

**FIRST ENGROSSMENT  
with Conference Committee Amendments  
ENGROSSED HOUSE BILL NO. 1014**

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 a contingent appropriation; to authorize transfers; to create  
4 and enact a new section to chapter 6-09 of the North Dakota Century Code, relating to a North  
5 Dakota financial center; to amend and reenact sections 54-17-40, 54-17-41, 54-17.5-02, and  
6 57-38-01.32 of the North Dakota Century Code, section 22 of chapter 579 of the 2011 Session  
7 Laws, and section 9 of House Bill No. 1358, as approved by the sixty-fourth legislative  
8 assembly, relating to the housing incentive fund credits, the lignite research council, the use of  
9 the flex PACE program, and a transfer from the abandoned oil and gas well plugging and site  
10 reclamation fund; to provide exemptions; to provide legislative intent; to provide for transfers; to  
11 provide for contingent transfers; to provide for a report to the legislative council; to provide for  
12 reports to legislative management and appropriations committees; to provide a contingent  
13 effective date; to provide an expiration date; and to declare an emergency.

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

15 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
16 as may be necessary, are appropriated out of any moneys in the general fund in the state  
17 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
18 other income, to the state industrial commission and agencies under its control for the purpose  
19 of defraying the expenses of the state industrial commission and agencies under its control, for  
20 the biennium beginning July 1, 2015, and ending June 30, 2017, as follows:

21 Subdivision 1.

22 INDUSTRIAL COMMISSION

23 Adjustments or

24 Base Level Enhancements Appropriation

Sixty-fourth  
Legislative Assembly

1	Salaries and wages	\$17,873,876	\$5,041,695	\$22,915,571
2	Accrued leave payments	347,696	(347,696)	0
3	Operating expenses	4,775,576	4,187,144	8,962,720
4	Capital assets	0	13,666,822	13,666,822
5	Grants	19,500,000	(14,500,000)	5,000,000
6	Grants - bond payments	<u>19,809,969</u>	<u>(4,769,140)</u>	<u>15,040,829</u>
7	Total all funds	\$62,307,117	\$3,278,825	\$65,585,942
8	Less estimated income	<u>40,973,792</u>	<u>(10,354,023)</u>	<u>30,619,769</u>
9	Total general fund	\$21,333,325	\$13,632,848	\$34,966,173
10	Full-time equivalent positions	98.75	23.00	121.75

11 Subdivision 2.

12 BANK OF NORTH DAKOTA - OPERATIONS

13			Adjustments or	
14		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
15	Bank of North Dakota operations	\$51,523,916	\$7,018,385	\$58,542,301
16	Accrued leave payments	881,231	(881,231)	0
17	Capital assets	<u>745,000</u>	<u>17,000,000</u>	<u>17,745,000</u>
18	Total special funds	\$53,150,147	\$23,137,154	\$76,287,301
19	Full-time equivalent positions	179.50	2.00	181.50

20 Subdivision 3.

21 MILL AND ELEVATOR ASSOCIATION

22			Adjustments or	
23		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
24	Salaries and wages	\$29,141,750	\$7,137,148	\$36,278,898
25	Accrued leave payments	575,807	(575,807)	0
26	Operating expenses	21,796,000	5,531,000	27,327,000
27	Contingencies	400,000	100,000	500,000
28	Agriculture promotion	<u>210,000</u>	<u>0</u>	<u>210,000</u>
29	Total from mill and elevator fund	\$52,123,557	\$12,192,341	\$64,315,898
30	Full-time equivalent positions	135.00	12.00	147.00

31 Subdivision 4.

HOUSING FINANCE AGENCY

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$7,434,877	\$310,157	\$7,745,034
Accrued leave payments	147,806	(147,806)	0
Operating expenses	3,791,758	(47,483)	3,744,275
Grants	29,533,050	(3,602,270)	25,930,780
Housing finance agency contingencies	<u>100,000</u>	<u>0</u>	<u>100,000</u>
Total special funds	\$41,007,491	(\$3,487,402)	\$37,520,089
Full-time equivalent positions	46.00	0.00	46.00

Subdivision 5.

