

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1024

That the Senate recede from its amendments as printed on pages 1581-1591 of the House Journal and pages 1296-1306 of the Senate Journal and that Engrossed House Bill No. 1024 be amended as follows:

Page 1, line 1, replace "an appropriation" with "appropriations"

Page 1, line 2, after the first semicolon insert "to provide a contingent appropriation; to amend and reenact section 4 of chapter 552 of the 2015 Session Laws, relating to Bank of North Dakota transfers to the state general fund;"

Page 1, line 2, after the second semicolon insert "to provide for transfers; to provide statements of legislative intent;"

Page 1, line 4, after "**APPROPRIATION**" insert "**- STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - 2015-17 BIENNIUM**"

Page 1, after line 10, insert:

"STATE TREASURER

Property tax relief credits	<u>\$8,100,000</u>
Total special funds	\$8,100,000

Subdivision 2.

COMMISSION ON LEGAL COUNSEL FOR INDIGENTS

Commission on legal counsel for indigents	<u>\$189,000</u>
Total special funds	\$189,000

Subdivision 3."

Page 1, line 14, replace "2." with "4."

Page 1, replace lines 16 and 17 with:

"Grants - Medical assistance	<u>\$9,000,000</u>
Total special funds	\$9,000,000"

Page 1, line 18, replace "3." with "5."

Page 1, after line 21 insert:

"Subdivision 6.

STATE HISTORICAL SOCIETY

Litigation expenses	<u>\$50,000</u>
Total special funds	\$50,000"

Page 1, replace line 23 with:

"Grand total special funds

\$17,668,500"

Page 2, replace lines 1 through 25 with:

**"SECTION 2. APPROPRIATION - SPECIAL FUNDS FROM ADJUTANT GENERAL LOAN PROCEEDS - THROUGH JUNE 30, 2019.** There is appropriated from special funds received from the adjutant general, the sums as hereinafter provided, or so much of the sums as may be necessary, to the agencies listed below for the purpose of defraying expenses of law enforcement support which were incurred after June 30, 2015, related to unlawful activity associated with the construction of the Dakota access pipeline, for the period beginning with the effective date of this Act, and ending June 30, 2019.

Subdivision 1.

ATTORNEY GENERAL

Salaries and wages	<u>\$200,000</u>
Total special funds	\$200,000

Subdivision 2.

JUDICIAL BRANCH

Pipeline protest trials	<u>\$1,500,000</u>
Total special funds	\$1,500,000

Subdivision 3.

COMMISSION ON LEGAL COUNSEL FOR INDIGENTS

Pipeline protest trials	<u>\$1,027,000</u>
Total special funds	\$1,027,000

Subdivision 4.

STATE DEPARTMENT OF HEALTH

Operating expenses	<u>\$1,420,000</u>
Total special funds	\$1,420,000

Subdivision 5.

HIGHWAY PATROL

Field operations	<u>\$3,234,000</u>
Total special funds	\$3,234,000

Subdivision 6.

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Adult services	<u>\$500,000</u>
Total special funds	\$500,000

Subdivision 7.

GAME AND FISH DEPARTMENT

Salaries and wages	\$221,795
Operating expenses	<u>201,929</u>
Total special funds	\$423,724

Subdivision 8.

PARKS AND RECREATION DEPARTMENT

Natural resources	<u>\$200,000</u>
Total special funds	\$200,000

Subdivision 9.

