62ND LEGISLATIVE ASSEMBLY
STATE BUDGET ACTIONS SUPPLEMENT
FOR THE 2011-13 BIENNIUM

(Reflecting Legislative Actions From the November 2011 Special Session)

LEGISLATIVE COUNCIL
STATE CAPITOL
BISMARCK, NORTH DAKOTA
DECEMBER 2011

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This report is a supplement to the 62nd Legislative Assembly's State Budget Actions report for the 2011-13 biennium prepared in June 2011. It contains information on actions by the Legislative Assembly during its November 2011 special session affecting the 2011-13 biennium state budget. Also included are selected special funds analyses, an analysis of full-time equivalent (FTE) positions, graphs and other information regarding general fund revenues and appropriations, and information regarding historic comparisons of state spending.

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EXECUTIVE SUMMARY

GENERAL FUND BUDGET SUMMARY

	2011-13 Biennium Legislative-Approved Budget (2011 Regular Session)	2011-13 Biennium Legislative-Approved Budget (2011 Special Session)	Increase (Decrease)
Beginning balance - July 1, 2011	$660,231,525	$996,832,711	$336,601,186[1]
2011-13 estimated revenues	3,457,746,225	3,457,746,225	0
2011-13 special session revenue changes	0	(11,000,000)[2]	(11,000,000)[2]
Total available	$4,117,977,750	$4,443,578,936	$325,601,186
2011-13 original appropriations	$4,066,853,792	$4,066,853,792	$0
2011-13 special session appropriations	0	169,832,668[3]	169,832,668[3]
Total 2011-13 appropriations	$4,066,853,792	$4,236,686,460	$169,832,668
Estimated ending balance - June 30, 2013	$51,123,958	$206,892,476[4]	$155,768,518

[1]The actual July 1, 2011, general fund balance increase of $336.6 million relates to additional 2009-11 general fund revenue primarily from sales tax, individual income tax, and corporate income tax; additional funding from the transfer from the permanent oil tax trust fund; additional 2009-11 general fund turnback; and other adjustments.

[2]Sections 3 and 4 of Senate Bill No. 2371 increase the tax credit available to financial institutions, corporations, and individuals for contributions to housing incentive funds from 20 percent per taxable year to 100 percent and to increase the maximum allowable credits from $4 million per biennium to $15 million for the 2011-13 biennium only. This results in an estimated general fund revenue reduction of $11 million for the 2011-13 biennium.

[3]See footnote in the **Total Appropriations Summary** section below for more information.

[4]The estimated general fund ending balance does not reflect any potential transfers at the end of the 2011-13 biennium from the general fund to the budget stabilization fund pursuant to North Dakota Century Code Chapter 54-27.2.

TOTAL APPROPRIATIONS SUMMARY

	2009-11 Appropriations	2011-13 Original Appropriations	2011-13 Special Session Appropriations[1]	2011-13 Total Appropriations	2011-13 Total Appropriations Increase (Decrease) From 2009-11 Appropriations	2011-13 Total Appropriations Percentage Increase (Decrease) From 2009-11 Appropriations
General fund	$3,296,595,649	$4,066,853,792	$169,832,668	$4,236,686,460	$940,090,811	28.5%
Special funds	5,642,342,384	5,857,627,587	504,659,833	6,362,287,420	719,945,036	12.8%
Total	$8,938,938,033	$9,924,481,379	$674,492,501	$10,598,973,880	$1,660,035,847	18.6%

[1]The following is a summary of appropriations approved during the November 2011 special legislative session:

Bill No. - Agency - Description	General Fund	Special Funds	Total	FTE Positions
House Bill No. 1475				
Department of Human Services - Eligibility system project (one-time funding)	$8,736,675	$33,881,250	$42,617,925	1.00

