

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1015

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the state industrial
2 commission and the agencies under the management of the industrial commission; to provide a
3 continuing appropriation; to provide an exemption; to authorize transfers; and to declare an
4 emergency.

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

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
7 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
8 treasury, not otherwise appropriated, and from special funds derived from federal funds and
9 other income, to the state industrial commission and agencies under its control for the purpose
10 of defraying the expenses of their various divisions, for the biennium beginning July 1, 2003,
11 and ending June 30, 2005, as follows:

12 Subdivision 1.

13 INDUSTRIAL COMMISSION

14 Salaries and wages	\$6,264,047
15 Operating expenses	1,947,591
16 Capital assets	68,300
17 Grants	16,270,000
18 Bond payments	<u>19,830,990</u>
19 Total all funds	\$44,380,928
20 Less estimated income	<u>37,296,489</u>
21 Total general fund appropriation	\$7,084,439

22 Subdivision 2.

23 BANK OF NORTH DAKOTA - OPERATIONS

Fifty-eighth
Legislative Assembly

1	Salaries and wages	\$16,546,603
2	Operating expenses	11,372,000
3	Capital assets	825,000
4	Contingencies	<u>1,500,000</u>
5	Total appropriation from Bank of North Dakota fund	\$30,243,603

6 Subdivision 3.

7 BANK OF NORTH DAKOTA - ECONOMIC DEVELOPMENT

8	Partnership in assisting community expansion fund	\$5,700,000
9	Agriculture partnership in assisting community expansion fund	1,425,000
10	Beginning farmer	<u>950,000</u>
11	Total general fund appropriation	\$8,075,000

12 Subdivision 4.

13 MILL AND ELEVATOR ASSOCIATION

14	Salaries and wages	\$16,703,856
15	Operating expenses	13,014,426
16	Contingencies	250,000
17	Agriculture promotion	<u>50,000</u>
18	Total appropriation from mill and elevator fund	\$30,018,282

19 Subdivision 5.

20 HOUSING FINANCE AGENCY

21	Salaries and wages	\$3,934,267
22	Operating expenses	2,415,560
23	Grants	27,168,380
24	HFA contingencies	<u>100,000</u>
25	Total appropriation from housing finance agency fund	\$33,618,207

26 Grand total general fund appropriation H.B. 1015 \$15,159,439

27 Grand total special funds appropriation H.B. 1015 \$131,176,581

28 Grand total all funds appropriation H.B. 1015 \$146,336,020

29 **SECTION 2. APPROPRIATION.** In addition to the amount appropriated to the housing

30 finance agency in subdivision 5 of section 1 of this Act, there is appropriated any additional

1 income or unanticipated income from federal or other funds which may become available to the
2 agency, for the biennium beginning July 1, 2003, and ending June 30, 2005.

3 **SECTION 3. APPROPRIATION - EMERGENCY COMMISSION APPROVAL.** In
4 addition to the amount appropriated to the industrial commission in subdivision 1 of section 1 of
5 this Act, there is appropriated, with the approval of the emergency commission, funds that may
6 become available to the commission from bonds authorized by law to be issued by the
7 industrial commission under chapters 4-36 and 54-17.2 and section 54-17-25, for the biennium
8 beginning July 1, 2003, and ending June 30, 2005.

9 **SECTION 4. TRANSFER.** The sum of \$66,407, or so much of the sum as may be
10 necessary, included in the special funds appropriation line item in subdivision 1 of section 1 of
11 this Act, is from the North Dakota mill and elevator association. The moneys must be
12 transferred during the biennium beginning July 1, 2003, and ending June 30, 2005, upon order
13 of the industrial commission.

14 **SECTION 5. TRANSFER.** The sum of \$86,656, or so much of the sum as may be
15 necessary, included in the special funds appropriation line item in subdivision 1 of section 1 of
16 this Act, is from the accumulated and undivided profits of the Bank of North Dakota. The
17 moneys must be transferred during the biennium beginning July 1, 2003, and ending June 30,
18 2005, upon order of the industrial commission.

