

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1014

That the Senate recede from its amendments as printed on pages 1890-1902 of the House Journal and pages 1618-1630 of the Senate Journal and that Engrossed House Bill No. 1014 be amended as follows:

Page 1, line 2, remove "to create and enact a new section to chapter"

Page 1, line 3, remove "6-09, relating to a Bank of North Dakota retention incentive program;"

Page 1, line 4, after "6-09.7-05" insert ", 54-17-40,"

Page 1, line 4, remove "and section"

Page 1, line 5, replace "54-63.1-01" with ", and subsection 3 of section 54-63.1-07"

Page 1, line 5, remove "section 8 of chapter 42 of the 2021 Session"

Page 1, line 6, replace "Laws" with "subsection 36 of section 1 of chapter 550 of the 2021 Special Session Session Laws"

Page 1, line 6, after "funding" insert ", the housing incentive fund"

Page 1, line 7, after "authority" insert ", a clean sustainable energy authority line of credit"

Page 1, line 7, remove "a transfer of"

Page 1, line 8, replace "Bank of North Dakota profits to the general fund" with "an appropriation from the state fiscal recovery fund"

Page 1, line 9, after "exemption" insert "; to provide for a study"

Page 1, line 9, after "report" insert "; to provide a statement of legislative intent; to provide an effective date"

Page 1, remove lines 22 through 24

Page 2, replace lines 1 through 6 with:

"Salaries and wages	\$23,698,119	(\$21,835,425)	\$1,862,694
Operating expenses	5,119,958	(924,889)	4,195,069
Capital assets	0	1,250,000	1,250,000
Grants	0	8,623,893	8,623,893
Grants - bond payments	<u>22,040,721</u>	<u>97,839,192</u>	<u>119,879,913</u>
Total all funds	\$50,858,798	\$84,952,771	\$135,811,569
Less estimated income	<u>24,369,185</u>	<u>107,017,528</u>	<u>131,386,713</u>
Total general fund	\$26,489,613	(\$22,064,757)	\$4,424,856
Full-time equivalent positions	108.25	(98.50)	9.75"

Page 2, replace lines 11 through 17 with:

"Salaries and wages	\$0	\$23,123,267	\$23,123,267
Operating expenses	0	11,541,104	11,541,104
Capital assets	<u>0</u>	<u>98,000</u>	<u>98,000</u>
Total all funds	\$0	\$34,762,371	\$34,762,371

Less estimated income	<u>0</u>	<u>2,568,000</u>	<u>2,568,000</u>
Total general fund	\$0	\$32,194,371	\$32,194,371
Full-time equivalent positions	0.00	108.00	108.00"

Page 2, replace lines 22 through 25 with:

"Bank of North Dakota operations	\$67,306,548	\$2,760,519	\$70,067,067
Capital assets	<u>1,510,000</u>	<u>0</u>	<u>1,510,000</u>
Total special funds	\$68,816,548	\$2,760,519	\$71,577,067
Full-time equivalent positions	173.00	14.00	187.00"

Page 2, remove lines 30 and 31

Page 3, replace lines 1 through 7 with:

"Salaries and wages	\$9,556,272	\$1,556,933	\$11,113,205
Operating expenses	6,109,060	4,794,823	10,903,883
Capital assets	150,000	(130,000)	20,000
Grants	42,975,200	5,829,910	48,805,110
Housing finance agency contingencies	<u>100,000</u>	<u>0</u>	<u>100,000</u>
Total all funds	\$58,890,532	\$12,051,666	\$70,942,198
Less estimated income	<u>58,890,532</u>	<u>9,551,666</u>	<u>68,442,198</u>
Total general fund	\$0	\$2,500,000	\$2,500,000
Full-time equivalent positions	49.00	5.00	54.00"

Page 3, replace lines 12 through 17 with:

"Salaries and wages	\$50,560,209	\$3,290,171	\$53,850,380
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	\$8,864,824	\$97,242,033
Full-time equivalent positions	156.00	14.00	170.00"

Page 3, replace lines 22 through 24 with:

"Grand total general fund	\$26,489,613	\$12,629,614	\$39,119,227
Grand total special funds	<u>240,453,474</u>	<u>130,762,537</u>	<u>371,216,011</u>
Grand total all funds	\$266,943,087	\$143,392,151	\$410,335,238"

Page 4, remove line 6

Page 4, after line 7 insert:

"Administration - carbon capture education		0	300,000
Administration - records digitization		0	75,000
Administration - inflationary increases		0	35,688"

Page 4, replace line 11 with:

"Mineral resources - inflationary expenses		0	886,868
Mineral resources - drones and computers		0	83,648"

Page 4, replace lines 23 through 25 with:

"Total all funds		\$936,341,260	\$20,919,820
Less estimated income		<u>874,235,000</u>	<u>9,155,335</u>

