY – ADDITIONAL INCOME.** In addition to the amount appropriated to the housing finance agency in subdivision 3 of section 1 of this Act, there is appropriated any additional income or unanticipated income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2023 and ending June 30, 2025. The housing finance agency shall notify the office of management and budget and the legislative council of any additional income or unanticipated income that becomes available to the agency resulting in an increase in appropriation authority.

**SECTION 5. TRANSFER – ENTITIES WITHIN THE CONTROL OF THE INDUSTRIAL COMMISSION TO INDUSTRIAL COMMISSION FUND.** The sum of \$1,619,045, or so much of the sum as may be necessary, included in the special funds appropriation line item in subdivision 1 of section 1 of this Act, may be transferred from the entities within the control of the state industrial commission or entities directed to make payments to the industrial commission fund for administrative services rendered by the commission. Transfers shall be made during the biennium beginning July 1, 2023 and ending June 30, 2025, upon order of the commission. Transfers from the student loan trust must be made to the extent permitted by sections 54-17-24 and 54-17-25.

**SECTION 6. TRANSFER - BANK OF NORTH DAKOTA - PARTNERSHIP IN ASSISTING COMMUNITY EXPANSION.** The Bank of North Dakota shall transfer the sum of \$39,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the partnership in assisting community expansion fund during the biennium beginning July 1, 2023 and ending June 30, 2025.

**SECTION 7. TRANSFER - BANK OF NORTH DAKOTA - AGRICULTURE PARTNERSHIP IN ASSISTING COMMUNITY EXPANSION.** The Bank of North Dakota shall transfer the sum of \$5,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the agriculture partnership in assisting community expansion fund during the biennium beginning July 1, 2023 and ending June 30, 2025.

**SECTION 8. TRANSFER - BANK OF NORTH DAKOTA - BIOFUELS PARTNERSHIP IN ASSISTING COMMUNITY EXPANSION.** The Bank of North Dakota shall transfer the sum of \$1,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the biofuels partnership in assisting community expansion fund during the biennium beginning July 1, 2023 and ending June 30, 2025.

**SECTION 9. TRANSFER - BANK OF NORTH DAKOTA - BEGINNING FARMER REVOLVING LOAN FUND.** The Bank of North Dakota shall transfer the sum of \$15,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the beginning farmer revolving loan fund during the biennium beginning July 1, 2023 and ending June 30, 2025.

**SECTION 10. TRANSFER - BANK OF NORTH DAKOTA – AGRICULTURAL PRODUCTS UTILIZATION FUND.** The Bank of North Dakota shall transfer the sum of \$3,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the agricultural products utilization fund during the biennium beginning July 1, 2023 and ending June 30, 2025.

**SECTION 11. TRANSFER – LEGACY EARNINGS FUND TO HOUSING INCENTIVE FUND.** The office of management and budget shall transfer \$25,000,000 from the legacy earnings fund to the housing incentive fund during the biennium beginning July 1, 2023 and ending June 30, 2025.

**SECTION 12. TRANSFER – LEGACY EARNINGS FUND TO OIL AND GAS RESEARCH FUND.** The office of management and budget shall transfer \$5,000,000 from the legacy earnings fund to the oil and gas research fund for the purpose of providing iPIPE challenge grants, for the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 13. TRANSFER – LEGACY EARNINGS FUND TO CLEAN SUSTAINABLE ENERGY FUND.** The office of management and budget shall transfer \$50,000,000 from the legacy earnings fund to the clean sustainable energy fund for the purpose of providing grants, for the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 14. TRANSFER – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO CLEAN SUSTAINABLE ENERGY FUND.** The office of management and budget shall transfer \$500,000,000 from the strategic investment and improvements fund to the clean sustainable energy fund for the purpose of providing loans. The initial \$250,000,000 transfer will occur on or before June 30, 2023 and the second \$250,000,000 transfer will occur during the biennium beginning July 1, 2023 and ending June 30, 2025.