Information Technology Department - Eligibility system project		19,346,077	19,346,077	10.00
Department of Human Services - Expenses associated with implementing the federal Affordable Care Act (ongoing funding)	214,123	290,156	504,279	7.00
Insurance Commissioner - Expenses associated with implementing the federal Affordable Care Act		642,350	642,350	4.00
Total - House Bill No. 1475	$8,950,798	$54,159,833	$63,110,631	22.00
House Bill No. 1477				
Williston State College - Various campus needs (one-time funding)	$2,000,000		$2,000,000	
Senate Bill No. 2371[2]				
State Treasurer - Contingent transportation funding distributions (one-time funding)	$23,000,000		$23,000,000	
Land Department - Transfer to oil and gas impact grant fund - New oil-producing counties (one-time funding)	5,000,000		5,000,000	
Land Department - Distributions to new oil-producing counties (oil and gas impact grant fund)		$5,000,000	5,000,000	
Land Department - Contingent transfer to oil and gas impact grant fund (one-time funding)	30,000,000		30,000,000	
Land Department - Contingent oil and gas impact grants (oil and gas impact grant fund)		30,000,000	30,000,000	
Land Department - Flood-impacted political subdivision infrastructure grants (one-time funding)	30,000,000		30,000,000	
Industrial Commission - Litigation and other administrative proceedings (one-time funding)	1,000,000		1,000,000	
Bank of North Dakota - Contingent transfer to rebuilders loan program (one-time funding)	20,000,000		20,000,000	
Highway Patrol - Four new FTE trooper positions (ongoing funding)	681,870		681,870	4.00
Adjutant General - Transfer to the state disaster relief fund (one-time funding)	48,700,000		48,700,000	
Adjutant General - Disaster expenditures (state disaster relief fund)		29,500,000	29,500,000	
Adjutant General - Contingent appropriations - 2012 disasters (state disaster relief fund)		5,000,000	5,000,000	
Adjutant General - Additional funding for the rebuilders loan program and for flood-impacted housing rehabilitation (state disaster relief fund)		10,000,000	10,000,000	
Adjutant General - Flood-damaged school infrastructure grants (one-time funding)	500,000		500,000	
Department of Commerce - Flood-related costs (federal funds)		235,000,000	235,000,000	
State Water Commission - Additional expenses (resources trust fund)		50,000,000	50,000,000	
Department of Transportation - Grants to counties for road grade raising projects (state disaster relief fund)		6,000,000	6,000,000	
Department of Transportation - Borrowing authority for emergency relief projects		80,000,000	80,000,000	
Total - Senate Bill No. 2371[2]	$158,881,870	$450,500,000	$609,381,870	4.00
Grand total	$169,832,668	$504,659,833	$674,492,501	26.00

[2]In addition, Senate Bill No. 2371 provides for a transfer of $30 million of Bank of North Dakota profits to a rebuilders loan program and provides a continuing appropriation for the rebuilders loan program for providing loans to North Dakota residents rebuilding flood-damaged homes or purchasing new homes in a disaster-impacted community.

2011-13 GENERAL FUND REVENUES

1. Provided for general fund revenues of $4.4 billion, $149 million or 3.5 percent, more than the 2009-11 biennium actual revenues.
2. Increased the tax credit available to financial institutions, corporations, and individuals for contributions to housing incentive funds from 20 percent per taxable year to 100 percent and increased the maximum allowable credits from $4 million per biennium to $15 million for the 2011-13 biennium only. This results in an estimated general fund revenue reduction of $11 million for the 2011-13 biennium.

2011-13 GENERAL FUND APPROPRIATIONS

1. Provided general fund appropriations of $4.2 billion, $940.1 million, or 28.5 percent, more than the 2009-11 adjusted legislative appropriations.
2. Major general fund appropriations increases relate to:
   a. Department of Transportation - $372 million.
   b. Department of Human Services - $288.8 million.
   c. Department of Public Instruction - $82.7 million.
   d. Land Department - $65 million.
   e. Higher education - $64.4 million.
   f. Property tax relief for education - $46.6 million.
   g. Bank of North Dakota - $43.3 million.

2011-13 SPECIAL FUND APPROPRIATIONS

1. Provided special fund appropriations of $6.4 billion, $719.9 million more than the 2009-11 adjusted legislative appropriations.
2. Major special fund appropriations increases include:
   a. Department of Transportation - $502 million.
   b. State Water Commission - $182.3 million.
   c. Land Department - $126.7 million.
   d. Department of Human Services - $69.3 million.
   e. Adjutant General - $60.4 million.
   f. Bank of North Dakota - $12.5 million.