Total general fund \$62,106,260 \$11,764,485"

Page 5, replace line 4 with:

"Infrastructure project and program bonds - legacy sinking and interest fund \$102,620,461"

Page 6, line 10, replace "\$12,500,000" with "\$13,750,000"

Page 6, line 15, after "funds" insert "from the new and vacant FTE funding pool"

Page 6, line 18, replace "spend" with "request the office of management and budget transfer up to"

Page 6, line 18, after "\$82,068" insert "of other funds"

Page 6, line 18, after "the" insert "new and vacant FTE funding pool for"

Page 6, line 18, replace "line item" with "for the full-time equivalent position identified in this section,"

Page 6, line 18, after the second "and" insert "the agency"

Page 6, line 22, after "**FUND**" insert "**- ADMINISTRATION**"

Page 6, line 23, replace "\$1,899,877" with "\$1,818,114"

Page 7, line 6, after "**FUND**" insert "**- GRANT MANAGEMENT SOFTWARE**"

Page 7, after line 15, insert:

**"SECTION 10. TRANSFER - FUNDS UNDER THE CONTROL OF THE INDUSTRIAL COMMISSION TO INDUSTRIAL COMMISSION FUND - CARBON CAPTURE EDUCATION.** The sum of \$300,000, or so much of the sum as may be necessary, included in the appropriation in subdivision 1 of section 1 of this Act, may be transferred from funds under the control of the industrial commission to the industrial commission fund to contract for carbon capture and utilization education and marketing in consultation with the lignite research council, the oil and gas research council, and the renewable energy council. Of the \$300,000, the industrial commission may transfer:

1. Up to \$100,000 from the lignite research fund;
2. Up to \$100,000 from the oil and gas research fund; and
3. Up to \$100,000 from the renewable energy development fund."

Page 7, line 17, replace "\$70,000,000" with "\$140,000,000"

Page 7, line 31, replace "\$3,000,000 to the agricultural products utilization fund" with "\$1,500,000 to the university of North Dakota for the North Dakota small business development center for the purpose of matching federal grants"

Page 8, line 1, replace "**LEGACY EARNINGS**" with "**STRATEGIC INVESTMENT AND IMPROVEMENTS**"

Page 8, line 3, remove "and pursuant to the"

Page 8, remove line 4

Page 8, line 5, replace "section 21-10-13, the state treasurer" with "the office of management and budget"

Page 8, line 5, remove "legacy"

Page 8, line 6, replace "earnings" with "strategic investment and improvements"

Page 8, line 7, replace "\$5,000,000" with "\$3,000,000"

Page 8, line 9, replace "\$50,000,000" with "\$30,000,000"

Page 8, line 10, replace "\$250,000,000" with "\$30,000,000"

Page 8, line 15, replace "\$3,000,000" with "\$1,500,000"

Page 8, line 19, replace "\$3,000,000" with "\$1,500,000"

Page 9, line 2, after "**FUND**" insert "**- FEDERAL STATE FISCAL RECOVERY FUND**"

Page 9, line 4, replace "\$22,000,000" with "\$6,000,000"

Page 9, line 6, after "57-51.1-07.9" insert "and pursuant to subsection 36 of section 1 of chapter 550 of the 2021 Special Session Laws, as amended in section 24 of this Act and exempted in section 26 of this Act"

Page 9, line 7, replace "\$22,000,000" with "\$6,000,000"

Page 9, line 8, after "fund" insert "and up to \$5,300,000 of federal funds from the state fiscal recovery fund"

Page 9, remove lines 20 through 27

Page 10, remove lines 20 through 31

Page 11, replace lines 1 and 2 with:

**"SECTION 17. LIGNITE RESEARCH FUND - FUTURE LIGNITE ELECTRICAL GENERATION FACILITIES STUDY - REPORT TO LEGISLATIVE MANAGEMENT.**

1. Pursuant to the continuing appropriation under section 57-61-01.6, up to \$500,000 from the lignite research fund may be used for the purpose of contracting with the energy and environmental research center for a nonmatching study of future lignite electrical generation facilities.
2. The study must include consideration of an energy demand forecast for dispatchable electricity generation and the regulatory environment for future lignite electrical generation facilities, an analysis of the economic impact of future lignite electrical generation facilities and the value-added products or services that may result from those facilities, and other factors related to the development and operation of future lignite electrical generation facilities.
3. During the 2023-24 interim, the energy and environmental research center shall provide at least one report to the legislative management regarding the status of the study."