DEPARTMENT OF TRANSPORTATION

Salaries and wages	\$287,000
Operating expenses	<u>422,000</u>
Total special funds	\$709,000

SECTION 2 TOTAL

Grand total special funds	\$9,213,724
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**SECTION 3. BORROWING AUTHORITY - APPROPRIATION - THROUGH JUNE 30, 2019 - ADJUTANT GENERAL - DEPARTMENT OF EMERGENCY SERVICES FUNDING REQUEST.** The office of the adjutant general may borrow the sum of \$10,000,000, or so much of the sum as may be necessary, from the Bank of North Dakota, for law enforcement support costs that were incurred after June 30, 2015, related to unlawful activity associated with the construction of the Dakota access pipeline, for the period beginning with the effective date of this Act, and ending June 30, 2019. The proceeds of the loan authorized in this section are appropriated to the office of the adjutant general for the purpose of defraying expenses of law enforcement support which were incurred after June 30, 2015, related to unlawful activity associated with the construction of the Dakota access pipeline, for the period beginning with the effective date of this Act, and ending June 30, 2019. The department of emergency services shall include any amounts borrowed under this section in the request for reimbursement from the federal government related to the state's expenses incurred due to unlawful activity associated with the construction of the Dakota access pipeline.

**SECTION 4. CONTINGENT APPROPRIATION - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - ATTORNEY GENERAL - THROUGH JUNE 30, 2019.** There is appropriated out of any moneys in the strategic investment and improvements fund in the state treasury, not otherwise appropriated, the sum of \$15,872,000, or so much of the sum as may be necessary, to the attorney general for the purpose of providing any court-ordered payments to a bankruptcy estate or payments to be made pursuant to the terms of a settlement agreement approved by order of the court, for the period beginning with the effective date of this Act, and ending June 30, 2019. The funding provided in this section may be expended only upon an order of the court pending the outcome of PW Enterprises, Inc. v. State of North Dakota or pursuant to the terms of a settlement agreement approved by order of the court. The funding provided in this section is considered a one-time funding item and is not a part of the entity's base budget for the 2019-21 biennium.

**SECTION 5. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO GENERAL FUND - 2015-17 BIENNIUM.** The office of management and budget shall transfer the sum of \$155,000,000 from the strategic investment and improvements fund to the general fund during the period beginning with the effective date of this Act, and ending June 30, 2017.

**SECTION 6. LINE ITEM TRANSFERS - ATTORNEY GENERAL - 2015-17 BIENNIUM.**

1. The attorney general may transfer \$75,000 from the amount appropriated for the continuation of contracted higher education legal services in section 6 of chapter 3 of the 2015 Session Laws to the litigation fees line item in section 1 of chapter 37 of the 2015 Session Laws, for the period beginning with the effective date of this Act, and ending June 30, 2017.
2. The attorney general may transfer \$5,000 from the amount appropriated for the continuation of contracted higher education legal services in section 6 of chapter 3 of the 2015 Session Laws to the arrest and return of fugitives line item in section 1 of chapter 37 of the 2015 Session Laws, for the period beginning with the effective date of this Act, and ending June 30, 2017.

**SECTION 7. LEGISLATIVE INTENT - COST REIMBURSEMENTS - LOAN REPAYMENTS.** It is the intent of the sixty-fifth legislative assembly that the department of emergency services seek reimbursement from the federal government for the costs of responding to unlawful activity associated with the construction of the Dakota access pipeline. It is further the intent of the sixty-fifth legislative assembly that these reimbursements be used to repay the Bank of North Dakota loans authorized by the emergency commission and the legislative assembly, including loans of \$17,000,000 previously authorized by the emergency commission; loans in Senate Bill No. 2174, as approved by the sixty-fifth legislative assembly; and loans authorized in section 3 of this Act, which were all obtained to provide the funding necessary to respond to the unlawful activity associated with the construction of the Dakota access pipeline. It is further the intent of the legislative assembly that provisions of section 54-16-13 apply to the loans, except that emergency commission approval does not apply.