**SECTION 15. EXEMPTION - OIL AND GAS TAX REVENUE ALLOCATIONS - NORTH DAKOTA OUTDOOR HERITAGE FUND.** Notwithstanding the provisions of section 57-51-15 relating to the allocations to the North Dakota outdoor heritage fund, for the period beginning September 1, 2023, and ending August 31, 2025, the state treasurer shall allocate eight percent of the oil and gas gross production tax revenue available under subsection 1 of section 57-51-15 to the North Dakota outdoor heritage fund, but not in an amount exceeding \$7,500,000 per fiscal year.

**SECTION 16. EXEMPTION - OIL AND GAS TAX REVENUE ALLOCATIONS - OIL AND GAS RESEARCH FUND.** Notwithstanding the provisions of section 57-51.1-07.3 relating to the allocations to the oil and gas research fund, for the period beginning August 1, 2023, and ending July 31, 2025, the state treasurer shall deposit two percent of the oil and gas gross production tax and oil extraction tax revenues, up to \$14,500,000, into the oil and gas research fund before depositing oil and gas tax revenues under sections 57-51.1-07.5 and 57-51.1-07.9.

**SECTION 17. EXEMPTION – TRANSFER OF NORTH DAKOTA MILL AND ELEVATOR PROFITS TO GENERAL FUND.** Notwithstanding the provisions of section 54-18-19 relating to the transfer of fifty percent of the annual mill and elevator association earnings and undivided profits to the general fund, for the period beginning July 1, 2023, and ending June 30, 2025, the office of management and budget shall not transfer any of the earning and undivided profits to the general fund.

**SECTION 18. EXEMPTION –NORTH DAKOTA MILL AND ELEVATOR GAIN-SHARING PROGRAM.** Notwithstanding the provisions of section 54-18-20 relating to the gain-sharing program for the mill and elevator, for the period beginning July 1, 2023, and ending June 30, 2025, a gain-sharing program may be approved by the industrial commission without a transfer of profits to the general fund.

**SECTION 19. EXEMPTION – INDUSTRIAL COMMISSION FUND.** The amount appropriated to the industrial commission in the special funds appropriation line item in section 1 of chapter 42 of the 2021 Session Laws and transferred pursuant to section 7 of chapter 42 of the 2021 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the industrial commission for administrative services rendered by the commission during the biennium beginning July 1, 2023 and ending June 30, 2025.

**SECTION 20. EXEMPTION – PIPELINE INFRASTRUCTURE GRANT.** The amount of \$150,000,000 appropriated to the industrial commission for the purpose of pipeline infrastructure grants in section 1 of chapter

550 of the 2021 Special Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this program are available for the program during the biennium beginning July 1, 2023 and ending June 30, 2025.

**SECTION 21. EXEMPTION – HYDROGEN DEVELOPMENT GRANT.** The amount of \$20,000,000 appropriated to the industrial commission for the purpose of hydrogen development grants in section 1 of chapter 550 of the 2021 Special Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this program are available for the program during the biennium beginning July 1, 2023 and ending June 30, 2025.

**SECTION 22. EXEMPTION – WATER CONVERSION PROGRAM.** The amount of \$3,200,000 appropriated to the industrial commission for the purpose of an abandoned oil well conversion to water supply program in section 1 of chapter 550 of the 2021 Special Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this program are available for the program during the biennium beginning July 1, 2023 and ending June 30, 2025.

**SECTION 23. EXEMPTION – PLUGGING AND RECLAMATION INITIAL GRANT PROGRAM.** The amount of \$2,500,000 authorized by the emergency commission and budget section under section 54-16-04.1 to the industrial commission for the purpose of the orphaned well site plugging, remediation, and reclamation program is not subject to section 54-44.1-11 and any unexpended funds from this program are available for the program during the biennium beginning July 1, 2023 and ending June 30, 2025.

**SECTION 24. EXEMPTION – SURVEY REVIEW – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The amount appropriated from strategic investment and improvement fund to the industrial commission in section 2 of chapter 426 of the 2017 Session Laws is not subject to section 54-44.1-11. Any unexpended funds from this appropriation are available to the industrial commission for expert legal testimony and other related legal costs associated with the survey review during the biennium beginning July 1, 2023, and June 30, 2025.