BILL TOTAL

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$21,333,325	\$13,632,848	\$34,966,173
Grand total special funds	<u>187,254,987</u>	<u>31,488,070</u>	<u>218,743,057</u>
Grand total all funds	\$208,588,312	\$45,120,918	\$253,709,230

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**

**SIXTY-FIFTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-third legislative assembly for the 2013-15 biennium and the 2015-17 one-time funding items included in the grand total appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2013-15</u>	<u>2015-17</u>
Oil-bearing rock study	\$80,000	\$0
Possible litigation	1,000,000	2,500,000
Core library - architect services	25,000	0
Temperature profiles study	50,000	0
Wide-bed plotter	5,800	0
Lignite research council grants	0	5,000,000
All-terrain vehicles	0	41,500
Aerial photography	0	104,143
Contract analysis	0	125,000

Sixty-fourth  
Legislative Assembly

1	Digital conversion	0	100,000
2	Migration to RBDMS.net	0	250,000
3	Financial center project	0	17,000,000
4	Core library expansion project	0	13,625,322
5	Medical loan program	50,000,000	0
6	Housing incentive fund	15,400,000	0
7	Flood housing grants	<u>1,500,000</u>	<u>0</u>
8	Total all funds	\$68,060,800	\$38,745,965
9	Total special fund	<u>51,500,000</u>	<u>30,625,322</u>
10	Total general fund	\$16,560,800	\$8,120,643

11 The 2015-17 one-time funding amounts are not a part of the entity's base budget for the  
 12 2017-19 biennium. The industrial commission shall report to the appropriations committees of  
 13 the sixty-fifth legislative assembly on the use of this one-time funding for the biennium  
 14 beginning July 1, 2015, and ending June 30, 2017.

15 **SECTION 3. LEGISLATIVE INTENT - BOND PAYMENTS.** The amount of \$15,040,829  
 16 included in subdivision 1 of section 1 of this Act in the grants - bond payments line item must be  
 17 paid from the following funding sources during the biennium beginning July 1, 2015, and ending  
 18 June 30, 2017:

19	North Dakota university system		\$8,368,836
20	North Dakota university system - energy conservation projects		491,161
21	Department of corrections and rehabilitation		1,279,524
22	Department of corrections and rehabilitation - energy conservation projects		16,206
23	State department of health		637,940
24	Job service North Dakota		427,131
25	Office of management and budget		664,952
26	Office of attorney general		765,483
27	State historical society		1,391,668
28	Parks and recreation department		73,592
29	Research and extension service		571,126
30	Veterans' home		<u>353,210</u>
31	Total		\$15,040,829

1       **SECTION 4. APPROPRIATION.** In addition to the amount appropriated to the housing  
2 finance agency in subdivision 4 of section 1 of this Act, there is appropriated any additional  
3 income or unanticipated income from federal or other funds which may become available to the  
4 agency for the biennium beginning July 1, 2015, and ending June 30, 2017.

5       **SECTION 5. APPROPRIATION - EMERGENCY COMMISSION APPROVAL.** In addition to  
6 the amount appropriated to the state industrial commission in subdivision 1 of section 1 of this  
7 Act, there is appropriated, with the approval of the emergency commission, funds that may  
8 become available to the commission from bonds authorized by law to be issued by the state  
9 industrial commission for the biennium beginning July 1, 2015, and ending June 30, 2017.

10       **SECTION 6. TRANSFER.** The sum of \$930,000, or so much of the sum as may be  
11 necessary, included in the special funds appropriation line item in subdivision 1 of section 1 of  
12 this Act, may be transferred from the entities within the control of the state industrial commission  
13 or entities directed to make payments to the industrial commission fund for administrative  
14 services rendered by the commission. Transfers shall be made during the biennium beginning  
15 July 1, 2015, and ending June 30, 2017, upon order of the commission. Transfers from the  
16 student loan trust must be made to the extent permitted by sections 54-17-24 and 54-17-25.

