

**Sixty-eighth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1062  
(Energy and Natural Resources Committee)  
(At the request of the Industrial Commission)

AN ACT to amend and reenact section 54-17-03, subsection 8 of section 54-17-07.3, section 54-17-07.9, and subsection 2 of section 54-63-03 of the North Dakota Century Code, relating to updating position titles, clarification for mortgage insurance requirements, execution of instruments, and industrial commission powers.

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

**SECTION 1. AMENDMENT.** Section 54-17-03 of the North Dakota Century Code is amended and reenacted as follows:

**54-17-03. Chairman and attorney - Secretary - Employees - Compensation - Bonds.**

The governor is the chairman of the industrial commission, and its attorney is the attorney general. The commission shall appoint ~~a secretary~~an executive director and may employ other subordinate officers, employees, and agents, on such terms as the commission determines proper. The commission may require suitable bonds of its ~~secretary~~executive director or other subordinate officers, employees, or agents. The commission shall fix the amount of the compensation of the commission's ~~secretary~~executive director, officers, employees, and agents ~~and the secretary's salary may exceed the maximum salary in the grade established for the classification assigned under chapter 54-44.3.~~ The compensation, together with other expenditures for operation and maintenance of the general business of the commission, must remain within the appropriation available in each year for such purpose. The commission may set the compensation, within the limits of legislative appropriation, for members of a board, committee, or council that advises the commission. Notwithstanding any other provision of law, the compensation for any board, committee, or council member may include reimbursement for expenses, a salary, a per diem, or a combination of the three, as set by the commission.

**SECTION 2. AMENDMENT.** Subsection 8 of section 54-17-07.3 of the North Dakota Century Code is amended and reenacted as follows:

8. The housing finance agency may purchase, service, and sell residential real estate loans secured by a first mortgage lien on real property originated by financial institutions. The loans may be held in the agency's portfolio or sold on the secondary market with servicing retained. ~~All loans with a loan-to-value ratio exceeding eighty percent and not guaranteed by a federal agency must be insured by an approved mortgage insurance company.~~

**SECTION 3. AMENDMENT.** Section 54-17-07.9 of the North Dakota Century Code is amended and reenacted as follows:

**54-17-07.9. Execution of instruments.**

In the absence of any provision regulating the execution and acknowledgment of conveyances, transfers, assignments, releases, satisfactions, or other instruments affecting liens on, title to, or interest in real estate, the executive director or ~~the director of financial programs~~other staff as designated by the executive director, may execute and acknowledge such instruments on behalf of the industrial commission acting as the North Dakota housing finance agency.

**SECTION 4. AMENDMENT.** Subsection 2 of section 54-63-03 of the North Dakota Century Code is amended and reenacted as follows:

2. The industrial commission ~~shall~~may contract with the department of commerce to provide technical assistance to the renewable energy council and the industrial commission to carry out and effectuate the purposes of this chapter, including pursuit of aid, grants, or contributions of money or other things of value from any source for any purpose consistent with this chapter. The department may contract with a public or private third party to provide any or all of the technical assistance necessary to implement the purposes of this chapter.

Dennis E. Johnson  
Speaker of the House

Tammy Miller  
President of the Senate

Bruce J. Reick  
Chief Clerk of the House

Christina Morgan  
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. 1062.

House Vote:      Yeas 91              Nays 1              Absent 2

Senate Vote:      Yeas 47              Nays 0              Absent 0

Bruce J. Reick  
Chief Clerk of the House

Received by the Governor at 10:55 AM on March 14, 2023.

Approved at 7:19 P.M. on March 14, 2023.

Doug Burgum  
Governor

Filed in this office this 15<sup>th</sup> day of March, 2023,  
at 2:58 o'clock P.M.

Michael Howe  
Secretary of State