

Sixty-third  
Legislative Assembly  
of North Dakota

ENGROSSED SENATE BILL NO. 2014

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  
 3 legislative intent; to provide an appropriation; to provide a contingent appropriation; to authorize  
 4 transfers; to amend and reenact subsection 1 of section 54-17.6-05, subsection 17 of section  
 5 54-44.3-20, and ~~sections 54-18-19, 57-51.1-07, and section~~ section 57-51.1-07.3 of the North Dakota  
 6 Century Code, relating to ~~the resources trust fund~~, the oil and gas research council  
 7 membership, the oil and gas research fund, and ~~the transfer of North Dakota mill and elevator~~  
 8 ~~profits to the general fund~~ classified employees; to provide for a value-added market  
 9 opportunities for renewable energy resources and oil and gas study; to provide for a report to  
 10 the legislative management; and to declare an emergency.

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

12 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
 13 as may be necessary, are appropriated out of any moneys in the general fund in the state  
 14 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
 15 other income, to the state industrial commission and agencies under its control for the purpose  
 16 of defraying the expenses of the state industrial commission and agencies under its control, for  
 17 the biennium beginning July 1, 2013, and ending June 30, 2015, as follows:

18 Subdivision 1.

19 INDUSTRIAL COMMISSION

	Base Level	Adjustments or Enhancements	Appropriation
22 <del>Salaries and wages</del>	<del>\$12,059,220</del>	<del>\$5,824,123</del>	<del>\$17,883,343</del>
23 <del>Operating expenses</del>	<del>3,378,744</del>	<del>2,951,832</del>	<del>6,330,576</del>
24 <u>Salaries and wages</u>	<u>\$12,059,220</u>	<u>\$5,092,992</u>	<u>\$17,152,212</u>

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1	Accrued leave payments	0	347,696	347,696
2	Operating expenses	3,378,744	2,551,832	5,930,576
3	Capital assets	0	5,800	5,800
4	Grants - lignite research	19,971,300	(471,300)	19,500,000
5	and development			
6	Grants - bond payments	25,389,733	(5,579,764)	19,809,969
7	Mineral resources contingency	743,972	(743,972)	0
8	<del>Total all funds</del>	<del>\$61,542,969</del>	<del>\$1,986,719</del>	<del>\$63,529,688</del>
9	<del>Less estimated income</del>	<del>46,766,756</del>	<del>(5,815,082)</del>	<del>40,951,674</del>
10	<del>Total general fund</del>	<del>\$14,776,213</del>	<del>\$7,801,801</del>	<del>\$22,578,014</del>
11	<del>Full-time equivalent positions</del>	<del>76.06</del>	<del>22.69</del>	<del>98.75</del>
12	Total all funds	\$61,542,969	\$1,203,284	\$62,746,253
13	Less estimated income	46,766,756	(5,850,935)	40,915,821
14	Total general fund	\$14,776,213	\$7,054,219	\$21,830,432
15	Full-time equivalent positions	76.06	22.69	98.75

Subdivision 2.

BANK OF NORTH DAKOTA - OPERATIONS

	Base Level	Adjustments or Enhancements	Appropriation	
20	Bank of North Dakota operations	\$45,587,155	\$6,274,253	\$51,861,408
21	Capital assets	1,266,000	(521,000)	745,000
22	Total special funds	\$46,853,155	\$5,753,253	\$52,606,408
23	Full-time equivalent positions	176.50	3.00	179.50
24	Bank of North Dakota operations	\$45,587,155	\$4,469,582	\$50,056,737
25	Accrued leave payments	0	881,231	881,231
26	Capital assets	1,266,000	(521,000)	745,000
27	Total special funds	\$46,853,155	\$4,829,813	\$51,682,968
28	Full-time equivalent positions	176.50	3.00	179.50

Subdivision 3.

BANK OF NORTH DAKOTA - ECONOMIC DEVELOPMENT

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		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
1			
2			
3	Partnership in assisting community	\$6,000,000	(\$6,000,000) \$0
4	expansion fund		
5	Agriculture partnership in assisting	1,000,000	(1,000,000) 0
6	community expansion fund		
7	Beginning farmer revolving loan fund	1,400,000	(1,400,000) 0
8	Biofuels partnership in assisting	<u>1,000,000</u>	<u>(1,000,000)</u> <u>0</u>
9	community expansion fund		
10	Total general fund	\$9,400,000	(\$9,400,000) \$0
11	Subdivision 4.		

