

Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1062

Introduced by

Energy and Natural Resources Committee

(At the request of the Industrial Commission)

1 A BILL for an Act to amend and reenact section 54-17-03, subsection 8 of section 54-17-07.3,
2 section 54-17-07.9, and subsection 2 of section 54-63-03 of the North Dakota Century Code,
3 relating to updating position titles, clarification for mortgage insurance requirements, execution
4 of instruments, and industrial commission powers.

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

6 **SECTION 1. AMENDMENT.** Section 54-17-03 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **54-17-03. Chairman and attorney - Secretary - Employees - Compensation - Bonds.**

9 The governor is the chairman of the industrial commission, and its attorney is the attorney
10 general. The commission shall appoint a ~~secretary~~an executive director and may employ other
11 subordinate officers, employees, and agents, on such terms as the commission determines
12 proper. The commission may require suitable bonds of its ~~secretary~~executive director or other
13 subordinate officers, employees, or agents. The commission shall fix the amount of the
14 compensation of the commission's ~~secretary~~executive director, officers, employees, and agents
15 ~~and the secretary's salary may exceed the maximum salary in the grade established for the~~
16 ~~classification assigned under chapter 54-44.3.~~ The compensation, together with other
17 expenditures for operation and maintenance of the general business of the commission, must
18 remain within the appropriation available in each year for such purpose. The commission may
19 set the compensation, within the limits of legislative appropriation, for members of a board,
20 committee, or council that advises the commission. Notwithstanding any other provision of law,
21 the compensation for any board, committee, or council member may include reimbursement for
22 expenses, a salary, a per diem, or a combination of the three, as set by the commission.

23 **SECTION 2. AMENDMENT.** Subsection 8 of section 54-17-07.3 of the North Dakota
24 Century Code is amended and reenacted as follows:

1 8. The housing finance agency may purchase, service, and sell residential real estate
2 loans secured by a first mortgage lien on real property originated by financial
3 institutions. The loans may be held in the agency's portfolio or sold on the secondary
4 market with servicing retained. ~~All loans with a loan-to-value ratio exceeding eighty-~~
5 ~~percent and not guaranteed by a federal agency must be insured by an approved-~~
6 ~~mortgage insurance company.~~

7 **SECTION 3. AMENDMENT.** Section 54-17-07.9 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **54-17-07.9. Execution of instruments.**

10 In the absence of any provision regulating the execution and acknowledgment of
11 conveyances, transfers, assignments, releases, satisfactions, or other instruments affecting
12 liens on, title to, or interest in real estate, the executive director or ~~the director of financial-~~
13 ~~programs~~ other staff as designated by the executive director, may execute and acknowledge
14 such instruments on behalf of the industrial commission acting as the North Dakota housing
15 finance agency.

16 **SECTION 4. AMENDMENT.** Subsection 2 of section 54-63-03 of the North Dakota Century
17 Code is amended and reenacted as follows:

18 2. The industrial commission ~~shall~~may contract with the department of commerce to
19 provide technical assistance to the renewable energy council and the industrial
20 commission to carry out and effectuate the purposes of this chapter, including pursuit
21 of aid, grants, or contributions of money or other things of value from any source for
22 any purpose consistent with this chapter. The department may contract with a public or
23 private third party to provide any or all of the technical assistance necessary to
24 implement the purposes of this chapter.