Page 11, after line 20, insert:

**"SECTION 19. AMENDMENT.** Section 54-17-40 of the North Dakota Century Code is amended and reenacted as follows:

**54-17-40. Housing incentive fund - Continuing appropriation - Report to budget section.**

1. The housing incentive fund is created as a special revolving fund at the Bank of North Dakota. The housing finance agency may direct disbursements from the fund and a continuing appropriation from the fund is provided for that purpose.
2.
  - a. After a public hearing, the housing finance agency shall create an annual allocation plan for the distribution of the fund as authorized under subsection 3. ~~At least ten percent of the fund must be used to assist developing communities to address an unmet housing need or alleviate a housing shortage. At least ten percent of the fund must be made available to prevent homelessness as authorized by subdivision d of subsection 3.~~
  - b. The annual allocation plan must give priority to provide housing for individuals and families of low or moderate income. For purposes of this priority, eligible income limits are determined as a percentage of median family income as published in the most recent federal register notice. Under this priority, the annual allocation plan must give preference to projects that benefit households with the lowest income and to projects that have rent restrictions at or below department of housing and urban development published federal fair market rents or department of housing and urban development section 8 payment standards.
  - c. At least ten percent of the fund must be used to assist developing communities to address an unmet housing need or alleviate a housing shortage.
3. The housing finance agency shall adopt guidelines for the fund so as to address unmet housing needs in this state. Assistance from the fund may be used solely for:
  - a. New construction, rehabilitation, preservation, or acquisition of a multifamily housing project;
  - b. New construction, rehabilitation, preservation, or acquisition of a single-family housing project in a developing community or a community land trust project;
  - c. Gap assistance, matching funds, and accessibility improvements;
  - ~~e.d.~~ Assistance that does not exceed the amount necessary to qualify for a loan using underwriting standards acceptable for secondary market financing or to make the project feasible; and
  - ~~d.e.~~ Rental assistance, emergency assistance, barrier mitigation, or targeted supportive services designated to prevent or end homelessness.
4. Eligible recipients include units of local, state, and tribal government; local and tribal housing authorities; community action agencies; regional

planning councils; and nonprofit organizations and for-profit developers of multifamily residential housing. Individuals may not receive direct assistance from the fund.

5. Except for subdivision d of subsection 3, assistance is subject to repayment or recapture under the guidelines adopted by the housing finance agency. Any assistance that is repaid or recaptured must be deposited in the fund and is appropriated on a continuing basis for the purposes of this section.
6. The agency may collect a reasonable administrative fee from the fund, project developers, applicants, or grant recipients. The origination fee assessed to grant recipients may not exceed five percent of the project award.
7. Upon request, the housing finance agency shall report to the industrial commission regarding the activities of the housing incentive fund.
8. At least once per biennium, the housing finance agency shall provide a report to the budget section of the legislative management regarding the activities of the housing incentive fund."

Page 12, line 26, replace "2025" with "2027"

Page 13, replace lines 1 through 30 with:

**"SECTION 23. AMENDMENT.** Subsection 3 of section 54-63.1-07 of the North Dakota Century Code is amended and reenacted as follows:

3. The Bank of North Dakota shall extend a line of credit to the industrial commission to support loans or loan guarantees issued from the clean sustainable energy fund. The line of credit may not exceed ~~two~~three hundred ~~fifty~~ninety million dollars, and the interest rate associated with the line of credit must be the prevailing interest rate charged to North Dakota governmental entities. The industrial commission shall repay the line of credit from moneys available in the clean sustainable energy fund derived from payments received on loans issued under this chapter or other sources. If the moneys available from the clean sustainable energy fund on June 30, 2025, are not sufficient to repay the line of credit, the industrial commission shall request from the legislative assembly a deficiency appropriation to repay the line of credit or the industrial commission may repay the line of credit from other funds, as appropriated by the legislative assembly.

**SECTION 24. AMENDMENT.** Subsection 36 of section 1 of chapter 550 of the 2021 Special Session Session Laws is amended and reenacted as follows:

36. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$20,000,000, or so much of the sum as may be necessary, to the industrial commission for the purpose of providing hydrogen development grants, as approved by the clean sustainable energy authority, and distributions to the state energy research center for an underground energy storage research project, for the period beginning with the effective date of this Act, and ending June 30, 2023. Of the \$20,000,000, up to \$5,300,000 is available for

distributions to the state energy research center for an underground energy storage research project, and any remaining amounts are available for providing hydrogen development grants, as approved by the clean sustainable energy authority.

**SECTION 25. EMPLOYEE RECRUITMENT AND RETENTION INCENTIVE PROGRAM STUDY - REPORT TO LEGISLATIVE MANAGEMENT.** During the 2023-24 interim, the industrial commission and Bank of North Dakota shall study the feasibility and desirability of creating an employee recruitment and retention incentive program for the Bank of North Dakota. The industrial commission shall report its findings and recommendations to the legislative management by March 31, 2024."

