

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 department of
2 commerce; and to direct the state tax commissioner to audit the ethanol incentive program.

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

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

10	Salaries and wages	\$6,791,269
11	Operating expenses	8,842,124
12	Grants	48,032,153
13	Agricultural products utilization	6,770,557
14	Lewis and Clark bicentennial	<u>853,147</u>
15	Total all funds	\$71,289,250
16	Less estimated income	<u>55,759,805</u>
17	Total general fund appropriation	\$15,529,445

18 **SECTION 2. AGRICULTURE FUEL TAX REFUNDS.** The less estimated income line
19 item in section 1 of this Act includes \$575,000 from refunds of tax for fuel used for agricultural
20 purposes, to be used by the agricultural products utilization commission, for the biennium
21 beginning July 1, 2003, and ending June 30, 2005.

22 **SECTION 3. ETHANOL PRODUCTION INCENTIVE FUND.** The less estimated
23 income line item in section 1 of this Act includes \$3,785,000 from the ethanol production

1 incentive fund, to be used by the agricultural products utilization commission for ethanol
2 incentives, for the biennium beginning July 1, 2003, and ending June 30, 2005.

3 **SECTION 4. EXEMPTION.** The funds appropriated in the agricultural products
4 utilization line item in section 1 of this Act are not subject to section 54-44.1-11 and any
5 unexpended funds from this line item relating to grants awarded may be available for continued
6 payment of grants awarded but not paid during the biennium beginning July 1, 2003, and
7 ending June 30, 2005.

8 **SECTION 5. STATE TAX COMMISSIONER - AUDIT OF ETHANOL PRODUCTION**
9 **INCENTIVE PROGRAM.** The state tax commissioner shall conduct an audit of the ethanol
10 production incentive program during the biennium beginning July 1, 2003, and ending June 30,
11 2005.