

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the industrial  
2 commission and the agencies under its control; to provide contingent funding; to provide for a  
3 transfer; and to provide an exemption.

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

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
6 as may be necessary, are appropriated out of any moneys in the general fund in the state  
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
8 other income, to the industrial commission and agencies under its control for the purpose of  
9 defraying the expenses of the industrial commission and the agencies under its control, for the  
10 biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

11 Subdivision 1.

12 INDUSTRIAL COMMISSION

13 Governor's

14	<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
15 Salaries and wages	\$23,409,450	\$23,200,917	\$23,409,450
16 Operating expenses	5,830,227	5,119,958	5,830,227
17 Grants - bond payments	10,508,767	22,040,721	10,508,767
18 Contingencies	<u>229,544</u>	<u>3,330</u>	<u>229,544</u>
19 Total all funds	\$39,977,988	\$50,364,926	\$39,977,988
20 Less estimated income	<u>12,723,790</u>	<u>24,377,960</u>	<u>12,723,790</u>
21 Total general fund	\$27,254,198	\$25,986,966	\$27,254,198
22 Full-time equivalent positions	112.25	108.25	112.25

23 Subdivision 2.

24 BANK OF NORTH DAKOTA

Sixty-seventh  
Legislative Assembly

		Governor's		
	<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>	
1				
2				
3	Bank of North Dakota operations	\$62,847,799	\$65,451,079	\$62,847,799
4	Capital assets	<u>1,510,000</u>	<u>1,510,000</u>	<u>1,510,000</u>
5	Total special funds	\$64,357,799	\$66,961,079	\$64,357,799
6	Full-time equivalent positions	181.50	165.50	181.50
7	Subdivision 3.			
8	HOUSING FINANCE AGENCY			
9		Governor's		
10		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
11	Salaries and wages	\$8,509,015	\$9,534,152	\$8,509,015
12	Operating expenses	5,346,276	6,144,060	5,346,276
13	Capital assets	0	150,000	0
14	Grants	33,466,600	42,975,200	33,466,600
15	Housing finance agency contingencies	<u>100,000</u>	<u>100,000</u>	<u>100,000</u>
16	Total special funds	\$47,421,891	\$58,903,412	\$47,421,891
17	Full-time equivalent positions	44.00	48.00	44.00
18	Subdivision 4.			
19	MILL AND ELEVATOR ASSOCIATION			
20		Governor's		
21		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
22	Salaries and wages	\$46,447,824	\$50,782,394	\$46,447,824
23	Operating expenses	29,837,000	36,817,000	29,837,000
24	Contingencies	500,000	500,000	500,000
25	Agriculture promotion	<u>210,000</u>	<u>500,000</u>	<u>210,000</u>
26	Total special funds	\$76,994,824	\$88,599,394	\$76,994,824
27	Full-time equivalent positions	156.00	156.00	156.00
28	Subdivision 5.			
29	TOTAL - SECTION 1			
30		Governor's		
31		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>

Sixty-seventh  
Legislative Assembly

1	Grand total general fund	\$27,254,198	\$25,986,966	\$27,254,198
2	Grand total special funds	<u>201,498,304</u>	<u>238,841,845</u>	<u>201,498,304</u>
3	Grand total all funds	\$228,752,502	\$264,828,811	\$228,752,502

4       **SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding  
5 items approved by the sixty-sixth legislative assembly for the 2019-21 biennium:

6	<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
7	Temporary employees	\$175,000	\$0
8	Rare earth elements study	160,000	0
9	Fracturing sand study	110,000	0
10	Oil database software upgrade	5,000,000	0
11	High-level radioactive fund	20,000	0
12	Housing finance agency - housing incentive fund	<u>7,500,000</u>	<u>0</u>
13	Total all funds	\$12,965,000	\$0
14	Less estimated income	<u>5,270,000</u>	<u>0</u>
15	Total general fund	\$7,695,000	\$0

16       **SECTION 3. BOND PAYMENTS.** The amount of \$10,508,767 included in subdivision 1 of  
17 section 1 of this Act in the grants - bond payments line item must be paid from the following  
18 funding sources, during the biennium beginning July 1, 2021, and ending June 30, 2023:

19	North Dakota university system	\$4,959,448
20	North Dakota university system - energy conservation projects	415,664
21	Department of corrections and rehabilitation	689,299
22	Department of corrections and rehabilitation - energy conservation projects	16,180
23	State department of health	644,884
24	Job service North Dakota	434,847
25	Office of management and budget	567,125
26	Attorney general's office	647,500
27	State historical society	1,177,875
28	Parks and recreation department	66,875
29	Research and extension service	483,337
30	Veterans' home	<u>405,733</u>
31	Total	\$10,508,767

1       **SECTION 4. APPROPRIATION - HOUSING FINANCE AGENCY - ADDITIONAL INCOME.**

2       In addition to the amount appropriated to the housing finance agency in subdivision 3 of  
3       section 1 of this Act, there is appropriated any additional income or unanticipated income from  
4       federal or other funds which may become available to the agency, for the biennium beginning  
5       July 1, 2021, and ending June 30, 2023. The housing finance agency shall notify the office of  
6       management and budget and the legislative council of any additional income or unanticipated  
7       income that becomes available to the agency resulting in an increase in appropriation authority.