Page 14, line 12, replace "\$14,500,000" with "\$17,500,000"

Page 14, line 22, after "grants" insert "and an underground energy storage research project"

Page 14, line 23, after "Laws" insert "as amended in section 24 of this Act"

Page 14, line 25, after "fund" insert "to the department of mineral resources for a survey review"

Page 14, after line 28, insert:

**"SECTION 28. LEGISLATIVE INTENT - USE OF BANK OF NORTH DAKOTA PROFITS.** It is the intent of the sixty-eighth legislative assembly that the sixty-ninth legislative assembly consider developing procedures or adopting legislative rules for introducing bills and amendments related to the use of Bank of North Dakota profits.

**SECTION 29. LEGISLATIVE INTENT - ENERGY DEVELOPMENT PROJECTS.** It is the intent of the sixty-eighth legislative assembly that the state provide support for an entity's application for federal funding to upgrade a high-voltage direct current transmission line in the state and that the state provide support for energy development projects in the state through the state's energy-related programs, including:

1. The clean sustainable energy authority;
2. The North Dakota pipeline authority;
3. The North Dakota transmission authority;
4. The lignite research council;
5. The oil and gas research council; and
6. The renewable energy council.

**SECTION 30. EFFECTIVE DATE.** Section 18 of this Act becomes effective July 1, 2025."

Page 15, line 12, replace "Section 5" with "Sections 5 and 24"

Page 15, line 13, replace "Section 23 of this Act" with "Senate Bill No. 2165, as approved by the sixty-eighth legislative assembly"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1014 - Summary of Conference Committee Action**

	<b>Base Budget</b>	<b>House Version</b>	<b>Conference Committee Changes</b>	<b>Conference Committee Version</b>	<b>Senate Version</b>	<b>Comparison to Senate</b>
Industrial Commission						
Total all funds	\$50,858,798	\$160,932,060	(\$25,120,491)	\$135,811,569	\$135,811,569	\$0
Less estimated income	24,369,185	156,507,204	(25,120,491)	131,386,713	131,386,713	0
General fund	\$26,489,613	\$4,424,856	\$0	\$4,424,856	\$4,424,856	\$0
FTE	108.25	9.75	0.00	9.75	9.75	0.00
Department of Mineral Resources						
Total all funds	\$0	\$37,141,066	(\$2,128,695)	\$35,012,371	\$35,012,371	\$0
Less estimated income	0	2,568,000	0	2,568,000	2,568,000	0
General fund	\$0	\$34,573,066	(\$2,128,695)	\$32,444,371	\$32,444,371	\$0
FTE	0.00	108.00	0.00	108.00	108.00	0.00
Bank of North Dakota						
Total all funds	\$68,816,548	\$76,237,686	(\$4,660,619)	\$71,577,067	\$71,577,067	\$0
Less estimated income	68,816,548	76,237,686	(4,660,619)	71,577,067	71,577,067	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	173.00	187.00	0.00	187.00	187.00	0.00
Housing Finance Agency						
Total all funds	\$58,890,532	\$84,333,093	\$359,105	\$84,692,198	\$85,942,198	(\$1,250,000)
Less estimated income	58,890,532	69,333,093	(890,895)	68,442,198	68,442,198	0
General fund	\$0	\$15,000,000	\$1,250,000	\$16,250,000	\$17,500,000	(\$1,250,000)
FTE	49.00	53.00	1.00	54.00	54.00	0.00
Mill and Elevator						
Total all funds	\$88,377,209	\$100,974,447	(\$3,732,414)	\$97,242,033	\$97,242,033	\$0
Less estimated income	88,377,209	100,974,447	(3,732,414)	97,242,033	97,242,033	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	156.00	170.00	0.00	170.00	170.00	0.00
Bill total						
Total all funds	\$266,943,087	\$459,618,352	(\$35,283,114)	\$424,335,238	\$425,585,238	(\$1,250,000)
Less estimated income	240,453,474	405,620,430	(34,404,419)	371,216,011	371,216,011	0
General fund	\$26,489,613	\$53,997,922	(\$878,695)	\$53,119,227	\$54,369,227	(\$1,250,000)
FTE	486.25	527.75	1.00	528.75	528.75	0.00

**House Bill No. 1014 - Industrial Commission - Conference Committee Action**

	<b>Base Budget</b>	<b>House Version</b>	<b>Conference Committee Changes</b>	<b>Conference Committee Version</b>	<b>Senate Version</b>	<b>Comparison to Senate</b>
Salaries and wages	\$23,698,119	\$2,471,236	(\$608,542)	\$1,862,694	\$1,862,694	
Operating expenses	5,119,958	3,707,018	488,051	4,195,069	4,195,069	
Capital assets		1,250,000		1,250,000	1,250,000	
Grants		33,623,893	(25,000,000)	8,623,893	8,623,893	
Grants - Bond payments	22,040,721	119,879,913		119,879,913	119,879,913	
Total all funds	\$50,858,798	\$160,932,060	(\$25,120,491)	\$135,811,569	\$135,811,569	\$0
Less estimated income	24,369,185	156,507,204	(25,120,491)	131,386,713	131,386,713	0
General fund	\$26,489,613	\$4,424,856	\$0	\$4,424,856	\$4,424,856	\$0
FTE	108.25	9.75	0.00	9.75	9.75	0.00

