

**SECOND ENGROSSMENT
with Conference Committee Amendments**

REENGROSSED HOUSE BILL NO. 1023

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for capital projects of various state departments;
2 to provide an appropriation for the state facility energy improvement capital project of the
3 department of corrections and rehabilitation; to authorize the industrial commission to issue and
4 sell evidences of indebtedness for capital projects; to provide for a legislative council study; and
5 to declare an emergency.

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

7 **SECTION 1. PROJECT AUTHORIZATIONS.** The industrial commission, acting as the
8 North Dakota building authority, shall arrange for the funding of the projects authorized in this
9 section, declared to be in the public interest, through the issuance of evidences of
10 indebtedness under chapter 54-17.2, beginning with the effective date of this Act and ending
11 June 30, 2005. The industrial commission shall issue evidences of indebtedness under this
12 section with the condition that lease rental payments need not begin until July 1, 2005. The
13 authority of the industrial commission to issue evidences of indebtedness under this section
14 ends June 30, 2005, but the industrial commission may continue to exercise all other powers
15 granted to it under chapter 54-17.2 and this Act and comply with any covenants entered into
16 before that date. The proceeds of the evidences of indebtedness and other available funds are
17 appropriated to the agencies listed in this section, beginning with the effective date of this Act
18 and ending June 30, 2005, for the following projects:

19 State department of health east laboratory remodeling	\$614,865
20 State department of health morgue and storage annex construction	960,000
21 Department of corrections and rehabilitation - James River	<u>2,662,890</u>
22 correctional center phase II	
23 Total special funds appropriation	\$4,237,755

1 The bonding authority provided for the state department of health east laboratory
2 remodeling project in the amount of \$614,865 must be reduced by any available moneys the
3 department is able to use from the funding provided by the centers for disease control and
4 prevention and health resources and services administration for bioterrorism programs.

5 **SECTION 2. STATE FACILITY ENERGY IMPROVEMENT PROJECT**

6 **AUTHORIZATIONS.** The industrial commission, acting as the North Dakota building authority,
7 shall arrange for the funding of the projects authorized in this section, which are described in a
8 report dated August 29, 2002, filed with the governor by the division of community services of
9 the department of commerce, and which are declared to be in the public interest, through the
10 issuance of evidences of indebtedness under chapter 54-17.2 and section 54-44.5-08,
11 beginning with the effective date of this Act and ending June 30, 2005. The authority of the
12 industrial commission to issue evidences of indebtedness under this section ends June 30,
13 2005, but the industrial commission may continue to exercise all other powers granted to it
14 under chapter 54-17.2, section 54-44.5-08, and this Act, and comply with any covenants
15 entered into before that date. The proceeds of the evidences of indebtedness and other
16 available funds are appropriated to the agencies and institutions listed in this section, beginning
17 with the effective date of this Act and ending June 30, 2005, for the following projects:

18 Department of corrections and rehabilitation - Missouri River	<u>\$105,326</u>
19 correctional center	
20 Total special funds appropriation	\$105,326

21 **SECTION 3. LEGISLATIVE COUNCIL STUDY - CAPITAL CONSTRUCTION LEASE**

22 **PAYMENT LIMITATION.** The legislative council shall consider studying, during the 2003-04
23 interim, the provisions of section 54-17.2-23 of the North Dakota Century Code regarding the
24 statutory limitation on the amount of capital construction lease payments paid from the general
25 fund and the effect of increasing the percentage limitation. The legislative council shall report
26 its findings and recommendations, together with any legislation required to implement the
27 recommendations, to the fifty-ninth legislative assembly.

28 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.