**SECTION 8. LEGISLATIVE INTENT - COST REIMBURSEMENT - LOAN REPAYMENTS.** It is the intent of the sixty-fifth legislative assembly that:

1. The department of emergency services and the governor accept reimbursement in the form of land, cash, or other assets from nonstate sources for state costs incurred relating to unlawful activity associated with the construction of the Dakota access pipeline.
2. Any reimbursements received be used to repay the Bank of North Dakota loans authorized by the emergency commission; loans in Senate Bill No. 2174, as approved by the sixty-fifth legislative assembly; and loans authorized in section 3 of this Act, which were all obtained to provide the funding necessary to respond to the unlawful activity associated with the construction of the Dakota access pipeline.
3. If the department of emergency services or the governor receive land or other noncash assets as reimbursement, the department of emergency services or the governor request authorization from the sixty-sixth

legislative assembly to convey the land or noncash assets and use any proceeds for repayment of any remaining outstanding loans.

**SECTION 9. AMENDMENT.** Section 4 of chapter 552 of the 2015 Session Laws is amended and reenacted as follows:

**SECTION 4. CONTINGENT BANK OF NORTH DAKOTA TRANSFERS TO STATE GENERAL FUND.** ~~If, during~~ During the period beginning with the effective date of this Act and ending June 30, 2017, the director of the office of management and budget determines the state general fund will not have a projected positive June 30, 2017, balance, the industrial commission shall transfer \$100,000,000, ~~or so much of the sum as may be necessary,~~ from the earnings and accumulated and undivided profits of the Bank of North Dakota to the state general fund. The moneys must be transferred in amounts and at such times as requested by the director of the office of management and budget. ~~The sum of the amounts transferred may not exceed the lesser of \$100,000,000 or the amount necessary to provide for a positive June 30, 2017, general fund balance."~~

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1024 - Summary of Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
<b>State Treasurer</b>						
Total all funds	\$0	\$0	\$0	\$0	\$15,200,000	(\$15,200,000)
Less estimated income	0	0	0	0	15,200,000	(15,200,000)
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Attorney General</b>						
Total all funds	\$0	\$0	\$16,072,000	\$16,072,000	\$200,000	\$15,872,000
Less estimated income	0	0	16,072,000	16,072,000	200,000	15,872,000
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Judicial Branch</b>						
Total all funds	\$0	\$1,500,000	\$0	\$1,500,000	\$1,500,000	\$0
Less estimated income	0	1,500,000	0	1,500,000	1,500,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Commission on Legal Counsel for Indigent</b>						
Total all funds	\$0	\$859,000	\$168,000	\$1,027,000	\$1,027,000	\$0
Less estimated income	0	859,000	168,000	1,027,000	1,027,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>State Department of Health</b>						
Total all funds	\$0	\$0	\$1,420,000	\$1,420,000	\$1,420,000	\$0
Less estimated income	0	0	1,420,000	1,420,000	1,420,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Highway Patrol</b>						
Total all funds	\$0	\$0	\$3,234,000	\$3,234,000	\$3,234,000	\$0
Less estimated income	0	0	3,234,000	3,234,000	3,234,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Department of Corrections and Rehab.</b>						
Total all funds	\$0	\$0	\$500,000	\$500,000	\$500,000	\$0
Less estimated income	0	0	500,000	500,000	500,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Adjutant General</b>						

Total all funds	\$0	\$0	\$10,000,000	\$10,000,000	\$15,000,000	(\$5,000,000)
Less estimated income	0	0	10,000,000	10,000,000	15,000,000	(5,000,000)
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>State Historical Society</b>						
Total all funds	\$0	\$0	\$0	\$0	\$294,500	(\$294,500)
Less estimated income	0	0	0	0	294,500	(294,500)
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Game and Fish Department</b>						
Total all funds	\$0	\$0	\$423,724	\$423,724	\$423,724	\$0
Less estimated income	0	0	423,724	423,724	423,724	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Parks and Recreation Department</b>						
Total all funds	\$0	\$0	\$200,000	\$200,000	\$200,000	\$0
Less estimated income	0	0	200,000	200,000	200,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Department of Transportation</b>						
Total all funds	\$0	\$0	\$709,000	\$709,000	\$709,000	\$0
Less estimated income	0	0	709,000	709,000	709,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Bill total</b>						
Total all funds	\$0	\$2,359,000	\$32,726,724	\$35,085,724	\$39,708,224	(\$4,622,500)
Less estimated income	0	2,359,000	32,726,724	35,085,724	39,708,224	(4,622,500)
General fund	\$0	\$0	\$0	\$0	\$0	\$0

