

**Fifty-fifth Legislative Assembly, State of North Dakota, begun in the
Capitol in the City of Bismarck, on Monday, the sixth day of January,
one thousand nine hundred and ninety-seven**

SENATE BILL NO. 2015
(Appropriations Committee)
(At the request of the Governor)

AN ACT to provide an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the state industrial commission; to provide a continuing appropriation; to authorize transfers; to create and enact section 54-17.4-09.1 of the North Dakota Century Code, relating to a fossil excavation and restoration fund; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state industrial commission and agencies under its control for the purpose of defraying the expenses of their various divisions, for the biennium beginning July 1, 1997, and ending June 30, 1999, as follows:

Subdivision 1.

INDUSTRIAL COMMISSION

Salaries and wages	\$ 5,329,672
Operating expenses	1,592,389
Equipment	118,600
Grants	13,430,280
Administrative contingency	10,000
Bond payments	<u>16,562,392</u>
Total all funds	\$ 37,043,333
Less estimated income	<u>16,348,169</u>
Total general fund appropriation	\$ 20,695,164

Subdivision 2.

BANK OF NORTH DAKOTA - OPERATIONS

Salaries and wages	\$ 13,461,681
Operating expenses	10,259,629
Equipment	1,454,000
Capital improvements	270,000
Contingency	<u>485,339</u>
Total appropriation from Bank of North Dakota fund	\$ 25,930,649

Subdivision 3.

BANK OF NORTH DAKOTA - ECONOMIC DEVELOPMENT

Partnership in assisting community expansion fund	\$ 4,600,000
Agriculture partnership in assisting community expansion fund	397,100
Beginning farmer	<u>921,500</u>
Total general fund appropriation	\$ 5,918,600

Subdivision 4.

MILL AND ELEVATOR ASSOCIATION

Salaries and wages	\$ 12,007,663
Operating expenses	7,134,539
Contingency	250,000

Agriculture promotion	50,000
Total appropriation from mill and elevator fund	\$ 19,442,202

Subdivision 5.

HOUSING FINANCE AGENCY

Salaries and wages	\$ 2,406,081
Operating expenses	1,351,816
Equipment	75,000
Grants	22,014,860
Contingency	100,000
Total appropriation from housing finance agency fund	\$ 25,947,757
Grand total general fund appropriation S.B. 2015	\$ 26,613,764
Grand total special funds appropriation S.B. 2015	\$ 87,668,777
Grand total all funds appropriation S.B. 2015	\$114,282,541

SECTION 2. APPROPRIATION. In addition to the amount appropriated to the housing finance agency in subdivision 5 of section 1 of this Act, there is hereby appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 1997, and ending June 30, 1999.

SECTION 3. APPROPRIATION. In addition to the amount appropriated to the industrial commission in subdivision 1 of section 1 of this Act, there is hereby appropriated, with the approval of the emergency commission, funds which may become available to the commission from bonds authorized by law to be issued by the industrial commission under chapters 4-36 and 54-17.3 and section 54-17-25, for the biennium beginning July 1, 1997, and ending June 30, 1999.

SECTION 4. TRANSFER. The sum of \$65,340, or so much of the sum as may be necessary, included in the special funds appropriation line item in subdivision 1 of section 1 of this Act, is from the North Dakota mill and elevator association. The moneys must be transferred during the biennium beginning July 1, 1997, and ending June 30, 1999, upon order of the industrial commission.

SECTION 5. TRANSFER. The sum of \$85,226, or so much of the sum as may be necessary, included in the special funds appropriation line item in subdivision 1 of section 1 of this Act, is from the accumulated and undivided profits of the Bank of North Dakota. The moneys must be transferred during the biennium beginning July 1, 1997, and ending June 30, 1999, upon order of the industrial commission.

SECTION 6. TRANSFER. The sum of \$56,817, or so much of the sum as may be necessary, included in the special funds appropriation line item in subdivision 1 of section 1 of this Act, is from the housing finance agency fund. The moneys must be transferred during the biennium beginning July 1, 1997, and ending June 30, 1999, upon order of the industrial commission.

SECTION 7. TRANSFER. The sum of \$19,886, or so much of the sum as may be necessary, included in the special funds appropriation line item in subdivision 1 of section 1 of this Act, is from the revenues of the municipal bond bank. The available moneys must be transferred during the biennium beginning July 1, 1997, and ending June 30, 1999, upon order of the industrial commission.

SECTION 8. INCOME AUTHORIZATION - STUDENT LOAN TRUST. There is hereby authorized the receipt of fees by the industrial commission in the sum of \$56,817, or so much of 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, 1997, and ending June 30, 1999, 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 \$2,000,000 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, 1997, and ending June 30, 1999.

SECTION 10. LIGNITE RESEARCH, DEVELOPMENT, AND MARKETING PROGRAM - APPROPRIATION - LIGNITE MARKETING FEASIBILITY STUDY. The amount of \$400,000, 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 from the lignite research fund for the purpose of contracting for an 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 externality studies and activities for the lignite industry and the state in externality proceedings or funding for the development and implementation of a regional marketing plan. 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 \$16,562,392 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, 1997, and ending June 30, 1999:

Higher education institutions	\$ 1,090,590
General fund	14,688,383
Job service North Dakota	361,290
Federal portion for southeast human service center	154,507
Veterans' home improvement fund	<u>267,622</u>
Total	\$16,562,392

SECTION 12. Section 54-17.4-09.1 of the North Dakota Century Code is created and enacted as follows:

54-17.4-09.1. Fossil excavation and restoration fund - Continuing appropriation. A special fund known as the fossil excavation and restoration fund must be maintained in the state treasury. Funds received by the geological survey for the excavation and restoration of fossils must be deposited in the fund. All moneys in the fund are appropriated on a continuing basis to the geological survey for the purpose of excavation and restoration of fossils. The provisions of section 54-27-10 do not apply to appropriations from this fund.

SECTION 13. APPROPRIATION - TRANSFER. The funds appropriated by subdivision 3 of section 1 of this Act must be transferred by the Bank of North Dakota to the partnership in assisting community expansion fund established by section 6-09.14-02; the agricultural partnership in assisting community expansion fund established by section 6-09.13-04; and the beginning farmer loan fund established by section 6-09-15.5, in the amounts set out in that subdivision. The Bank of North Dakota may not be construed to be a general fund agency as a result of the appropriation made by subdivision 3 of section 1 of this Act.

SECTION 14. EMERGENCY. Section 12 of this Act is declared to be an emergency measure.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2015 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 46 Nays 0 Absent 3

President of the Senate

Secretary of the Senate

This certifies that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 81 Nays 9 Absent 7

Speaker of the House

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 1997.

Approved at _____ M. on _____, 1997.

Governor

Filed in this office this _____ day of _____, 1997,

at ___ o'clock _____ M.

Secretary of State