17       **SECTION 7. TRANSFER - BANK OF NORTH DAKOTA - HOUSING INCENTIVE FUND.**  
18 The Bank of North Dakota shall transfer the sum of \$5,000,000 from the Bank's current  
19 earnings and undivided profits to the housing incentive fund for the period beginning with the  
20 effective date of this Act, and ending June 30, 2017.

21       **SECTION 8. CONTINGENT TRANSFER - BANK OF NORTH DAKOTA - HOUSING**  
22 **INCENTIVE FUND.** The Bank of North Dakota shall transfer the sum of \$5,000,000 from the  
23 Bank's current earnings and undivided profits to the housing incentive fund for the period  
24 beginning July 1, 2015, and ending June 30, 2017, if the Bank's net income, reported in  
25 accordance with financial accounting standards board accounting standards, for the calendar  
26 year 2015 exceeds \$130,000,000. The funding provided in this section may be used only for  
27 housing incentive fund awards in cities with a population of fewer than 12,500 according to the  
28 last official decennial federal census.

29       **SECTION 9. TRANSFER - BANK OF NORTH DAKOTA - PARTNERSHIP IN ASSISTING**  
30 **COMMUNITY EXPANSION.** The Bank of North Dakota shall transfer the sum of \$28,000,000,  
31 or so much of the sum as may be necessary, from the Bank's current earnings and undivided

1 profits to the partnership in assisting community expansion fund during the biennium beginning  
2 July 1, 2015, and ending June 30, 2017.

3 **SECTION 10. TRANSFER - BANK OF NORTH DAKOTA - AGRICULTURE**

4 **PARTNERSHIP IN ASSISTING COMMUNITY EXPANSION.** The Bank of North Dakota shall  
5 transfer the sum of \$3,000,000, or so much of the sum as may be necessary, from the Bank's  
6 current earnings and undivided profits to the agriculture partnership in assisting community  
7 expansion fund during the biennium beginning July 1, 2015, and ending June 30, 2017.

8 **SECTION 11. TRANSFER - BANK OF NORTH DAKOTA - BIOFUELS PARTNERSHIP IN**

9 **ASSISTING COMMUNITY EXPANSION.** The Bank of North Dakota shall transfer the sum of  
10 \$2,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and  
11 undivided profits to the biofuels partnership in assisting community expansion fund during the  
12 biennium beginning July 1, 2015, and ending June 30, 2017.

13 **SECTION 12. TRANSFER - BANK OF NORTH DAKOTA - BEGINNING FARMER**

14 **REVOLVING LOAN FUND.** The Bank of North Dakota shall transfer the sum of \$7,000,000, or  
15 so much of the sum as may be necessary, from the Bank's current earnings and undivided  
16 profits to the beginning farmer revolving loan fund during the biennium beginning July 1, 2015,  
17 and ending June 30, 2017.

18 **SECTION 13. BANK OF NORTH DAKOTA - MEDICAL PARTNERSHIP IN ASSISTING**

19 **COMMUNITY EXPANSION PROGRAM.** The Bank of North Dakota shall develop a medical  
20 partnership in assisting community expansion program to assist in the financing of critical  
21 access hospital medical infrastructure projects, for the period beginning with the effective date  
22 of this Act, and ending June 30, 2017. The Bank shall adopt policies and procedures to  
23 implement this program. Notwithstanding section 6-09.14-03, the Bank may originate loans  
24 under this program or participate with a lead financial institution. Eligible projects that receive  
25 funding for an interest rate buydown under this program are not subject to the community  
26 commitment requirement in section 6-09.14-03, the maximum interest rate buydown limitation in  
27 subsection 4 of section 6-09.14-04, or the state grantor recipient reporting requirement in  
28 section 54-60.1-05.