2011-13 ONGOING AND ONE-TIME RESOURCES AND APPROPRIATIONS

1. Projected "ongoing" general fund taxes and fee collections of $2,838.6 million for the 2011-13 biennium, an increase of $85.6 million, or 3.1 percent, from the actual ongoing general fund taxes and fee collections of $2,753.0 million for the 2009-11 biennium.
2. Provided $3,534.6 million of ongoing general fund appropriations and $702.1 million of "one-time" general fund appropriations for the 2011-13 biennium.
3. Retained an estimated $605.8 million at the end of the 2011-13 biennium, including $206.9 million in the general fund and $398.9 million in the budget stabilization fund.

STATE EMPLOYEES

	2009-11 Biennium Authorized Number	2011-13 Biennium Authorized Number	2011-13 Biennium Special Session Adjustments	2011-13 Biennium Authorized Number Revised	2011-13 Biennium Increase (Decrease) From 2009-11 Biennium
FTE positions	11,175.64	11,234.67	26.00[1]	11,260.67	85.03

[1]See footnote in the **Total Appropriations Summary** section above for more information.

HIGHER EDUCATION

Increased general fund support by $64,430,747 as follows:

	2009-11 Legislative Appropriation	2011-13 Legislative Appropriation	Increase (Decrease)	
Ongoing general fund appropriations	$534,062,895	$606,525,437	$72,462,542	13.6%
One-time general fund appropriations	59,292,152	51,260,357	(8,031,795)	(13.5%)
Total	$593,355,047	$657,785,794	$64,430,747	10.9%

INFORMATION TECHNOLOGY

1. Provided $77.7 million, of which $18.4 million is from the general fund, for **state agency information technology projects** for the 2011-13 biennium.
2. Provided $42.9 million, of which $8.8 million is from the general fund, to the Department of Human Services for an **eligibility system replacement project**.

DISASTER-RELATED FUNDING

1. Provided the following disaster-related funding to the Adjutant General during the regular legislative session:

	Special Funds (State Disaster Relief Fund)
Funding for city flood mitigation projects (up to $3.2 million) and for disaster relief funding relating to 2011 spring flooding, road grade raising projects in selected areas of the state, 50 percent of the local match for disasters occurring from January 2011 through June 2011, and state expenses associated with presidential-declared disasters in the state, subject to Emergency Commission and Budget Section approval	$22,000,000
Emergency snow removal grants to counties, cities, and townships. Emergency snow removal grants are available for reimbursement of up to 60 percent of the costs incurred by the county, township, or city for the period January 2011 through March 2011 that exceed 200 percent of the average costs incurred for these months in 2004 through 2008.	9,000,000
Funding for expenses related to the 2009 flood disaster ($3,369,258) and other unclosed state disasters ($4,473,046) in the 2011-13 biennium	7,842,304
Funding for providing the required state share of funding for defraying the expenses associated with presidential-declared disasters pursuant to Section 37-17.1-27	3,500,000
Funding to contract for services to coordinate disaster response efforts, including all aspects of disaster recovery from preparedness training through cleanup for declared or undeclared disasters	400,000
Total	$42,742,304

2. Provided the following disaster-related funding to various agencies during the November 2011 special legislative session:

	General Fund	Special Funds	Total
Land Department			
Funding for flood-impacted political subdivision infrastructure grants	$30,000,000		$30,000,000
Adjutant General			
Funding for the required state share of expenses associated with presidentially declared state disasters (state disaster relief fund)		$29,500,000	29,500,000
Contingent funding for grants to political subdivisions for a portion of the local share required to match federal emergency relief funding relating to 2012 disasters (state disaster relief fund)		5,000,000	5,000,000