### House Bill No. 1024 - Attorney General - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages			\$200,000	\$200,000	\$200,000	
Settlement Payment			15,872,000	15,872,000		15,872,000
Total all funds	\$0	\$0	\$16,072,000	\$16,072,000	\$200,000	\$15,872,000
Less estimated income	0	0	16,072,000	16,072,000	200,000	15,872,000
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

### Department No. 125 - Attorney General - Detail of Conference Committee Changes

	Adds Funding for Pipeline Protest Law Enforcement Support <sup>1</sup>	Provides Contingent Funding for Settlement Payment <sup>2</sup>	Total Conference Committee Changes
Salaries and wages	\$200,000		\$200,000
Settlement Payment		15,872,000	15,872,000
Total all funds	\$200,000	\$15,872,000	\$16,072,000
Less estimated income	200,000	15,872,000	16,072,000
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

<sup>1</sup> Funding of \$200,000 is added from special funds received from the Adjutant General for expenses of law enforcement support related to unlawful activity associated with the construction of the Dakota Access Pipeline, the same as the Senate.

<sup>2</sup> Contingent funding of \$15,872,000 from the strategic investment and improvements fund is added for

any required payments to a bankruptcy estate. The funding may be expended only upon an order of the court pending the outcome of PW Enterprises, Inc. v. State of North Dakota. The Senate appropriated \$15.2 million to the State Treasurer.

**House Bill No. 1024 - Commission on Legal Counsel for Indigent - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Pipeline protest trials		\$859,000	\$168,000	\$1,027,000	\$1,027,000	
Total all funds	\$0	\$859,000	\$168,000	\$1,027,000	\$1,027,000	\$0
Less estimated income	0	859,000	168,000	1,027,000	1,027,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Department No. 188 - Commission on Legal Counsel for Indigent - Detail of Conference Committee Changes**

	Adds Funding for Pipeline Protest Trials <sup>1</sup>	Total Conference Committee Changes
Pipeline protest trials	\$168,000	\$168,000
Total all funds	\$168,000	\$168,000
Less estimated income	168,000	168,000
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> Funding is increased by \$168,000, from \$859,000 to \$1,027,000, for additional costs related to pipeline protest trials, the same as the Senate, except that the commission will access the loan proceeds through the Adjutant General rather than directly from a Bank of North Dakota loan.

**House Bill No. 1024 - State Department of Health - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Operating expenses			\$1,420,000	\$1,420,000	\$1,420,000	
Total all funds	\$0	\$0	\$1,420,000	\$1,420,000	\$1,420,000	\$0
Less estimated income	0	0	1,420,000	1,420,000	1,420,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Department No. 301 - State Department of Health - Detail of Conference Committee Changes**

	Adds Funding for Pipeline Protest Law Enforcement Support <sup>1</sup>	Total Conference Committee Changes
Operating expenses	\$1,420,000	\$1,420,000
Total all funds	\$1,420,000	\$1,420,000
Less estimated income	1,420,000	1,420,000
	\$0	\$0

General fund		
FTE	0.00	0.00

<sup>1</sup> Funding of \$1,420,000 is added from special funds received for the Adjutant General for expenses of law enforcement support related to unlawful activity associated with the construction of the Dakota Access Pipeline, the same as the Senate.