29 **SECTION 14. LIGNITE RESEARCH, DEVELOPMENT, AND MARKETING PROGRAM -**

30 **LIGNITE MARKETING FEASIBILITY STUDY.** The amount of \$4,500,000 from the lignite  
31 research fund, or so much of the amount as may be necessary, may be used for the purpose of

1 contracting for an independent, nonmatching lignite marketing feasibility study or studies that  
2 determine those focused priority areas where near-term, market-driven projects, activities, or  
3 processes will generate matching private industry investment and have the most potential of  
4 preserving existing lignite production and industry jobs or that will lead to increased  
5 development of lignite and its products and create new lignite industry jobs and economic  
6 growth for the general welfare of this state. Moneys appropriated under this section also may be  
7 used for the purpose of contracting for nonmatching studies and activities in support of the  
8 lignite vision 21 program; for litigation that may be necessary to protect and promote the  
9 continued development of lignite resources; for nonmatching externality studies and activities in  
10 externality proceedings; or other marketing, environmental, or transmission activities that assist  
11 with marketing of lignite-based electricity and lignite-based byproducts. Moneys not needed for  
12 the purposes stated in this section are available to the commission for funding projects,  
13 processes, or activities under the lignite research, development, and marketing program.

14 **SECTION 15. CONTINGENT APPROPRIATION - INDUSTRIAL COMMISSION FUNDING.**

15 The amount of \$556,260 from the general fund and five full-time equivalent positions included in  
16 subdivision 1 of section 1 of this Act may be spent only in accordance with provisions of this  
17 section if the monthly average drilling rig count exceeds one hundred forty drilling rigs. The  
18 industrial commission shall notify the office of management and budget and the legislative  
19 council each time one or more full-time equivalent positions is authorized to be hired. For  
20 purposes of this section, the "monthly average drilling rig count" means the number, rounded to  
21 the nearest whole number, calculated by dividing the sum of the daily drilling rig counts for a  
22 calendar month by the number of days in the month. Of the \$556,260 and the five full-time  
23 equivalent positions in this section, the industrial commission may spend funding and hire  
24 full-time equivalent positions, as follows:

- 25 1. \$166,878, of which \$126,072 is from the salaries and wages line item and \$40,806 is  
26 from the operating expenses line item, and one full-time equivalent position if the  
27 monthly average drilling rig count exceeds one hundred forty drilling rigs.
- 28 2. In addition to the funding and full-time equivalent positions authorized in subsection 1,  
29 \$139,065, of which \$105,060 is from the salaries and wages line item and \$34,005 is  
30 from the operating expenses line item, and one full-time equivalent position if the  
31 monthly average drilling rig count exceeds one hundred fifty-five drilling rigs.

- 1       3. In addition to the funding and full-time equivalent positions authorized in subsections 1  
2       and 2, \$111,252, of which \$84,048 is from the salaries and wages line item and  
3       \$27,204 is from the operating expenses line item, and one full-time equivalent position  
4       if the monthly average drilling rig count exceeds one hundred seventy drilling rigs.
- 5       4. In addition to the funding and full-time equivalent positions authorized in subsections 1  
6       through 3, \$83,439, of which \$63,036 is from the salaries and wages line item and  
7       \$20,403 is from the operating expenses line item, and one full-time equivalent position  
8       if the monthly average drilling rig count exceeds one hundred eighty-five drilling rigs.
- 9       5. In addition to the funding and full-time equivalent positions authorized in subsections 1  
10      through 4, \$55,626, of which \$42,024 is from the salaries and wages line item and  
11      \$13,602 is from the operating expenses line item, and one full-time equivalent position  
12      if the monthly average drilling rig count exceeds two hundred drilling rigs.

13       **SECTION 16.** A new section to chapter 6-09 of the North Dakota Century Code is created  
14 and enacted as follows:

15       **North Dakota financial center - Lease rates - Payments in lieu of taxes.**

16       The North Dakota financial center is a building that is owned by the Bank of North Dakota  
17 and is adjacent to the building in which the Bank of North Dakota is housed. The Bank of North  
18 Dakota shall lease the space in the North Dakota financial center to other state agencies based  
19 on market rate lease prices. The Bank of North Dakota shall make payments in lieu of property  
20 taxes in the manner and according to the conditions and procedures that would apply if the  
21 building were privately owned.