MILL AND ELEVATOR ASSOCIATION

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
13			
14			
15	<del>Salaries and wages</del>	<del>\$26,018,008</del>	<del>\$3,831,116</del> <del>\$29,849,124</del>
16	<del>Operating expenses</del>	<del>20,443,869</del>	<del>1,352,131</del> <del>21,796,000</del>
17	<del>Contingencies</del>	<del>400,000</del>	<del>0</del> <del>400,000</del>
18	<del>Agriculture promotion</del>	<del>210,000</del>	<del>0</del> <del>210,000</del>
19	<del>Total from mill and elevator fund</del>	<del>\$47,071,877</del>	<del>\$5,183,247</del> <del>\$52,255,124</del>
20	<del>Full-time equivalent positions</del>	<del>131.00</del>	<del>4.00</del> <del>135.00</del>
21	Salaries and wages	\$26,018,008	\$2,654,043 \$28,672,051
22	Accrued leave payments	0	575,807 575,807
23	Operating expenses	20,443,869	1,352,131 21,796,000
24	Contingencies	400,000	0 400,000
25	Agriculture promotion	210,000	0 210,000
26	Total from mill and elevator fund	\$47,071,877	\$4,581,981 \$51,653,858
27	Full-time equivalent positions	131.00	4.00 135.00

Subdivision 5.

HOUSING FINANCE AGENCY

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
30			
31			

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1	<del>Salaries and wages</del>	<del>\$6,516,277</del>	<del>\$928,822</del>	<del>\$7,445,099</del>
2	<del>Operating expenses</del>	<del>5,114,849</del>	<del>(1,323,091)</del>	<del>3,791,758</del>
3	<del>Grants</del>	<del>26,858,920</del>	<del>2,674,130</del>	<del>29,533,050</del>
4	<del>Housing finance agency contingencies</del>	<del>100,000</del>	<del>0</del>	<del>100,000</del>
5	<del>Total special funds</del>	<del>\$38,590,046</del>	<del>\$2,279,861</del>	<del>\$40,869,907</del>
6	<del>Full-time equivalent positions</del>	<del>46.00</del>	<del>0.00</del>	<del>46.00</del>
7	<u>Salaries and wages</u>	<u>\$6,516,277</u>	<u>\$541,513</u>	<u>\$7,057,790</u>
8	<u>Accrued leave payments</u>	<u>0</u>	<u>147,806</u>	<u>147,806</u>
9	<u>Operating expenses</u>	<u>5,114,849</u>	<u>(1,323,091)</u>	<u>3,791,758</u>
10	<u>Grants</u>	<u>26,858,920</u>	<u>2,674,130</u>	<u>29,533,050</u>
11	<u>Housing finance agency contingencies</u>	<u>100,000</u>	<u>0</u>	<u>100,000</u>
12	<u>Total special funds</u>	<u>\$38,590,046</u>	<u>\$2,040,358</u>	<u>\$40,630,404</u>
13	<u>Full-time equivalent positions</u>	<u>46.00</u>	<u>0.00</u>	<u>46.00</u>

Subdivision 6.

BILL TOTAL

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
18	<del>Grand total general fund</del>	<del>\$24,176,213</del>	<del>\$28,901,801</del>	<del>\$53,078,014</del>
19	<del>Grand total special funds</del>	<del>179,281,834</del>	<del>7,401,279</del>	<del>186,683,113</del>
20	<del>Grand total all funds</del>	<del>\$203,458,047</del>	<del>\$36,303,080</del>	<del>\$239,761,127</del>
21	<u>Grand total general fund</u>	<u>\$24,176,213</u>	<u>\$154,219</u>	<u>\$24,330,432</u>
22	<u>Grand total special funds</u>	<u>179,281,834</u>	<u>5,601,217</u>	<u>184,883,051</u>
23	<u>Grand total all funds</u>	<u>\$203,458,047</u>	<u>\$5,755,436</u>	<u>\$209,213,483</u>