**House Bill No. 1024 - Highway Patrol - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Field operations			\$3,234,000	\$3,234,000	\$3,234,000	
Total all funds	\$0	\$0	\$3,234,000	\$3,234,000	\$3,234,000	\$0
Less estimated income	0	0	3,234,000	3,234,000	3,234,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Department No. 504 - Highway Patrol - Detail of Conference Committee Changes**

	Adds Funding for Pipeline Protest Law Enforcement Support <sup>1</sup>	Total Conference Committee Changes
Field operations	\$3,234,000	\$3,234,000
Total all funds	\$3,234,000	\$3,234,000
Less estimated income	3,234,000	3,234,000
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> Funding of \$3,234,000 is added from special funds received from the Adjutant General for expenses of law enforcement support related to unlawful activity associated with the construction of the Dakota Access Pipeline, the same as the Senate.

**House Bill No. 1024 - Department of Corrections and Rehab. - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Adult services			\$500,000	\$500,000	\$500,000	
Total all funds	\$0	\$0	\$500,000	\$500,000	\$500,000	\$0
Less estimated income	0	0	500,000	500,000	500,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Department No. 530 - Department of Corrections and Rehab. - Detail of Conference Committee Changes**

Adds Funding for Pipeline Protest Law	Total Conference Committee



	Enforcement Support <sup>1</sup>	Changes
Adult services	\$500,000	\$500,000
Total all funds	\$500,000	\$500,000
Less estimated income	500,000	500,000
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> Funding of \$500,000 is added from special funds received from the Adjutant General for expenses of law enforcement support related to unlawful activity associated with the construction of the Dakota Access Pipeline, the same as the Senate.

### House Bill No. 1024 - Adjutant General - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Pipeline protest costs			\$10,000,000	\$10,000,000		\$10,000,000
Total all funds	\$0	\$0	\$10,000,000	\$10,000,000	\$0	\$10,000,000
Less estimated income	0	0	10,000,000	10,000,000	15,000,000	(5,000,000)
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

### Department No. 540 - Adjutant General - Detail of Conference Committee Changes

	Adds Funding for Pipeline Protest Law Enforcement Support <sup>1</sup>	Total Conference Committee Changes
Pipeline protest costs	\$10,000,000	\$10,000,000
Total all funds	\$10,000,000	\$10,000,000
Less estimated income	10,000,000	10,000,000
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> Funding of \$10 million is added from the proceeds of a loan for expenses of law enforcement support related to unlawful activity associated with the construction of the Dakota Access Pipeline. The Senate provided \$15 million.

### House Bill No. 1024 - Game and Fish Department - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages			\$221,795	\$221,795	\$221,795	
Operating expenses			201,929	201,929	201,929	
Total all funds	\$0	\$0	\$423,724	\$423,724	\$423,724	\$0
Less estimated income	0	0	423,724	423,724	423,724	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Department No. 720 - Game and Fish Department - Detail of Conference Committee Changes**

	Adds Funding for Pipeline Protest Law Enforcement Support <sup>1</sup>	Total Conference Committee Changes
Salaries and wages	\$221,795	\$221,795
Operating expenses	201,929	201,929
Total all funds	\$423,724	\$423,724
Less estimated income	423,724	423,724
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> Funding of \$423,724 is added from special funds received from the Adjutant General for expenses of law enforcement support related to unlawful activity associated with the construction of the Dakota Access Pipeline, the same as the Senate.

**House Bill No. 1024 - Parks and Recreation Department - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Natural resources			\$200,000	\$200,000	\$200,000	
Total all funds	\$0	\$0	\$200,000	\$200,000	\$200,000	\$0
Less estimated income	0	0	200,000	200,000	200,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Department No. 750 - Parks and Recreation Department - Detail of Conference Committee Changes**

	Adds Funding for Pipeline Protest Law Enforcement Support <sup>1</sup>	Total Conference Committee Changes
Natural resources	\$200,000	\$200,000
Total all funds	\$200,000	\$200,000
Less estimated income	200,000	200,000
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> Funding of \$200,000 is added from special funds received from the Adjutant General for expenses of law enforcement support related to unlawful activity associated with the construction of the Dakota Access Pipeline, the same as the Senate.