**Department 405 - Industrial Commission - Detail of Conference Committee Changes**

	Adjusts Funding for Salary and Benefit Increases <sup>1</sup>	Adjusts Funding for an FTE Position <sup>2</sup>	Removes Salary Funding for a Funding Pool <sup>3</sup>	Adds Funding for Software <sup>4</sup>	Adjusts One- Time Funding Items <sup>5</sup>	Total Conference Committee Changes
Salaries and wages	\$34,386	(\$121,985)	(\$520,943)			(\$608,542)
Operating expenses		3,363		\$74,000	\$410,688	488,051
Capital assets						
Grants					(25,000,000)	(25,000,000)
Grants - Bond payments						
<b>Total all funds</b>	<b>\$34,386</b>	<b>(\$118,622)</b>	<b>(\$520,943)</b>	<b>\$74,000</b>	<b>(\$24,589,312)</b>	<b>(\$25,120,491)</b>
Less estimated income	34,386	(118,622)	(520,943)	74,000	(24,589,312)	(25,120,491)
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Salaries and wages funding is adjusted for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates, the same as the Senate, as follows:

	General Fund	Other Funds	Total
Salary increase	\$0	\$35,332	\$35,332
Health insurance adjustment	0	(946)	(946)
Total	\$0	\$34,386	\$34,386

The House provided salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024.

<sup>2</sup> Funding from other funds for an administrative assistant position is decreased by \$118,622 from \$300,943 to \$182,321, the same as the Senate. The \$118,622 decrease reflects a decrease of \$121,985 to salaries and wages and an increase of \$3,363 to operating expenses. This provides the same level of funding as a grant administration position. The House provided \$300,943 for the administrative assistant position.

<sup>3</sup> Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below, the same as the Senate. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
New FTE positions	\$0	(\$490,562)	(\$490,562)
Vacant FTE positions	0	(30,381)	(30,381)
Total	\$0	(\$520,943)	(\$520,943)

The House did not remove funding for a new and vacant FTE funding pool.

<sup>4</sup> Funding of \$74,000 from other funds is added for software related to a meeting management license and an accounting subscription, the same as the Senate. The House did not include this funding.

<sup>5</sup> One-time funding, which was not included by the House version, is added by the Conference Committee and Senate as follows:

- \$75,000 from other funds for a records digitization project.
- \$35,688 from other funds for inflationary increases related to rent.
- \$300,000 from other funds for carbon capture and utilization education and marketing, including \$100,000 from the lignite research fund, \$100,000 from the oil and gas research fund, and \$100,000 from the renewable energy development fund.

One-time funding, which was added in the House version, is removed by the Conference Committee and Senate as follows:

- \$25 million from the strategic investment and improvements fund for a transmission line grant.

This amendment also includes the following changes related to the Industrial Commission:

- Adjusts the transfer for administrative services to provide \$1,818,114, the same as the Senate. The House provided for a transfer of \$1,899,877.

- Includes a transfer of up to \$100,000 from three energy programs, which was added by the Senate, to provide a total of \$300,000 for carbon capture and utilization education and marketing. The House did not include this funding.
- Adjusts the funding for a pipeline leak detection and prevention program to provide \$3 million from the strategic investment and improvements fund, the same as the Senate. The House provided \$5 million from legacy fund earnings.
- Adjusts the funding for the clean sustainable energy fund to provide \$60 million from the strategic investment and improvements fund for grants (\$30 million) and to repay a line of credit (\$30 million) and to increase the line of credit available to support the fund by \$140 million, from \$250 million to \$390 million. The House provided \$300 million from legacy fund earnings, including \$50 million for grants and \$250 million to repay a line of credit and for additional loans. The Senate provided \$30 million from the strategic investment and improvements fund for grants.
- Decreases funding from the strategic investment and improvements fund for a critical minerals study to provide \$1.5 million. The Senate also decreased this funding, but the House provided \$3 million for the study.
- Adjusts the funding for an underground energy storage research project to provide \$6 million from the strategic investment and improvements fund and \$5.3 million from the federal State Fiscal Recovery Fund. An appropriation of \$20 million from the federal State Fiscal Recovery Fund from the November 2021 special legislative session is amended to provide up to \$5.3 million for the research project with the remaining amount available for hydrogen development grants. The Senate also included these adjustments, but the House provided \$22 million from the strategic investment and improvements fund for the research project.
- Designates \$500,000 from the lignite research fund for a study of future lignite electrical generation facilities, the same as the Senate. The House did not designate funding for this study.
- Provides an effective date of July 1, 2025, for a guarantee from the strategic investment and improvements fund for a line of credit related to the purchase of capacity positions on a pipeline, the same as the Senate. The House added the guarantee and line of credit, but did not include an effective date.
- Provides an emergency clause for Senate Bill No. 2165, relating to membership of the clean sustainable energy authority, which was added by the Senate. The House did not include an emergency clause for that bill.
- Adds a statement of legislative intent regarding the state's energy-related programs to support energy development projects. Neither the House nor the Senate included this statement of intent.
- Removes a section, which was included by both the House and the Senate, clarifying the definition of clean sustainable energy projects to identify hydrogen projects as eligible projects.