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**

**SIXTY-FOURTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-second legislative assembly for the 2011-13 biennium and the 2013-15 one-time funding items included in the grand total appropriation in section 1 of this Act:

	<u>One-Time Funding Description</u>	<u>2011-13</u>	<u>2013-15</u>
30	Renewable energy development program	\$1,500,000	\$0
31	Temporary employees - core library	90,000	0

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1	Carbon dioxide storage facility administrative fund	532,000	0
2	Coalbed methane/shallow gas studies	25,000	0
3	Fracturing sand and proppant studies	50,000	0
4	Oil-bearing rock study	40,000	80,000
5	Paleontologic preparatory work	62,400	0
6	Western area water supply loan	35,000,000	0
7	Possible environmental protection agency litigation	1,000,000	0
8	<del>Housing incentive fund</del>	<del>0</del>	<del>30,000,000</del>
9	Possible federal agency litigation	0	1,000,000
10	<del>Department of mineral resources housing allowance</del>	<del>0</del>	<del>400,000</del>
11	Core library - architect services	0	25,000
12	Temperature profiles study	0	50,000
13	Wide-bed plotter	0	5,800
14	<del>Total all funds</del>	<del>\$38,299,400</del>	<del>\$31,560,800</del>
15	<del>Total special funds</del>	<del>10,000,000</del>	<del>0</del>
16	<del>Total general fund</del>	<del>\$28,299,400</del>	<del>\$31,560,800</del>
17	Total all funds	\$38,299,400	\$1,160,800
18	Total special funds	10,000,000	0
19	Total general fund	\$28,299,400	\$1,160,800

20 The 2013-15 one-time funding amounts are not a part of the entity's base budget for the  
 21 2015-17 biennium. The industrial commission shall report to the appropriations committees of  
 22 the sixty-fourth legislative assembly on the use of this one-time funding for the biennium  
 23 beginning July 1, 2013, and ending June 30, 2015.

24 **SECTION 3. LEGISLATIVE INTENT - BOND PAYMENTS.** The amount of \$19,809,969  
 25 included in subdivision 1 of section 1 of this Act in the grants - bond payments line item must be  
 26 paid from the following funding sources during the biennium beginning July 1, 2013, and ending  
 27 June 30, 2015:

28	North Dakota university system	\$10,436,045
29	North Dakota university system - energy conservation projects	491,397
30	Department of corrections and rehabilitation	1,289,450
31	State department of health	642,688

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1	Job service North Dakota	540,376
2	Adjutant general	28,586
3	Information technology department - ConnectND	2,504,100
4	Office of management and budget	665,272
5	Office of attorney general	765,851
6	State historical society	1,392,337
7	Parks and recreation department	73,627
8	Research and extension service	571,400
9	Veterans' home	<u>408,840</u>
10	Total	\$19,809,969

11       **SECTION 4. APPROPRIATION.** In addition to the amount appropriated to the housing  
12 finance agency in subdivision 5 of section 1 of this Act, there is appropriated any additional  
13 income or unanticipated income from federal or other funds which may become available to the  
14 agency for the biennium beginning July 1, 2013, and ending June 30, 2015.

15       **SECTION 5. APPROPRIATION - EMERGENCY COMMISSION APPROVAL.** In addition to  
16 the amount appropriated to the state industrial commission in subdivision 1 of section 1 of this  
17 Act, there is appropriated, with the approval of the emergency commission, funds that may  
18 become available to the commission from bonds authorized by law to be issued by the state  
19 industrial commission for the biennium beginning July 1, 2013, and ending June 30, 2015.

20       **SECTION 6. TRANSFER.** The sum of \$647,547, or so much of the sum as may be  
21 necessary, included in the special funds appropriation line item in subdivision 1 of section 1 of  
22 this Act, may be transferred from the entities within the control of the state industrial commission  
23 to the industrial commission fund for administrative services rendered by the commission.  
24 Transfers shall be made during the biennium beginning July 1, 2013, and ending June 30, 2015,  
25 upon order of the commission. Transfers from the student loan trust must be made to the extent  
26 permitted by sections 54-17-24 and 54-17-25.