	General Fund	Special Funds	Total
Funding for additional funding for the rebuilders loan program at the Bank of North Dakota and for flood-impacted housing rehabilitation (state disaster relief fund)		10,000,000	10,000,000
Funding for flood-damaged school infrastructure grants to eligible school districts that experienced a 2011 flood event which results in multiple school facilities being damaged and unusable	500,000		500,000
Department of Commerce			
Funds that may become available for providing loans or grants to flood-impacted individuals, property acquisitions, and infrastructure development grants to flood-impacted communities (federal funds)		235,000,000	235,000,000
State Water Commission			
Funding for additional expenses (resources trust fund)		50,000,000	50,000,000
Department of Transportation			
Funding for grants to counties for road grade raising projects (state disaster relief fund)		6,000,000	6,000,000
Transfers to provide for special fund appropriations and loan program			
Transfer of Bank profits for a rebuilders loan program fund to be spent pursuant to a continuing appropriation		30,000,000	30,000,000
Transfer from the general fund to the state disaster relief fund, including $32.7 million for disaster-related expenses, $10 million for additional rebuilders loan funding and for flood-impacted housing rehabilitation, and $6 million for road grade raising grants	48,700,000		48,700,000
Contingent transfer from the general fund to the rebuilders loan program fund to be spent pursuant to a continuing appropriation	20,000,000		20,000,000
Total	$99,200,000	$365,500,000	$464,700,000

FUNDING FOR AREAS AFFECTED BY OIL AND GAS DEVELOPMENT

Provided the following major appropriations and allocations specifically for areas of North Dakota affected by oil and gas development:

	2011 Regular Legislative Session	2011 Special Legislative Session	Total
Appropriations			
Energy development impact grants (oil and gas impact grant fund)	$100,000,000	$30,000,000	$130,000,000
Energy development impact distributions to new oil-producing counties (oil and gas impact grant fund)		5,000,000	5,000,000
Regular highway construction projects (highway fund and federal funds)	295,000,000		295,000,000
Special state highway project appropriations (general fund)	228,600,000		228,600,000
Special county and township roadway project appropriations (general fund)	142,000,000		142,000,000
Loans for the Western Area Water Supply project (Bank of North Dakota, general fund, resources trust fund, State Water Commission)	110,000,000		110,000,000
Four new Highway Patrol FTE trooper positions (general fund)		681,870	681,870
Total appropriations	$875,600,000	$35,681,870	$911,281,870
Allocations			
Oil and gas gross production tax allocations to cities, counties, and schools	247,190,000		247,190,000
Total appropriations and allocations	$1,122,790,000	$35,681,870	$1,158,471,870