### House Bill No. 1014 - Department of Mineral Resources - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages		\$25,401,022	(\$2,277,755)	\$23,123,267	\$23,123,267	
Operating expenses		11,410,044	131,060	11,541,104	11,541,104	
Capital assets		80,000	18,000	98,000	98,000	
Transfer to fossil restoration fund		250,000		250,000	250,000	
<b>Total all funds</b>	<b>\$0</b>	<b>\$37,141,066</b>	<b>(\$2,128,695)</b>	<b>\$35,012,371</b>	<b>\$35,012,371</b>	<b>\$0</b>
Less estimated income	0	2,568,000	0	2,568,000	2,568,000	0
<b>General fund</b>	<b>\$0</b>	<b>\$34,573,066</b>	<b>(\$2,128,695)</b>	<b>\$32,444,371</b>	<b>\$32,444,371</b>	<b>\$0</b>
FTE	0.00	108.00	0.00	108.00	108.00	0.00

### Department 470 - Department of Mineral Resources - Detail of Conference Committee Changes

	Adjusts Funding for Salary and Benefit Increases <sup>1</sup>	Removes Salary Funding for a Funding Pool <sup>2</sup>	Adds One-Time Funding Items <sup>3</sup>	Total Conference Committee Changes
Salaries and wages	\$396,394	(\$2,674,149)		(\$2,277,755)
Operating expenses			\$131,060	131,060
Capital assets			18,000	18,000
Transfer to fossil restoration fund				
<b>Total all funds</b>	<b>\$396,394</b>	<b>(\$2,674,149)</b>	<b>\$149,060</b>	<b>(\$2,128,695)</b>
Less estimated income	0	0	0	0
<b>General fund</b>	<b>\$396,394</b>	<b>(\$2,674,149)</b>	<b>\$149,060</b>	<b>(\$2,128,695)</b>
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> Salaries and wages funding is adjusted for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates, the same as the Senate, as follows:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Salary increase	\$409,369	\$0	\$409,369
Health insurance adjustment	(12,975)	0	(12,975)
Total	\$396,394	\$0	\$396,394

The House provided salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024.

<sup>2</sup> Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below, the same as the Senate. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
New FTE positions	(\$1,284,293)	\$0	(\$1,284,293)
Vacant FTE positions	(1,389,856)	0	(1,389,856)
Total	(\$2,674,149)	\$0	(\$2,674,149)

The House did not remove funding for a new and vacant FTE funding pool.

<sup>3</sup> One-time funding from the general fund, which was also added by the Senate, but not included by the House, is added as follows:

- \$65,412 for additional inflationary increases related to state fleet mileage.
- \$83,648 for drones and computer equipment.

The Conference Committee and Senate amended a section related to the Department of Mineral Resources to increase the oil and gas tax revenue allocations to the oil and gas research fund to \$17.5 million, an increase of \$3 million from the House version, which provided \$14.5 million, the same as the 2021-23 biennium.

#### House Bill No. 1014 - Bank of North Dakota - Conference Committee Action

	<b>Base Budget</b>	<b>House Version</b>	<b>Conference Committee Changes</b>	<b>Conference Committee Version</b>	<b>Senate Version</b>	<b>Comparison to Senate</b>
Capital assets	\$1,510,000	\$1,510,000		\$1,510,000	\$1,510,000	
Bank of North Dakota operations	67,306,548	74,727,686	(\$4,660,619)	70,067,067	70,067,067	
Total all funds	\$68,816,548	\$76,237,686	(\$4,660,619)	\$71,577,067	\$71,577,067	\$0
Less estimated income	68,816,548	76,237,686	(4,660,619)	71,577,067	71,577,067	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	173.00	187.00	0.00	187.00	187.00	0.00