**House Bill No. 1024 - Department of Transportation - Conference Committee Action**

Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
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Salaries and wages			\$287,000	\$287,000	\$287,000	
Operating expenses			422,000	422,000	422,000	
Total all funds	\$0	\$0	\$709,000	\$709,000	\$709,000	\$0
Less estimated income	0	0	709,000	709,000	709,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Department No. 801 - Department of Transportation - Detail of Conference Committee Changes**

	Adds Funding for Pipeline Protest Law Enforcement Support <sup>1</sup>	Total Conference Committee Changes
Salaries and wages	\$287,000	\$287,000
Operating expenses	422,000	422,000
Total all funds	\$709,000	\$709,000
Less estimated income	709,000	709,000
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> Funding of \$709,000 is added from special funds received from the Adjutant General for expenses of law enforcement support related to unlawful activity associated with the construction of the Dakota Access Pipeline, the same as the Senate.

**House Bill No. 1024 - Other Changes - Conference Committee Action**

This amendment provides for the following changes to agency deficiency appropriations from the strategic investment and improvements fund:

- Appropriates \$8.1 million to the State Treasurer for property tax relief credit payments. Neither the House nor the Senate included this funding.
- Appropriates \$189,000 to the Commission on Legal Counsel for Indigents related to costs associated with Section 25 of Article I of the Constitution of North Dakota relating to victims' rights (Marsy's Law), the same as the Senate.
- Increases the appropriation to the Department of Human Services for Medicaid grants by \$4 million, from \$5 million to \$9 million. The Senate also provided this funding increase.
- Appropriates \$50,000 to the State Historical Society for litigation expenses. The Senate provided \$294,500 to be available through June 30, 2019.

This amendment also:

- Removes two sections added by the Senate to provide borrowing authority to the judicial branch (\$1,500,000) and the Commission on Legal Counsel for Indigents (\$1,027,000). These agencies may access loan proceeds for these costs through the Adjutant General's loan authorization.
- Adds a section to provide appropriations to various state agencies from special funds the agency received from the Adjutant General for expenses of law enforcement support related to unlawful activity associated with the construction of the Dakota Access Pipeline. The Senate added a similar section.
- Adds a section to provide \$10 million of borrowing authority and the related appropriation authority through June 30, 2019, to the Adjutant General for expenses related to unlawful activity associated with the construction of the Dakota Access Pipeline, including for costs incurred by the judicial branch and Commission on Legal Counsel for Indigents. The Senate added this section to provide \$15 million of borrowing authority.
- Adds a section to provide contingent funding of \$15,872,000 from the strategic investment and improvements fund for any required payments to a bankruptcy estate. The funding may be expended only upon an order of the court pending the outcome of *PW Enterprises, Inc. v. State*

of North Dakota. The Senate appropriated \$15.2 million to the State Treasurer.

- Provides for a transfer of \$155 million from the strategic investment and improvements fund to the general fund prior to the end of the 2015-17 biennium, resulting in an increase in the July 1, 2017, estimated beginning balance of the general fund. The Senate also added this section.
- Adds a section authorizing the Attorney General to transfer funds between certain line items during the 2015-17 biennium. The Senate also added this section.
- Adds a section to provide legislative intent related to repayment sources for loans obtained to provide the necessary funding to respond to the unlawful activity associated with the construction of the Dakota Access Pipeline. The Senate added a section with similar language.
- Adds a section to provide legislative intent that the Department of Emergency Services and the Governor accept reimbursement from nonstate sources for state costs relating to the Dakota Access Pipeline protests.
- Amends Section 4 of Chapter 552 of the 2016 Special Session Session Laws relating to 2015-17 biennium transfers from the profits of the Bank of North Dakota to the general fund. Neither the House nor the Senate made this change.