

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1013

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 commissioner of
2 university and school lands; to provide for transfers; ~~and~~ to provide for distributions from
3 permanent funds; to create and enact a new section to chapter 44-04 of the North Dakota
4 Century Code, relating to the exempt records for the value of property paid to the state
5 abandoned property office; to amend and reenact section 57-62-05 of the North Dakota Century
6 Code, relating to the timing of grant recommendations; to provide for a legislative management
7 study; and to declare an emergency.

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

9 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
10 as may be necessary, are appropriated from special funds derived from the state lands
11 maintenance fund and the oil and gas impact grant fund in the state treasury, to the
12 commissioner of university and school lands for the purpose of defraying the expenses of the
13 commissioner of university and school lands, for the biennium beginning July 1, 2015, and
14 ending June 30, 2017, as follows:

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|---|------------------------|--|------------------------|
| 17 Salaries and wages | \$5,157,015 | \$834,831 | \$5,991,846 |
| 18 Accrued leave payments | 108,541 | (108,541) | 0 |
| 19 Operating expenses | 1,925,863 | (29,491) | 1,896,372 |
| 20 Contingencies | 200,000 | (100,000) | 100,000 |
| 21 Energy infrastructure and impact office | 700,826 | (327,414) | 373,412 |
| 22 Total all funds | \$8,092,245 | \$269,385 | \$8,361,630 |
| 23 Less estimated income | 8,092,245 | 269,385 | 8,361,630 |
| 24 Total general fund | \$0 | \$0 | \$0 |

| | | | | |
|----|---|------------------|-----------------|------------------|
| 1 | Full-time equivalent positions | 31.00 | 1.00 | 32.00 |
| 2 | Salaries and wages | \$5,157,015 | \$966,501 | \$6,123,516 |
| 3 | Accrued leave payments | 108,541 | (108,541) | 0 |
| 4 | Operating expenses | 1,925,863 | 93,774 | 2,019,637 |
| 5 | Contingencies | 200,000 | (100,000) | 100,000 |
| 6 | Energy infrastructure and impact office | 700,826 | (826) | 700,000 |
| 7 | Total all funds | \$8,092,245 | \$850,908 | \$8,943,153 |
| 8 | Less estimated income | 8,092,245 | 850,908 | 8,943,153 |
| 9 | Total general fund | \$0 | \$0 | \$0 |
| 10 | Full-time equivalent positions | 31.00 | 2.00 | 33.00 |

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:

| 14 | <u>One-Time Funding Description</u> | <u>2013-15</u> | <u>2015-17</u> |
|----|---|--------------------|----------------|
| 15 | Capital assets | \$65,550 | \$0 |
| 16 | Private lands study | 50,000 | 0 |
| 17 | Oil and gas impact grant fund distributions | <u>239,299,174</u> | <u>0</u> |
| 18 | Total all funds | \$239,414,724 | \$0 |
| 19 | Less estimated income | <u>239,414,724</u> | <u>0</u> |
| 20 | Total general fund | \$0 | \$0 |

SECTION 3. APPROPRIATION LINE ITEM TRANSFERS. Upon approval of the board of university and school lands, the commissioner of university and school lands may transfer between the various line items in section 1 of this Act, including transfers from the contingencies line item to all other line items. The commissioner shall notify the office of management and budget of each transfer made pursuant to this section.

SECTION 4. DISTRIBUTIONS TO STATE INSTITUTIONS. Pursuant to ~~section 1 of~~ article IX of the Constitution of North Dakota, the board of university and school lands shall distribute during the biennium beginning July 1, 2015, and ending June 30, 2017, the following amounts, from the permanent funds managed for the benefit of the following entities:

| | | |
|----|-------------------------------|---------------|
| 30 | Common schools | \$206,134,000 |
| 31 | North Dakota state university | 3,368,000 |

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| | | |
|----|---|---------------|
| 1 | University of North Dakota | 2,742,000 |
| 2 | Youth correctional center | 1,372,000 |
| 3 | School for the deaf | 1,180,000 |
| 4 | State college of science | 1,066,000 |
| 5 | State hospital | 1,078,000 |
| 6 | Veterans' home | 434,000 |
| 7 | Valley City state university | 570,000 |
| 8 | North Dakota vision services - school for the blind | 534,000 |
| 9 | Mayville state university | 382,000 |
| 10 | Dakota college at Bottineau | 78,000 |
| 11 | Dickinson state university | 78,000 |
| 12 | Minot state university | <u>78,000</u> |
| 13 | Total | \$219,094,000 |

14 **SECTION 5.** A new section to chapter 44-04 of the North Dakota Century Code is created
15 and enacted as follows:

16 Value of property paid or delivered to the administrator of the state abandoned
17 property office - Exempt record.

18 A record of the value of property paid or delivered to the administrator of the state
19 abandoned property office under section 47-30.1-17 is an exempt record.

20 **SECTION 6. AMENDMENT.** Section 57-62-05 of the North Dakota Century Code is
21 amended and reenacted as follows:

22 **57-62-05. Powers and duties of energy infrastructure and impact office director.**

23 The energy infrastructure and impact office director shall:

- 24 1. Develop a plan for the assistance, through financial grants for services and facilities, of
25 counties, cities, school districts, and other political subdivisions in coal development
26 and oil and gas development impact areas.
- 27 2. Establish procedures and provide proper forms to political subdivisions for use in
28 making application for funds for impact assistance as provided in this chapter.
- 29 3. Make grants disbursements to counties, cities, school districts, and other taxing
30 districts for grants awarded by the board of university and school lands pursuant to
31 chapter 15-01, as provided in this chapter and within the appropriations made for such

1 purposes. In determining the amount of impact grants for which political subdivisions
2 are eligible, consideration must be given to the amount of revenue to which such
3 political subdivisions will be entitled from taxes upon the real property of coal and oil
4 and gas development plants and from other tax or fund distribution formulas provided
5 by law.

6 4. Receive and review applications for impact assistance pursuant to this chapter.

7 5. Make recommendations, ~~not less than once each calendar quarter~~, to the board of
8 university and school lands on grants to counties, cities, school districts, and other
9 political subdivisions in oil and gas development impact areas based on identified
10 needs, and other sources of revenue available to the political subdivision.

11 **SECTION 7. LEGISLATIVE MANAGEMENT STUDY - FEDERAL LEGISLATION**

12 **REGARDING OAHE DAM.** During the 2015-16 interim, the legislative management shall
13 consider studying progress on the passage of federal legislation to return excess lands to the
14 operation of the Oahe Dam in Emmons and Morton Counties, and to the state of North Dakota
15 pursuant to section 1 of House Bill No. 1456, as approved by the sixty-fourth legislative
16 assembly. The legislative management shall seek the input and assistance of representatives of
17 Morton and Emmons Counties, as well as the army corp of engineers, in advancing the study
18 and developing recommendations to achieve the passage of federal legislation. The legislative
19 management shall report its findings and recommendations, together with any legislation
20 required to implement the recommendations, to the sixty-fifth legislative assembly.

21 **SECTION 8. EMERGENCY.** Section 5 of this Act is declared to be an emergency measure.