#### Department 471 - Bank of North Dakota - Detail of Conference Committee Changes

	<b>Adjusts Funding for Salary and Benefit Increases<sup>1</sup></b>	<b>Removes Salary Funding for a Funding Pool<sup>2</sup></b>	<b>Total Conference Committee Changes</b>
Capital assets			
Bank of North Dakota operations	\$769,366	(\$5,429,985)	(\$4,660,619)
Total all funds	\$769,366	(\$5,429,985)	(\$4,660,619)
Less estimated income	769,366	(5,429,985)	(4,660,619)
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

<sup>1</sup> Salaries and wages funding is adjusted for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates, the same as the Senate, as

follows:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Salary increase	\$0	\$789,224	\$789,224
Health insurance adjustment	<u>0</u>	<u>(19,858)</u>	<u>(19,858)</u>
Total	\$0	\$769,366	\$769,366

The House provided salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024.

<sup>2</sup> Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below, the same as the Senate. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
New FTE positions	\$0	(\$3,106,682)	(\$3,106,682)
Vacant FTE positions	<u>0</u>	<u>(2,323,303)</u>	<u>(2,323,303)</u>
Total	\$0	(\$5,429,985)	(\$5,429,985)

The House did not remove funding for a new and vacant FTE funding pool.

This amendment also includes the following changes related to the Bank of North Dakota:

- Adds a transfer of \$1.5 million from the Bank's profits to a small business development center, the same as the Senate. The House did not include this transfer.
- Removes a transfer of \$3 million from the Bank's profits to the agricultural products utilization fund, which was included by the the House but was also removed by the Senate; however, Senate Bill No. 2009 includes a transfer of \$3 million from the Bank's profits to the agricultural products utilization fund.
- Increases the transfer from the Bank's profits to the general fund to provide \$140 million for the 2023-25 biennium, which is the same as the Senate but an increase of \$70 million compared to the House version of \$70 million.
- Removes a section added by the House to limit the transfer from the Bank's profits to the general fund to provide \$70 million for the 2021-23 biennium. The Senate also removed this section. The House version resulted in a reduction to the July 1, 2023, general fund beginning balance. As approved by the Senate and Conference Committee, the transfer for the 2021-23 biennium is \$140 million, the same as the transfer approved during the 2021 legislative session.
- Adds a requirement for the Industrial Commission and Bank of North Dakota to study a recruitment and retention incentive program and to provide a report to the Legislative Management. Neither the House nor the Senate included this study and report.
- Adds a statement of legislative intent that the Legislative Assembly consider developing procedures or adopting legislative rules for introducing bills and amendments related to the use of Bank of North Dakota profits. Neither the House nor the Senate provided a statement of legislative intent.

### House Bill No. 1014 - Housing Finance Agency - Conference Committee Action

	<b>Base Budget</b>	<b>House Version</b>	<b>Conference Committee Changes</b>	<b>Conference Committee Version</b>	<b>Senate Version</b>	<b>Comparison to Senate</b>
Salaries and wages	\$9,556,272	\$12,169,742	(\$1,056,537)	\$11,113,205	\$11,113,205	
Operating expenses	6,109,060	10,738,241	165,642	10,903,883	10,903,883	
Capital assets	150,000	20,000		20,000	20,000	
Grants	42,975,200	48,805,110		48,805,110	48,805,110	
HFA contingencies	100,000	100,000		100,000	100,000	
Housing incentive fund		<u>12,500,000</u>	<u>1,250,000</u>	<u>13,750,000</u>	<u>15,000,000</u>	<u>(\$1,250,000)</u>
Total all funds	\$58,890,532	\$84,333,093	\$359,105	\$84,692,198	\$85,942,198	(\$1,250,000)
Less estimated income	<u>58,890,532</u>	<u>69,333,093</u>	<u>(890,895)</u>	<u>68,442,198</u>	<u>68,442,198</u>	<u>0</u>
General fund	\$0	\$15,000,000	\$1,250,000	\$16,250,000	\$17,500,000	(\$1,250,000)
FTE	49.00	53.00	1.00	54.00	54.00	0.00

**Department 473 - Housing Finance Agency - Detail of Conference Committee Changes**

	<b>Adjusts Funding for Salary and Benefit Increases<sup>1</sup></b>	<b>Adds FTE Position<sup>2</sup></b>	<b>Removes Salary Funding for a Funding Pool<sup>3</sup></b>	<b>Adds Funding for Operating Expenses<sup>4</sup></b>	<b>Adds Funding for Housing Incentive Fund<sup>5</sup></b>	<b>Total Conference Committee Changes</b>
Salaries and wages	\$176,196	\$218,908	(\$1,451,641)			(\$1,056,537)
Operating expenses				\$165,642		165,642
Capital assets						
Grants						
HFA contingencies						
Housing incentive fund					\$1,250,000	1,250,000
<b>Total all funds</b>	<b>\$176,196</b>	<b>\$218,908</b>	<b>(\$1,451,641)</b>	<b>\$165,642</b>	<b>\$1,250,000</b>	<b>\$359,105</b>
Less estimated income	176,196	218,908	(1,451,641)	165,642	0	(890,895)
General fund	\$0	\$0	\$0	\$0	\$1,250,000	\$1,250,000
FTE	0.00	1.00	0.00	0.00	0.00	1.00

<sup>1</sup> Salaries and wages funding is adjusted for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates, the same as the Senate, as follows:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Salary increase	\$0	\$182,349	\$182,349
Health insurance adjustment	0	(6,153)	(6,153)
Total	\$0	\$176,196	\$176,196

The House provided salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024.