GENERAL FUND REVENUE ESTIMATES FOR THE 2011-13 BIENNIUM AND ACTUAL COLLECTIONS FOR PRIOR BIENNIUMS

	Actual			Estimated		
	2005-07 Biennium	2007-09 Biennium	2009-11 Biennium	2011-13 Biennium[1]	2011-13 Increase (Decrease) Compared to 2009-11	2011-13 Percentage Increase (Decrease) Compared to 2009-11
Beginning balance	$68,015,056	$295,541,176	$361,843,514	$996,832,711 [2]	$634,989,197	175.5%
Revenue source						
Sales and use tax	$841,930,866	$1,046,485,684	$1,267,211,331	$1,382,234,660	$115,023,329	9.1%
Motor vehicle excise tax	125,722,268	130,151,534	124,425,401 [3]	183,039,167	58,613,766	47.1%
Individual income tax	587,659,377	681,703,888	729,255,895 [4]	540,999,000 [4,6]	(188,256,895)	(25.8%)
Corporate income tax	232,294,310	239,695,937	234,364,296 [5]	122,577,000 [5,6]	(111,787,296)	(47.7%)
Insurance premium tax	52,873,010	64,388,601	63,150,948	70,560,000	7,409,052	11.7%
Business privilege tax	9,702,362	10,486,495	6,748,753	1,375,000 [6]	(5,373,753)	(79.6%)
Cigarette and tobacco tax	44,683,370	45,230,771	46,253,470	43,902,000	(2,351,470)	(5.1%)
Oil and gas gross production tax	45,970,447 [7]	39,309,315 [7]	32,718,333 [7]	133,834,000 [8]	101,115,667	309.0%
Oil extraction tax	25,029,553 [7]	31,690,685 [7]	38,281,667 [7]	166,166,000 [8]	127,884,333	334.1%
Coal conversion tax	49,217,864	49,438,952	39,064,299	35,764,000	(3,300,299)	(8.4%)
Gaming tax	17,986,019	20,042,392	16,189,991	9,241,952	(6,948,039)	(42.9%)
Lottery	12,600,000	11,055,000	10,400,000	11,000,000	600,000	5.8%
Wholesale liquor tax	12,787,869	14,076,919	15,163,855	14,934,000	(229,855)	(1.5%)
Mineral leasing fees	13,960,279	25,306,589	17,521,635	17,000,000	(521,635)	(3.0%)
Interest income	36,507,217	49,506,190	43,684,825	42,700,000	(984,825)	(2.3%)
Departmental collections	53,781,397	62,143,185	68,577,582	63,284,446	(5,293,136)	(7.7%)
Total revenues	$2,162,706,208	$2,520,712,137	$2,753,012,281	$2,838,611,225	$85,598,944	3.1%
Transfers and other sources						
Transfer - Bank of North Dakota	$60,000,000	$60,000,000	$0	$0 [9]	$0	N/A
Transfer - Student loan trust	9,000,000	3,100,000	0	0	0	N/A
Transfer - Mill and Elevator	5,000,000	0	13,902,268	6,650,000 [10]	(7,252,268)	(52.2%)
Transfer - Gas tax administration	1,400,000	1,274,056	1,288,000	1,485,000	197,000	15.3%
Transfer - Lands and minerals trust fund	6,800,000	15,000,000	35,000,000	0	(35,000,000)	(100.0%)
Transfer - Permanent oil tax trust fund	55,300,000	115,000,000	1,124,935,590 [11]	0	(1,124,935,590)	(100.0%)
Transfer - Property tax relief sustainability fund	0	0	0	295,000,000	295,000,000	N/A
Transfer - Strategic investment and improvements fund	0	0	0	305,000,000	305,000,000	N/A
Transfer - Health care trust fund	16,900,000	0	0	0	0	N/A
Transfer - Information technology savings	0	0	0	0	0	N/A
Transfers - Other	310,132	177,186	4,556,650	0	(4,556,650)	(100.0%)
Total transfers and other sources	$154,710,132	$194,551,242	$1,179,682,508	$608,135,000	($571,547,508)	(48.4%)
Total beginning balance, revenues, and transfers	$2,385,431,396	$3,010,804,555	$4,294,538,303	$4,443,578,936	$149,040,633	3.5%
Federal fiscal relief payments	$0	$0	$0	$0	$0	N/A
Total revenues, including federal fiscal relief payments	$2,385,431,396	$3,010,804,555	$4,294,538,303	$4,443,578,936	$149,040,633	3.5%

[1] Legislative amounts for the 2011-13 biennium.

[2] This amount is the actual July 1, 2011, general fund balance.

[3] Senate Bill No. 2012 (2009) provided for 25 percent of motor vehicle excise taxes to be deposited in the highway fund rather than the general fund for the 2009-11 biennium. This bill reduced general fund motor vehicle excise tax collections by $41.5 million for the 2009-11 biennium.

[4] The amount shown for the 2009-11 biennium reflects a revenue reduction of $90 million relating to income tax relief. The amount shown for the 2011-13 biennium reflects a revenue reduction of an additional $120 million relating to income tax rate reductions of 17.9 percent as provided for in House Bill No. 1047 (2011).

[5] The amount shown for the 2009-11 biennium reflects a revenue reduction of $10 million relating to income tax relief. The amount shown for the 2011-13 biennium reflects a revenue reduction of an additional $25 million relating to income tax rate reductions of 19.5 percent as provided for in House Bill No. 1047 (2011).

[6] This amount reflects a revenue reduction of $5 million relating to tax credits for contributions to a housing incentive fund. Senate Bill No. 2210 (2011) allows taxpayers to claim up to 20 percent of the credit during a tax year and limits the aggregate amount of tax credits for all contributions to $4 million. Senate Bill No. 2371 (2011) increases the tax credit to 100 percent during tax years 2011 and 2012 and increases the aggregate amount for all contributors from $4 million to $15 million for these years only. The tax types affected include individual and corporate income taxes and business privilege tax. Senate Bill No. 2371 resulted in a reduction of $11 million of general fund revenues for the 2011-13 biennium, $3,666,667 for each individual income, corporate income, and business privilege tax type.