27       **SECTION 7. TRANSFER - BANK OF NORTH DAKOTA - PARTNERSHIP IN ASSISTING**  
28 **COMMUNITY EXPANSION.** The Bank of North Dakota shall transfer the sum of \$28,000,000,  
29 or so much of the sum as may be necessary, from the Bank's current earnings and undivided  
30 profits to the partnership in assisting community expansion fund during the period beginning  
31 with the effective date of this Act and ending June 30, 2015.

1       **SECTION 8. TRANSFER - BANK OF NORTH DAKOTA - AGRICULTURE PARTNERSHIP**  
2 **IN ASSISTING COMMUNITY EXPANSION.** The Bank of North Dakota shall transfer the sum of  
3 \$2,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and  
4 undivided profits to the agriculture partnership in assisting community expansion fund during the  
5 period beginning with the effective date of this Act and ending June 30, 2015.

6       **SECTION 9. TRANSFER - BANK OF NORTH DAKOTA - BIOFUELS PARTNERSHIP IN**  
7 **ASSISTING COMMUNITY EXPANSION.** The Bank of North Dakota shall transfer the sum of  
8 \$2,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and  
9 undivided profits to the biofuels partnership in assisting community expansion fund during the  
10 period beginning with the effective date of this Act and ending June 30, 2015.

11       **SECTION 10. TRANSFER - BANK OF NORTH DAKOTA - BEGINNING FARMER**  
12 **REVOLVING LOAN FUND.** The Bank of North Dakota shall transfer the sum of \$6,000,000, or  
13 so much of the sum as may be necessary, from the Bank's current earnings and undivided  
14 profits to the beginning farmer revolving loan fund during the period beginning with the effective  
15 date of this Act and ending June 30, 2015.

16       ~~**SECTION 11. APPROPRIATION - TRANSFER - GENERAL FUND TO HOUSING**~~  
17 ~~**INCENTIVE FUND.** There is appropriated out of any moneys in the general fund in the state~~  
18 ~~treasury, not otherwise appropriated, the sum of \$30,000,000, or so much of the sum as may be~~  
19 ~~necessary, which the office of management and budget shall transfer to the housing incentive~~  
20 ~~fund for the period beginning with the effective date of this Act and ending June 30, 2015. The~~  
21 ~~funding provided in this section is considered a one-time funding item.~~

22       **SECTION 11. APPROPRIATION - DEPARTMENT OF COMMERCE.** There is appropriated  
23 out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum  
24 of \$500,000, or so much of the sum as may be necessary, to the department of commerce for  
25 the purpose of conducting a study to evaluate value-added market opportunities for renewable  
26 energy resources and oil and gas under section 13 of this Act, for the biennium beginning  
27 July 1, 2013, and ending June 30, 2015.

28       **SECTION 12. APPROPRIATION.** There is appropriated out of any moneys in the general  
29 fund in the state treasury, not otherwise appropriated, the sum of \$2,000,000, or so much of the  
30 sum as may be necessary, to the department of commerce for the purpose of providing grants  
31 to homeless shelters, for the biennium beginning July 1, 2013, and ending June 30, 2015.

1       **SECTION 13. VALUE-ADDED MARKET OPPORTUNITIES FOR RENEWABLE ENERGY**  
2 **RESOURCES AND OIL AND GAS STUDY - REPORT TO THE LEGISLATIVE**  
3 **MANAGEMENT.**

- 4       1. During the 2013-14 interim, the department of commerce shall conduct a study to  
5 evaluate value-added market opportunities related to renewable energy resources and  
6 oil and gas.
- 7       2. The department of commerce shall cooperate with the energy policy commission in  
8 conducting this study.
- 9       3. The department of commerce shall report its findings and recommendations to the  
10 legislative management before September 1, 2014.