22       **SECTION 17. AMENDMENT.** Section 54-17-40 of the North Dakota Century Code is  
23 amended and reenacted as follows:

24       **54-17-40. (Effective through June 30, ~~2015~~2017) Housing incentive fund - Continuing**  
25 **appropriation - Report to budget section.**

- 26       1. The housing incentive fund is created as a special revolving fund at the Bank of North  
27       Dakota. The housing finance agency may direct disbursements from the fund and a  
28       continuing appropriation from the fund is provided for that purpose.
- 29       2. After a public hearing, the housing finance agency shall create an annual allocation  
30       plan for the distribution of the fund. At least twenty-five percent of the fund must be  
31       used to assist developing communities to address an unmet housing need or alleviate



1 a housing shortage. The agency may collect a reasonable administrative fee from the  
2 fund, project developers, applicants, or grant recipients. The origination fee assessed  
3 to grant recipients may not exceed five percent of the project award.

4 The annual allocation plan must give first priority through its scoring and ranking  
5 process to housing for essential service workers. For purposes of this subsection,  
6 "essential service workers" means individuals employed by a city, county, school  
7 district, medical or long-term care facility, the state of North Dakota, or others as  
8 determined by the housing finance agency who fulfill an essential public service.

9 The second priority in the annual allocation plan must be to provide housing for  
10 individuals and families of low or moderate income. For purposes of this second  
11 priority, eligible income limits are determined as a percentage of median family income  
12 as published in the most recent federal register notice. Under this second priority, the  
13 annual allocation plan must give preference to projects that benefit households with  
14 the lowest income and to projects that have rent restrictions at or below department of  
15 housing and urban development published federal fair market rents or department of  
16 housing and urban development section 8 payment standards.

17 The housing finance agency shall maintain a register reflecting the number of  
18 housing units owned or master leased by cities, counties, school districts, or other  
19 employers of essential service workers. This register must also reflect those entities  
20 that are providing rent subsidies for their essential workers. The housing finance  
21 agency shall report quarterly to the budget section of the legislative management on  
22 the progress being made to reduce the overall number of units owned, master leased,  
23 or subsidized by these entities. This report must include a listing of projects approved  
24 and number of units within those projects that provide housing for essential service  
25 workers.

- 26 3. The housing finance agency shall adopt guidelines for the fund so as to address  
27 unmet housing needs in this state. Assistance from the fund may be used solely for:
- 28 a. New construction, rehabilitation, or acquisition of a multifamily housing project;
  - 29 b. Gap assistance, matching funds, and accessibility improvements;

- 1           c. Assistance that does not exceed the amount necessary to qualify for a loan using  
2           underwriting standards acceptable for secondary market financing or to make the  
3           project feasible; and
- 4           d. Rental assistance, emergency assistance, or targeted supportive services  
5           designated to prevent homelessness.
- 6           4. Eligible recipients include units of local, state, and tribal government; local and tribal  
7           housing authorities; community action agencies; regional planning councils; and  
8           nonprofit organizations and for-profit developers of multifamily housing. Individuals  
9           may not receive direct assistance from the fund.
- 10          5. Except for subdivision d of subsection 3, assistance is subject to repayment or  
11          recapture under the guidelines adopted by the housing finance agency. Any  
12          assistance that is repaid or recaptured must be deposited in the fund and is  
13          appropriated on a continuing basis for the purposes of this section.

14          **SECTION 18. AMENDMENT.** Section 54-17-41 of the North Dakota Century Code is  
15 amended and reenacted as follows:

16          **54-17-41. (Effective through June 30, ~~2015~~2017) Report.**

17          Upon request, the housing finance agency shall report to the industrial commission on the  
18 activities of the housing incentive fund.

19          **SECTION 19. AMENDMENT.** Section 54-17.5-02 of the North Dakota Century Code is  
20 amended and reenacted as follows:

21          **54-17.5-02. Lignite research council - Compensation - Appointment of members.**

22          The industrial commission shall consult with the lignite research council established by  
23 executive order in matters of policy affecting the administration of the lignite research fund.