19 **SECTION 6. TRANSFER.** The sum of \$57,760, or so much of the sum as may be
20 necessary, included in the special funds appropriation line item in subdivision 1 of section 1 of
21 this Act, is from the housing finance agency fund. The moneys must be transferred during the
22 biennium beginning July 1, 2003, and ending June 30, 2005, upon order of the industrial
23 commission.

24 **SECTION 7. TRANSFER.** The sum of \$20,248, or so much of the sum as may be
25 necessary, included in the special funds appropriation line item in subdivision 1 of section 1 of
26 this Act, is from the revenues of the municipal bond bank. The available moneys must be
27 transferred during the biennium beginning July 1, 2003, and ending June 30, 2005, upon order
28 of the industrial commission.

29 **SECTION 8. INCOME AUTHORIZATION - STUDENT LOAN TRUST.** There is
30 authorized the receipt of fees by the industrial commission in the sum of \$76,655, or so much of
31 the sum as is owed, included in the special funds appropriation line item in subdivision 1 of

1 section 1 of this Act, from the student loan trust for administrative services rendered by the
2 industrial commission to the extent permitted by sections 54-17-24 and 54-17-25. The fees
3 must be received during the biennium beginning July 1, 2003, and ending June 30, 2005, upon
4 order of the industrial commission.

5 **SECTION 9. TRANSFER.** The industrial commission shall transfer to the general fund
6 in the state treasury, the sum of \$5,000,000 from the North Dakota mill and elevator
7 association. The moneys must be transferred in amounts and at such times as requested by
8 the director of the office of management and budget during the biennium beginning July 1,
9 2003, and ending June 30, 2005. The cumulative transfers during the 2003-05 biennium may
10 not exceed the mill and elevator association's estimated net income for the 2003-05 biennium
11 as projected by the industrial commission.

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

28 **SECTION 11. LEGISLATIVE INTENT - LEASE PAYMENTS.** The amount of
29 \$19,830,990 included in subdivision 1 of section 1 of this Act in the bond payments line item
30 must be paid from the following funding sources during the biennium beginning July 1, 2003,
31 and ending June 30, 2005:

Fifty-eighth
Legislative Assembly

1	Higher education institutions	\$12,790,689
2	Department of corrections and rehabilitation -	
3	State penitentiary	2,117,009
4	Department of corrections and rehabilitation -	
5	Youth correctional center	554,598
6	State department of health	387,673
7	Job service North Dakota	553,594
8	Department of human services - Southeast human service center	589,075
9	Department of human services - State hospital	547,608
10	Department of human services - Developmental center at	
11	westwood park, Grafton	627,582
12	Adjutant general	60,987
13	Veterans' home improvement fund	<u>235,050</u>
14	Total	\$18,463,865
15	University system energy conservation projects	<u>\$1,367,125</u>
16	Total	\$19,830,990

17 **SECTION 12. APPROPRIATION - TRANSFER.** The funds appropriated by
18 subdivision 3 of section 1 of this Act must be transferred by the Bank of North Dakota to the
19 partnership in assisting community expansion fund established by section 6-09.14-02; the
20 agriculture partnership in assisting community expansion fund established by section
21 6-09.13-04; and the beginning farmer loan fund established by section 6-09-15.5 in the
22 amounts set out in that subdivision. The Bank of North Dakota may not be construed to be a
23 general fund agency because of the appropriation made by subdivision 3 of section 1 of this
24 Act.

25 **SECTION 13. EXEMPTION.** The Bank of North Dakota contingencies appropriation
26 contained in subdivision 2 of section 1 of chapter 40 of the 2001 Session Laws is not subject to
27 the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are
28 available for the continued development and implementation of systems that provide the Bank
29 of North Dakota and student loans of North Dakota customers with the ability to perform
30 business activity electronically during the biennium beginning July 1, 2003, and ending
31 June 30, 2005.

1 **SECTION 14. EMERGENCY.** The appropriation in subdivision 3 of section 1, the
2 appropriation in section 13, and the transfer in section 12 of this Act for the partnership in
3 assisting community expansion fund, the agriculture partnership in assisting community
4 expansion fund, and the beginning farmer loan fund are declared to be an emergency measure.