11       **SECTION 14. LIGNITE RESEARCH, DEVELOPMENT, AND MARKETING PROGRAM -**  
12 **LIGNITE MARKETING FEASIBILITY STUDY.** The amount of \$4,500,000, or so much of the  
13 amount as may be necessary, included in the grants and special funds appropriation line item in  
14 subdivision 1 of section 1 of this Act, is from the lignite research fund for the purpose of  
15 contracting for an independent, nonmatching lignite marketing feasibility study or studies that  
16 determine those focused priority areas where near-term, market-driven projects, activities, or  
17 processes will generate matching private industry investment and have the most potential of  
18 preserving existing lignite production and industry jobs or that will lead to increased  
19 development of lignite and its products and create new lignite industry jobs and economic  
20 growth for the general welfare of this state. Moneys appropriated pursuant to this section may  
21 also be used for the purpose of contracting for nonmatching studies and activities in support of  
22 the lignite vision 21 program; for litigation that may be necessary to protect and promote the  
23 continued development of lignite resources; for nonmatching externality studies and activities in  
24 externality proceedings; or other marketing, environmental, or transmission activities that assist  
25 with marketing of lignite-based electricity and lignite-based byproducts. Moneys not needed for  
26 the purposes stated in this section are available to the commission for funding projects,  
27 processes, or activities under the lignite research, development, and marketing program.

28       **SECTION 15. OIL AND GAS RESEARCH PROGRAM - OIL AND GAS DEVELOPMENT**  
29 **IMPACT STUDIES.** The industrial commission may use the sum of \$150,000, or so much of the  
30 sum as may be necessary, from the oil and gas research fund for nonmatching followup studies  
31 to provide updates and refinements to employment models used to track and forecast changes

1 in the oil and gas industry workforce and estimate housing and population in the Williston basin  
2 and to make a comprehensive assessment of the demographic makeup of the current and  
3 expected oil and gas industry workforce.

4 **SECTION 16. DEPARTMENT OF MINERAL RESOURCES FUNDING - TRIGGER.** Of the  
5 funds appropriated in subdivision 1 of section 1 of this Act, \$430,518 in the salaries and wages  
6 line and \$155,712 in the operating line are from the general fund. If funds are required due to  
7 the total number of wells capable of production or injection in the state exceeding 15,000, the oil  
8 and gas division may spend up to \$586,230 and hire three full-time equivalent positions, upon  
9 notification to the office of management and budget.

10 **SECTION 17. AMENDMENT.** Subsection 1 of section 54-17.6-05 of the North Dakota  
11 Century Code is amended and reenacted as follows:

- 12 1. The oil and gas research council is composed of ~~eight~~seven members, four of whom  
13 must currently be engaged in and have at least five years of active experience in the  
14 oil and natural gas exploration and production industry. The council consists of:
- 15 a. Four members appointed by the governor from a list provided by the North  
16 Dakota petroleum council. The governor may reject the list and request the  
17 council to submit a new list until the appointments are made.
  - 18 b. One member appointed by the governor from a list provided by the North Dakota  
19 association of oil and gas producing counties. The governor may reject the list  
20 and request the association to submit a new list until the appointment is made.
  - 21 c. The executive director of the North Dakota petroleum council or the executive  
22 director's designee.
  - 23 d. ~~The president of the northern alliance of independent producers or the~~  
24 ~~president's designee.~~
  - 25 e. A county commissioner from an oil producing county appointed by the governor.
  - 26 f.e. The director of the oil and gas division and the state geologist shall serve on the  
27 council as advisory nonvoting members.

28 ~~**SECTION 18. AMENDMENT.** Section 54-18-19 of the North Dakota Century Code is~~  
29 ~~amended and reenacted as follows:~~

1 ~~— **54-18-19. Transfer of North Dakota mill and elevator profits to general fund.**~~

2 ~~— The industrial commission shall transfer to the state general fund up to fifty percent of the~~  
3 ~~annual earnings and undivided profits of the North Dakota mill and elevator association after~~  
4 ~~any transfers to other state agricultural-related programs. The moneys must be transferred on~~  
5 ~~an annual basis in the amounts and at the times requested by the director of the office of~~  
6 ~~management and budget.~~

7 ~~— **SECTION 19. AMENDMENT.** Section 57-51.1-07 of the North Dakota Century Code is~~  
8 ~~amended and reenacted as follows:~~

9 ~~— **57-51.1-07. Allocation of moneys in oil extraction tax development fund.**~~

10 ~~— Moneys deposited in the oil extraction tax development fund must be transferred monthly by~~  
11 ~~the state treasurer as follows:~~