[7] From 1999 through 2003, North Dakota Century Code Section 57-51.1-07.2 provided that if, at the end of any biennium, oil and gas gross production and extraction tax collections during the biennium exceed $62 million, the excess amount must be transferred from the general fund to the permanent oil tax trust fund. Interest on money in the fund is transferred to the general fund.

Section 26 of Senate Bill No. 2015 (2003) amended Section 57-51.1-07.2 so that all revenues deposited in the general fund during a biennium that are derived from the oil and gas gross production tax which exceed $71 million are to be transferred into the permanent oil tax trust fund, instead of the prior $62 million limit. In August 2003, $11.91 million was transferred from the permanent oil tax trust fund to the general fund, pursuant to Section 6 of Senate Bill No. 2015.

Total oil and gas tax collections were $120.5 million during the 2003-05 biennium, resulting in $49.5 million being transferred to the permanent oil tax trust fund at the end of that biennium. The July 1, 2005, balance in the permanent oil tax trust fund was $50.4 million.

Total oil and gas tax collections were $240.8 million during the 2005-07 biennium, resulting in $169.8 million being transferred to the permanent oil tax trust fund at the end of that biennium. The July 1, 2007, balance in the permanent oil tax trust fund was $143.3 million.

Total oil and gas tax collections were $555.3 million during the 2007-09 biennium, resulting in $484.3 million being transferred to the permanent oil tax trust fund at the end of that biennium. The July 1, 2009, balance in the permanent oil tax trust fund was $489.7 million.

Total oil and gas tax collections were $1,052.5 million for the 2009-11 biennium, resulting in $981.5 million being transferred to the permanent oil tax trust fund. The Legislative Assembly in 2009 authorized transfers from the permanent oil tax trust fund for funding centers of excellence ($6,620,541), higher education capital projects and programs ($13,616,145), transfer to the property tax relief sustainability fund ($295,000,000), water project grants ($2,526,445), grants to tribal colleges ($700,000), funding for Prairie Public Broadcasting ($1,008,100), and for a transfer to the general fund of $435,000,000, of which $295,000,000 is for property tax relief. The June 30, 2011, balance in the permanent oil tax trust fund was $689.9 million. The Legislative Assembly in 2011 repealed the permanent oil tax trust fund and provided for a transfer of the balance in the fund to the general fund at the end of the 2009-11 biennium.

[8] The Legislative Assembly in 2011 created a new section to Chapter 57-51.1 to provide for the allocation of the state's share of oil and gas tax revenues designated for deposit in the general fund under Chapters 57-51 and 57-51.1 as follows:

The first $200 million is deposited in the general fund;
The next $341,790,000 is deposited in the property tax relief sustainability fund;
The next $100 million is deposited in the general fund;
The next $100 million is deposited in the strategic investment and improvements fund;
The next $22 million is deposited in the state disaster relief fund; and
Any additional revenues are deposited in the strategic investment and improvements fund.

Total oil and gas tax collections are estimated to be $774 million for the 2011-13 biennium. House Bill No. 1013 (2011) increases the allocation of oil and gas gross production taxes to the oil and gas impact grant fund from $8 million to $100 million, reducing the state's share of oil and gas gross production tax collections by $92 million, from $774 million to $682 million. Of the $682 million, $4 million is to be deposited in the oil and gas research fund, $300 million in the general fund, $341,790,000 in the property tax relief sustainability fund, and $36,210,000 in the strategic investment and improvements fund.

