

**Fifty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 9, 2001**

SENATE BILL NO. 2015
(Appropriations Committee)
(At the request of the Governor)

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 provide a continuing appropriation; to authorize transfers; to limit Bank of North Dakota transfers to the general fund; to provide legislative intent; to provide for a legislative council study; and to declare an emergency.

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 hereby 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 their various divisions, for the biennium beginning July 1, 2001, and ending June 30, 2003, as follows:

Subdivision 1.

INDUSTRIAL COMMISSION

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

Subdivision 2.

BANK OF NORTH DAKOTA - OPERATIONS

Salaries and wages	\$15,416,543
Operating expenses	11,747,824
Equipment	736,500
Capital improvements	30,000
Contingency	<u>2,850,000</u>
Total appropriation from Bank of North Dakota fund	\$30,780,867

Subdivision 3.

BANK OF NORTH DAKOTA - ECONOMIC DEVELOPMENT

Partnership in assisting community expansion fund	\$6,000,000
Agriculture partnership in assisting community expansion fund	1,500,000
Beginning farmer	<u>1,000,000</u>
Total general fund appropriation	\$8,500,000

Subdivision 4.

MILL AND ELEVATOR ASSOCIATION

Salaries and wages	\$13,887,818
Operating expenses	7,553,476
Contingency	250,000

Agriculture promotion	50,000
Total appropriation from mill and elevator fund	\$21,741,294

Subdivision 5.

HOUSING FINANCE AGENCY

Salaries and wages	\$3,369,713
Operating expenses	2,213,510
Equipment	125,000
Grants	34,064,040
HFA contingency	100,000
Total appropriation from housing finance agency fund	\$39,872,263
Grand total general fund appropriation S.B. 2015	\$15,864,181
Grand total special funds appropriation S.B. 2015	\$127,980,414
Grand total all funds appropriation S.B. 2015	\$143,844,595

SECTION 2. APPROPRIATION. In addition to the amount appropriated to the housing finance agency in subdivision 5 of section 1 of this Act, there is hereby 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, 2001, and ending June 30, 2003.

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

SECTION 4. TRANSFER. The sum of \$65,447, 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, is from the North Dakota mill and elevator association. The moneys must be transferred during the biennium beginning July 1, 2001, and ending June 30, 2003, upon order of the industrial commission.

SECTION 5. TRANSFER. The sum of \$85,403, 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, is from the accumulated and undivided profits of the Bank of North Dakota. The moneys must be transferred during the biennium beginning July 1, 2001, and ending June 30, 2003, upon order of the industrial commission.

SECTION 6. TRANSFER. The sum of \$56,936, 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, is from the housing finance agency fund. The moneys must be transferred during the biennium beginning July 1, 2001, and ending June 30, 2003, upon order of the industrial commission.

SECTION 7. TRANSFER. The sum or \$19,957, 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, is from the revenues of the municipal bond bank. The available moneys must be transferred during the biennium beginning July 1, 2001, and ending June 30, 2003, upon order of the industrial commission.

SECTION 8. INCOME AUTHORIZATION - STUDENT LOAN TRUST. There is hereby authorized the receipt of fees by the industrial commission in the sum of \$75,550, or so much of the sum as is owed, included in the special funds appropriation line item in subdivision 1 of section 1 of this Act, from the student loan trust for administrative services rendered by the industrial commission to the extent permitted by sections 54-17-24 and 54-17-25. The fees must be received during the biennium beginning July 1, 2001, and ending June 30, 2003, upon order of the industrial commission.

SECTION 9. TRANSFER. The industrial commission shall transfer to the general fund in the state treasury, the sum of \$6,000,000 from the North Dakota mill and elevator association. The

moneys must be transferred in amounts and at such times as requested by the director of the office of management and budget during the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 10. LIGNITE RESEARCH, DEVELOPMENT, AND MARKETING PROGRAM - APPROPRIATION - LIGNITE MARKETING FEASIBILITY STUDY. The amount of \$1,300,000, or so much of the amount as may be necessary, included in the grants and special funds appropriation line items in subdivision 1 of section 1 of this Act, is appropriated from the lignite research fund for the purpose of contracting for independent, nonmatching lignite marketing feasibility study or studies that determine those focused priority areas where near-term, market-driven projects, activities, or processes will generate matching private industry investment and have the most potential of preserving existing lignite production and jobs or that will lead to increased development of lignite and its products and create new jobs and economic growth for the general welfare of this state. Moneys appropriated pursuant to this section may also be used for the purpose of contracting for nonmatching studies and activities in support of the Lignite Vision 21 Project; for nonmatching externality studies and activities in externality proceedings; or other marketing or environmental activities that assist with marketing of lignite-based electricity and lignite-based byproducts. Moneys not needed for the purposes stated herein are available to the commission for funding projects, processes, or activities under the lignite research, development, and marketing program.

SECTION 11. LEGISLATIVE INTENT - LEASE PAYMENTS. The amount of \$17,956,059 included in subdivision 1 of section 1 of this Act in the bond payments line item must be paid from the following funding sources during the biennium beginning July 1, 2001, and ending June 30, 2003:

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

SECTION 12. APPROPRIATION - TRANSFER. The funds appropriated by subdivision 3 of section 1 of this Act must be transferred by the Bank of North Dakota to the partnership in assisting community expansion fund established by section 6-09.14-02; the agricultural partnership in assisting community expansion fund established by section 6-09.13-04; and the beginning farmer loan fund established by section 6-09-15.5; in the amounts set out in that subdivision. The Bank of North Dakota may not be construed to be a general fund agency because of the appropriation made by subdivision 3 of section 1 of this Act.

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

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

SECTION 15. LEGISLATIVE INTENT - INFORMATION TECHNOLOGY SHARED SERVICES. It is the intent of the legislative assembly that the information technology coordinators employed by the oil and gas division and geological survey share knowledge, expertise, duties, and responsibilities in an effort to increase efficiencies and avoid duplication.

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

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

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-seventh Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2015 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 48 Nays 0 Absent 1

President of the Senate

Secretary of the Senate

This certifies that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 94 Nays 0 Absent 4

Speaker of the House

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2001.

Approved at _____ M. on _____, 2001.

Governor

Filed in this office this _____ day of _____, 2001,

at ___ o'clock _____ M.

Secretary of State