<sup>2</sup> Funding of \$218,908 from other funds is added for 1 FTE compliance officer position to provide a total of \$437,816 for 2 FTE compliance officer positions. The Senate also provided \$437,816 for 2 FTE compliance officer positions, but the House provided \$218,908 for 1 FTE compliance officer position.

<sup>3</sup> Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below, the same as the Senate. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
New FTE positions	\$0	(\$986,476)	(\$986,476)
Vacant FTE positions	0	(465,165)	(465,165)
Total	\$0	(\$1,451,641)	(\$1,451,641)

The House did not remove funding for a new and vacant FTE funding pool.

<sup>4</sup> Funding of \$165,642 from other funds is added for inflationary increases, the same as the Senate. The House did not include funding for inflationary increases.

<sup>5</sup> One-time funding for a transfer from the general fund to the housing incentive fund is increased by \$1.25 million to provide total funding of \$13.75 million for the housing incentive fund pursuant to a section in the bill. The House provided for a transfer of \$12.5 million, but the Senate provided for a transfer of \$15 million.

This amendment adds a section related to the Housing Finance Agency to amend the housing incentive fund to remove the 10 percent designation for funding to prevent homelessness and to allow funding to be used for single family housing projects, the same as the Senate. The House did not amend the housing incentive fund.

**House Bill No. 1014 - Mill and Elevator - Conference Committee Action**

	<b>Base Budget</b>	<b>House Version</b>	<b>Conference Committee Changes</b>	<b>Conference Committee Version</b>	<b>Senate Version</b>	<b>Comparison to Senate</b>
Salaries and wages	\$50,560,209	\$57,582,794	(\$3,732,414)	\$53,850,380	\$53,850,380	
Operating expenses	36,817,000	42,391,653		42,391,653	42,391,653	
Contingencies	500,000	500,000		500,000	500,000	
Agriculture promotion	500,000	500,000		500,000	500,000	
<b>Total all funds</b>	<b>\$88,377,209</b>	<b>\$100,974,447</b>	<b>(\$3,732,414)</b>	<b>\$97,242,033</b>	<b>\$97,242,033</b>	<b>\$0</b>
Less estimated income	88,377,209	100,974,447	(3,732,414)	97,242,033	97,242,033	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	156.00	170.00	0.00	170.00	170.00	0.00

**Department 475 - Mill and Elevator - Detail of Conference Committee Changes**

	<b>Adjusts Funding for Health Insurance<sup>1</sup></b>	<b>Adds Funding for Salary Increases<sup>2</sup></b>	<b>Removes Salary Funding for a Funding Pool<sup>3</sup></b>	<b>Total Conference Committee Changes</b>
Salaries and wages	(\$17,750)	\$409,231	(\$4,123,895)	(\$3,732,414)
Operating expenses				
Contingencies				
Agriculture promotion				
<b>Total all funds</b>	<b>(\$17,750)</b>	<b>\$409,231</b>	<b>(\$4,123,895)</b>	<b>(\$3,732,414)</b>
Less estimated income	(17,750)	409,231	(4,123,895)	(3,732,414)
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> Funding of \$17,750 from other funds is removed related to an adjustment to health insurance premiums. The Senate also removed this funding, which was added by the House.

<sup>2</sup> Funding of \$409,231 from other funds is added for salary increases, which are subject to union negotiations, to provide total salary increase funding of \$2,723,414, the same as the Senate. The House provided \$2,314,183 for salary increases, the same as requested by the agency in the Executive Budget.

<sup>3</sup> Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below, the same as the Senate. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	<b>General Fund</b>	<b>Other Fund</b>	<b>Total</b>
New FTE positions	\$0	(\$2,367,332)	(\$2,367,332)
Vacant FTE positions	0	(1,756,563)	(1,756,563)
Total	\$0	(\$4,123,895)	(\$4,123,895)

The House did not remove funding for a new and vacant FTE funding pool.

This amendment also removes a section added by the House related to the Mill and Elevator Association, which limited the transfer of Mill profits to the general fund to 10 percent. As a result, the transfer of Mill profits to the general fund is 50 percent, the same as the Senate and current law.