24          Section 44-03-04 does not apply to members of the council appointed by the governor.

25          **SECTION 20. AMENDMENT.** Section 57-38-01.32 of the North Dakota Century Code is  
26 amended and reenacted as follows:

27          **57-38-01.32. (Effective for the first two taxable years beginning after December 31,  
28 ~~2012~~2014) Housing incentive fund tax credit.**

- 29          1. A taxpayer is entitled to a credit as determined under this section against state income  
30          tax liability under section 57-38-30 or 57-38-30.3 for contributing to the housing

- 1           incentive fund under section 54-17-40. The amount of the credit is equal to the amount  
2           contributed to the fund during the taxable year.
- 3           2. North Dakota taxable income must be increased by the amount of the contribution  
4           upon which the credit under this section is computed but only to the extent the  
5           contribution reduced federal taxable income.
- 6           3. The contribution amount used to calculate the credit under this section may not be  
7           used to calculate any other state income tax deduction or credit allowed by law.
- 8           4. If the amount of the credit exceeds the taxpayer's tax liability for the taxable year, the  
9           excess may be carried forward to each of the ten succeeding taxable years.
- 10          5. The aggregate amount of tax credits allowed to all eligible contributors is limited to  
11          twentythree million dollars.
- 12          6. Within thirty days after the date on which a taxpayer makes a contribution to the  
13          housing incentive fund, the housing finance agency shall file with each contributing  
14          taxpayer, and a copy with the tax commissioner, completed forms that show as to  
15          each contribution to the fund by that taxpayer the following:
- 16           a. The name, address, and social security number or federal employer identification  
17           number of the taxpayer that made the contribution.
- 18           b. The dollar amount paid for the contribution by the taxpayer.
- 19           c. The date the payment was received by the fund.
- 20          7. To receive the tax credit provided under this section, a taxpayer shall claim the credit  
21          on the taxpayer's state income tax return in the manner prescribed by the tax  
22          commissioner and file with the return a copy of the form issued by the housing finance  
23          agency under subsection 6.
- 24          8. Notwithstanding the time limitations contained in section 57-38-38, this section does  
25          not prohibit the tax commissioner from conducting an examination of the credit  
26          claimed and assessing additional tax due under section 57-38-38.
- 27          9. A passthrough entity making a contribution to the housing incentive fund under this  
28          section is considered to be the taxpayer for purposes of this section, and the amount  
29          of the credit allowed must be determined at the passthrough entity level. The amount  
30          of the total credit determined at the entity level must be passed through to the

1 partners, shareholders, or members in proportion to their respective interests in the  
2 passthrough entity.

3 **SECTION 21. AMENDMENT.** Section 22 of chapter 579 of the 2011 Session Laws is  
4 amended and reenacted as follows:

5 **SECTION 22. FLEX PACE PROGRAM USE.** The Bank of North Dakota shall  
6 utilize the flex partnership in assisting community expansion program to assist in  
7 financing of affordable multifamily housing units for individuals in areas of North  
8 Dakota affected by oil and gas development, for the period beginning with the effective  
9 date of this Act and ending June 30, ~~2013~~2019.

10 **SECTION 22. AMENDMENT.** Section 9 of House Bill No. 1358, as approved by the  
11 sixty-fourth legislative assembly, is amended and reenacted as follows:

12 **SECTION 9. APPROPRIATIONTRANSFER - ABANDONED OIL AND GAS**  
13 **WELL PLUGGING AND SITE RECLAMATION FUND TO THE OIL AND GAS**

14 **RESEARCH FUND - INDUSTRIAL COMMISSION.** Notwithstanding section-  
15 ~~38-08-04.5~~, there is appropriated out of any moneys in the abandoned oil and gas well-  
16 ~~plugging and site reclamation fund in the state treasury, not otherwise~~  
17 ~~appropriated,~~The office of management and budget shall transfer the sum of  
18 \$500,000, or so much of the sum as may be necessary, ~~to the industrial-~~  
19 ~~commission~~from the abandoned oil and gas well plugging and site reclamation fund to  
20 the oil and gas research fund, for the biennium beginning July 1, 2015, and ending  
21 June 30, 2017. The office of management and budget shall transfer the funds provided  
22 under this section at the request of the industrial commission. The industrial  
23 commission shall use the funding provided under this section for the purpose of  
24 conducting a pilot program involving the oil and gas research council in conjunction  
25 with research facilities in this state to determine the best techniques for remediating  
26 salt and any other contamination from the soil surrounding waste pits reclaimed by  
27 trenching between 1951 and 1984 in the north central portion of this state, ~~for the~~  
28 ~~biennium beginning July 1, 2015, and ending June 30, 2017.~~ The industrial  
29 commission may not require a research facility to provide matching funds to participate  
30 in the program authorized under this section.