12 ~~— 1. Twenty percent must be allocated and credited to the sinking fund established for~~  
13 ~~payment of the state of North Dakota water development bonds, southwest pipeline~~  
14 ~~series, and any moneys in excess of the sum necessary to maintain the accounts~~  
15 ~~within the sinking fund and for the payment of principal and interest on the bonds must~~  
16 ~~be credited to a special trust fund, to be known as the resources trust fund. The~~  
17 ~~resources trust fund must be established in the state treasury and the funds therein~~  
18 ~~must be deposited and invested as are other state funds to earn the maximum amount~~  
19 ~~permitted by law which income must be deposited in the resources trust fund. Five~~  
20 ~~percent of the amount credited to the resources trust fund must be transferred~~  
21 ~~quarterly into the renewable energy development fund, not to exceed three million~~  
22 ~~dollars per biennium. One-half of one percent of the amount credited to the resources~~  
23 ~~trust fund must be transferred quarterly into the energy conservation grant fund. The~~  
24 ~~principal and income of the resources trust fund may be expended only pursuant to~~  
25 ~~legislative appropriation and are available to:~~

26 ~~— a. The state water commission for planning for and construction of water-related~~  
27 ~~projects, including rural water systems. These water-related projects must be~~  
28 ~~those which the state water commission has the authority to undertake and~~  
29 ~~construct pursuant to chapter 61-02; and~~

30 ~~— b. The industrial commission for the funding of programs for development of energy~~  
31 ~~conservation and renewable energy sources; for studies for development of~~

~~cogeneration systems that increase the capacity of a system to produce more than one kind of energy from the same fuel; for studies for development of waste products utilization; and for the making of grants and loans in connection therewith.~~

~~2. Twenty percent must be allocated to the common schools trust fund and foundation aid stabilization fund as provided in section 24 of article X of the Constitution of North Dakota.~~

~~3. Thirty percent must be allocated to the legacy fund as provided in section 26 of article X of the Constitution of North Dakota.~~

~~4. Thirty percent must be allocated and credited to the state's general fund.~~

**SECTION 18. AMENDMENT.** Subsection 17 of section 54-44.3-20 of the North Dakota Century Code is amended and reenacted as follows:

17. Engineers, engineering technicians, and geologists employed by the director of mineral resources.

**SECTION 19. AMENDMENT.** Section 57-51.1-07.3 of the North Dakota Century Code is amended and reenacted as follows:

**57-51.1-07.3. Oil and gas research fund - Deposits - Continuing appropriation.**

There is established a special fund in the state treasury to be known as the oil and gas research fund. Before depositing oil and gas gross production tax and oil extraction tax revenues in the general fund, property tax relief sustainability, strategic investment and improvements fund, or the state disaster relief fund, two percent of the revenues must be deposited monthly into the oil and gas research fund, up to ~~four~~ ten million dollars per biennium. All moneys deposited in the oil and gas research fund and interest on all such moneys are appropriated as a continuing appropriation to the council to be used for purposes stated in chapter 54-17.6.

**SECTION 20. LEGISLATIVE INTENT - OIL AND GAS RESEARCH FUND.** It is the intent of the legislative assembly that the industrial commission give special emphasis to value-added processing of oil and gas projects in the awarding of funds from the oil and gas research fund during the biennium beginning July 1, 2013, and ending June 30, 2015.

**SECTION 21. LEGISLATIVE INTENT - ADMINISTRATIVE RULES - RESERVE PITS.** It is the intent of the sixty-third legislative assembly that the industrial commission's department of

1 mineral resources oil and gas division include in its next administrative rules review and revision  
2 process, the effect of provisions included in North Dakota Administrative Code section  
3 43-02-03-19.5 relating to reserve pits for drilling mud and drill cuttings from shallow wells drilled  
4 and completed outside of the Bakken and Three Forks formations for the biennium beginning  
5 July 1, 2013, and ending June 30, 2015.

6 **SECTION 22. EMERGENCY.** ~~Sections~~The amount of \$61,751 and five full-time equivalent  
7 positions included in subdivision 1 of section 1 and sections 7 through ~~4~~10 of this Act are  
8 declared to be an emergency measure.