

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	\$6,332,714
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	\$44,449,595
20 Less estimated income	<u>37,302,824</u>
21 Total general fund appropriation	\$7,146,771

22 Subdivision 2.

23 BANK OF NORTH DAKOTA - OPERATIONS

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1	Salaries and wages	\$16,722,966
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	\$30,419,966

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	\$3,976,792
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	\$33,660,732

26 Grand total general fund appropriation H.B. 1015 \$15,221,771

27 Grand total special funds appropriation H.B. 1015 \$131,401,804

28 Grand total all funds appropriation H.B. 1015 \$146,623,575

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

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

SECTION 9. TRANSFER. The industrial commission shall transfer to the general fund in the state treasury, the sum of \$5,000,000 from the North Dakota mill and elevator association. The moneys must be transferred in amounts and at such times as requested by the director of the office of management and budget during the biennium beginning July 1, 2003, and ending June 30, 2005.

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

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

Higher education institutions	\$12,790,689
Department of corrections and rehabilitation	

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

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

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

30 **SECTION 14. EMERGENCY.** The appropriation in subdivision 3 of section 1, the
31 appropriation in section 13, and the transfer in section 12 of this Act for the partnership in

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- 1 assisting community expansion fund, the agriculture partnership in assisting community
- 2 expansion fund, and the beginning farmer loan fund are declared to be an emergency measure.