1       **SECTION 23. HOUSING FINANCE AGENCY - FLOOD-IMPACTED HOUSING**

2       **ASSISTANCE - EXEMPTION.** The amount appropriated for flood-impacted housing assistance  
3 in section 4 of chapter 16 of the 2013 Session Laws is not subject to section 54-44.1-11 and any  
4 unexpended funds are available during the biennium beginning July 1, 2015, and ending  
5 June 30, 2017.

6       **SECTION 24. INDUSTRIAL COMMISSION - POSSIBLE FEDERAL AGENCY LITIGATION**

7       **- EXEMPTION.** The amount appropriated for possible federal agency litigation in subdivision 1  
8 of section 1 of chapter 45 of the 2013 Session Laws is not subject to section 54-44.1-11 and  
9 any unexpended funds are available during the biennium beginning July 1, 2015, and ending  
10 June 30, 2017.

11       **SECTION 25. INDUSTRIAL COMMISSION - CORE LIBRARY EXPANSION PROJECT -**

12       **EXEMPTION - LEGISLATIVE MANAGEMENT REPORT - STRATEGIC INVESTMENT AND**

13       **IMPROVEMENTS FUND.** The capital assets line item in subdivision 1 of section 1 of this Act

14 includes \$13,625,322 from the strategic investment and improvements fund for the purpose of  
15 expanding the core library. The funding appropriated for this purpose is not subject to section  
16 54-44.1-11 and any unexpended funds are available during the biennium beginning July 1,  
17 2017, and ending June 30, 2019. The industrial commission shall report to the legislative  
18 management and to the appropriations committees of the sixty-fifth legislative assembly on the  
19 use of the funding provided for the core library project, including the amounts spent to date and  
20 the amounts anticipated to be continued into the 2017-19 biennium, and on the progress of the  
21 project.

22       **SECTION 26. CONTINGENT FUNDING - BANK OF NORTH DAKOTA - NORTH DAKOTA**

23       **FINANCIAL CENTER - EXEMPTION - LEGISLATIVE MANAGEMENT REPORT.** The capital

24 assets line item in subdivision 2 of section 1 of this Act includes \$17,000,000 from the assets of  
25 the Bank of North Dakota for the purpose of constructing a North Dakota financial center on a  
26 site adjacent to the existing building in which the Bank is located. The Bank may spend the  
27 funding only if the Bank's net income, reported in accordance with financial accounting  
28 standards board accounting standards, for calendar year 2015 exceeds \$125,000,000. The  
29 funding appropriated for this purpose is not subject to section 54-44.1-11 and any unexpended  
30 funds are available during the biennium beginning July 1, 2017, and ending June 30, 2019. The  
31 Bank of North Dakota shall report to the legislative management and to the appropriations

1 committees of the sixty-fifth legislative assembly on the use of the funding provided for the  
2 North Dakota financial center, including the amounts spent to date and the amounts anticipated  
3 to be continued into the 2017-19 biennium, and on the progress of the project.

4 **SECTION 27. CONTINGENT EFFECTIVE DATE.** Section 16 of this Act is effective only if  
5 the Bank of North Dakota's net income, reported in accordance with financial accounting  
6 standards board accounting standards, for calendar year 2015 exceeds \$125,000,000.

7 **SECTION 28. EMERGENCY.** The amount of \$13,625,322 from the strategic investment and  
8 improvements fund in the capital assets line item in subdivision 1 of section 1 of this Act for the  
9 core library expansion project and sections 7 and 13 of this Act are declared to be an  
10 emergency measure.