



October 25, 2023

The Honorable Dennis Johnson
Speaker of the House
North Dakota House of Representatives
State Capitol
Bismarck, ND

Re: House Bill 1544

Dear Speaker Johnson:

Pursuant to Article V, Section 9 of the North Dakota Constitution, I have signed House Bill 1544 and filed it with the Secretary of State. I also have vetoed Section 2 of HB 1544.

The North Dakota Development Fund Inc. (NDDF) was created by the Legislature in 1991 to provide flexible gap financing through loans and equity investments not available from most conventional lenders for the purpose of economic development in North Dakota. Any request of \$150,000 or more must be reviewed and approved by the NDDF Board of Directors.

Section 2 of HB 1544 creates an extra, unnecessary layer of red tape and bureaucracy by requiring the NDDF to obtain a recommendation for approval from the state's Clean Sustainable Energy Authority before providing financing for projects that enhance production of clean sustainable energy in North Dakota. This redundant hurdle will delay investments in North Dakota projects that have the potential to benefit our citizens and our state's economy.

With time to analyze and implement this policy change since it was approved last spring, we've determined that the desired benefits can be achieved, and the costs of this red tape can be eliminated, through mutual collaboration between NDDF and CSEA. We will work with the North Dakota Industrial Commission, which approves CSEA projects, and NDDF to ensure the respective boards have visibility and clarity of each other's processes and to ensure the most efficient and effective deployment of taxpayer dollars without slowing down projects in red tape.

For the reasons stated above, Section 2 of HB 1544 is vetoed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Doug Burgum".

Doug Burgum
Governor

**Sixty-eighth Legislative Assembly of North Dakota
In Special Session Commencing Monday, October 23, 2023**

HOUSE BILL NO. 1544
(Legislative Management)

AN ACT to provide an appropriation to the department of commerce for workforce development grants and to defray the expenses of the office of legal immigration; to create and enact subsection 6 of section 10-30.5-02 of the North Dakota Century Code, relating to use of the North Dakota development fund; to provide for a legislative management report; to provide for retroactive application; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION - DEPARTMENT OF COMMERCE - LEGISLATIVE MANAGEMENT REPORT - ONE-TIME FUNDING. For the biennium beginning July 1, 2023, and ending June 30, 2025, there is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the following amounts, or so much of the sum as may be necessary, to the department of commerce:

1. \$500,000 for the purpose of providing workforce development grants to a tribally controlled community college in the Turtle Mountain area. To be eligible for a grant under this section, a tribally controlled community college shall partner with at least one high school in the state for programs under section 54-60.2-02. During the 2023-24 interim, a tribally controlled community college receiving funding under this program shall report to the department of commerce by August 1, 2024, regarding the use of grant funds and the department of commerce shall provide a report to the legislative management by October 1, 2024, regarding the use of grant funds. The funding provided in this subsection is considered a one-time funding item.
2. \$2,000,000 for the purpose of defraying the expenses of the office of legal immigration. The funding provided in this subsection is considered a one-time funding item.

~~**SECTION 2.** Subsection 6 of section 10-30.5-02 of the North Dakota Century Code is created and enacted as follows:~~

- ~~6. Moneys in the fund may be used to provide financing for projects that enhance production of clean sustainable energy in the state only to the extent the project has been recommended by the clean sustainable energy authority under chapter 54-63.1.~~

SECTION 3. RETROACTIVE APPLICATION. This Act applies retroactively to July 1, 2023.

SECTION 4. EFFECTIVE DATE. This Act becomes effective immediately upon its filing with the secretary of state.

Dennis Johnson
Speaker of the House

Tammy Miller
President of the Senate

Buell J. Reed
Chief Clerk of the House

De Pol
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1544.

House Vote: Yeas 72 Nays 17 Absent 5

Senate Vote: Yeas 40 Nays 7 Absent 0

Buell J. Reed
Chief Clerk of the House

Received by the Governor at 1:25 PM. on October 25, 2023.

Approved at 5:28 PM. on October 25, 2023.

Doug Burgum
Governor

Filed in this office this 25th day of October, 2023,

at 5:36 o'clock P M.

Michael Howe
Secretary of State