8       **SECTION 5. CONTINGENT FUNDING - INDUSTRIAL COMMISSION.** The amount of  
9       \$229,544 from the general fund and two full-time equivalent positions included in subdivision 1  
10      of section 1 of this Act may be spent only in accordance with the provisions of this section. The  
11      industrial commission shall notify the office of management and budget and the legislative  
12      council when the total number of wells capable of production and injection exceeds twenty  
13      thousand eight hundred. Subject to budget section approval, the industrial commission may  
14      spend \$229,544 from the contingencies line item and may hire two full-time equivalent positions  
15      if the total number of oil wells capable of production and injection exceeds twenty thousand  
16      eight hundred.

17      **SECTION 6. TRANSFER - ENTITIES UNDER THE CONTROL OF THE INDUSTRIAL**  
18      **COMMISSION TO INDUSTRIAL COMMISSION FUND.** The sum of \$1,172,603, or so much of  
19      the sum as may be necessary, included in the appropriation in subdivision 1 of section 1 of this  
20      Act, may be transferred from the entities within the control of the industrial commission or  
21      entities directed to make payments to the industrial commission fund for administrative services  
22      rendered by the commission. Transfers must be made during the biennium beginning July 1,  
23      2021, and ending June 30, 2023, upon order of the commission. Transfers from the student  
24      loan trust fund must be made to the extent permitted by sections 54-17-24 and 54-17-25.

25      **SECTION 7. TRANSFER - BANK OF NORTH DAKOTA PROFITS TO GENERAL FUND.**  
26      The industrial commission shall transfer to the general fund \$140,000,000 from the current  
27      earnings and the accumulated profits of the Bank of North Dakota during the biennium  
28      beginning July 1, 2021, and ending June 30, 2023. The moneys must be transferred in the  
29      amounts and at the times requested by the director of the office of management and budget  
30      after consultation with the Bank of North Dakota president. For legislative council budget status  
31      reporting purposes, the transfer under this section is considered an ongoing revenue source.

1       **SECTION 8. TRANSFER - PARTNERSHIP IN ASSISTING COMMUNITY EXPANSION.**

2       The Bank of North Dakota shall transfer the sum of \$26,000,000, or so much of the sum as may  
3       be necessary, from the Bank's current earnings and undivided profits to the partnership in  
4       assisting community expansion fund during the biennium beginning July 1, 2021, and ending  
5       June 30, 2023.

6       **SECTION 9. TRANSFER - AGRICULTURE PARTNERSHIP IN ASSISTING COMMUNITY**

7       **EXPANSION.** The Bank of North Dakota shall transfer the sum of \$4,000,000, or so much of the  
8       sum as may be necessary, from the Bank's current earnings and undivided profits to the  
9       agriculture partnership in assisting community expansion fund during the biennium beginning  
10      July 1, 2021, and ending June 30, 2023.

11      **SECTION 10. TRANSFER - BIOFUELS PARTNERSHIP IN ASSISTING COMMUNITY**

12      **EXPANSION.** The Bank of North Dakota shall transfer the sum of \$1,000,000, or so much of the  
13      sum as may be necessary, from the Bank's current earnings and undivided profits to the  
14      biofuels partnership in assisting community expansion fund during the biennium beginning  
15      July 1, 2021, and ending June 30, 2023.

16      **SECTION 11. TRANSFER - BEGINNING FARMER REVOLVING LOAN FUND.** The Bank

17      of North Dakota shall transfer the sum of \$6,000,000, or so much of the sum as may be  
18      necessary, from the Bank's current earnings and undivided profits to the beginning farmer  
19      revolving loan fund during the biennium beginning July 1, 2021, and ending June 30, 2023.

20      **SECTION 12. LIGNITE RESEARCH, DEVELOPMENT, AND MARKETING PROGRAM -**

21      **LIGNITE MARKETING FEASIBILITY STUDY.** The amount of \$4,500,000 from the lignite  
22      research fund, or so much of the amount as may be necessary, may be used for the purpose of  
23      contracting for an independent, nonmatching lignite marketing feasibility study or studies that  
24      determine those focused priority areas where near-term, market-driven projects, activities, or  
25      processes will generate matching private industry investment and have the most potential of  
26      preserving existing lignite production and industry jobs or that will lead to increased  
27      development of lignite and its products and create new lignite industry jobs and economic  
28      growth for the general welfare of this state. Moneys appropriated pursuant to this section also  
29      may be used for the purpose of contracting for nonmatching studies and activities in support of  
30      the lignite vision 21 program; for litigation that may be necessary to protect and promote the  
31      continued development of lignite resources; for nonmatching externality studies and activities in

1 externality proceedings; or other marketing, environmental, or transmission activities that assist  
2 with marketing of lignite-based electricity and lignite-based byproducts. Moneys needed for the  
3 purposes stated in this section are available to the industrial commission for funding projects,  
4 processes, or activities under the lignite research, development, and marketing program.

5 **SECTION 13. EXEMPTION - INDUSTRIAL COMMISSION FUND.** The amount of  
6 \$1,172,603 appropriated to the industrial commission in subdivision 1 of section 1 of chapter 14  
7 of the 2019 Session Laws and transferred pursuant to section 8 of chapter 14 of the  
8 2019 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended  
9 funds from this appropriation are available to the industrial commission for administrative  
10 services rendered by the commission during the biennium beginning July 1, 2021, and ending  
11 June 30, 2023.