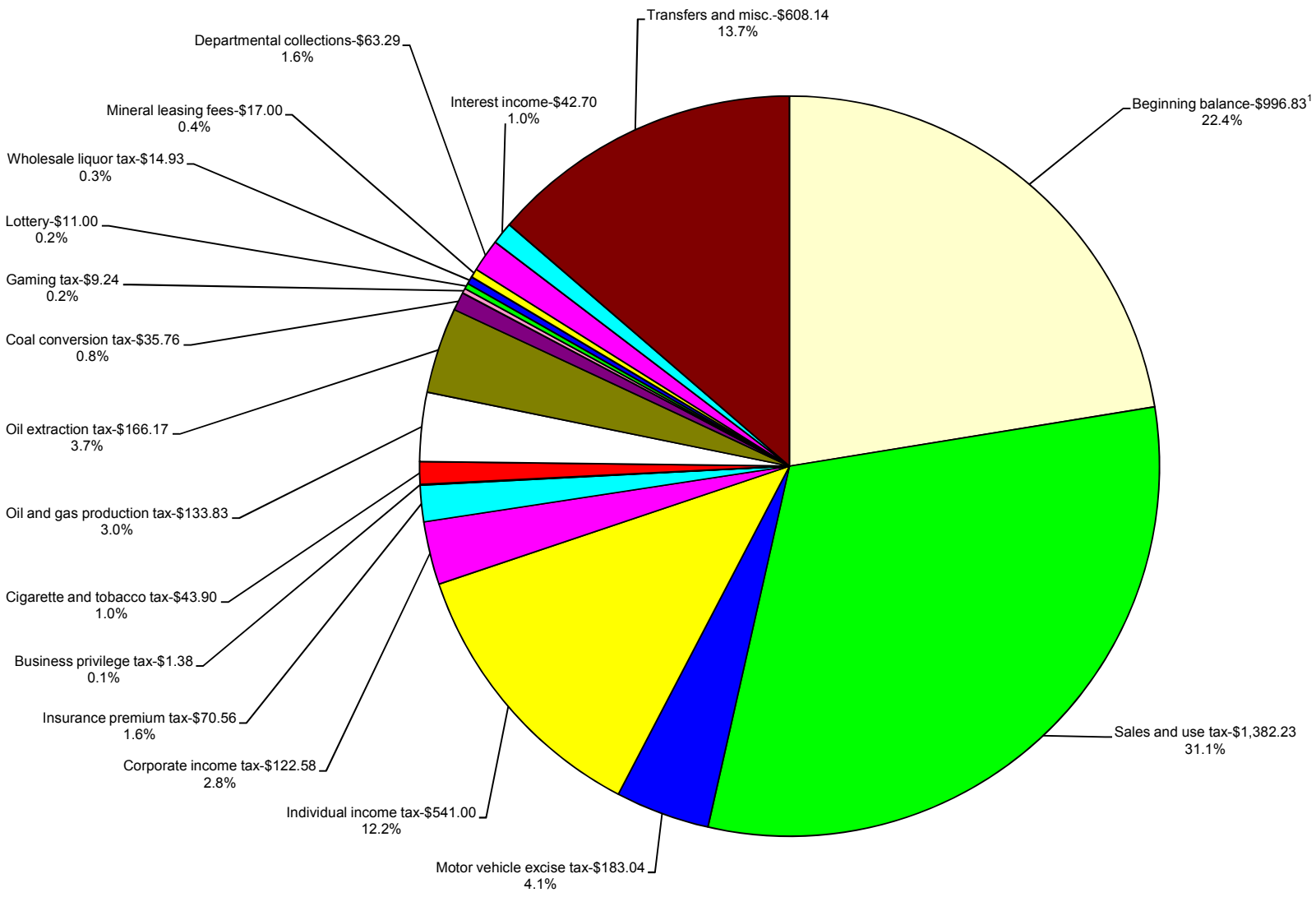
[9] The Legislative Assembly removed the $60 million transfer from the Bank of North Dakota for the general fund included in the executive budget.

[10] The Legislative Assembly in 2009 repealed the $5 million transfer from the Mill and Elevator for the 2007-09 biennium and provided for future transfers from the Mill and Elevator based on a percentage of mill profits. The amount shown for the 2011-13 biennium is the estimated transfer based on projected Mill and Elevator profits for the 2011-13 biennium.

[11] The Legislative Assembly in 2011 repealed the permanent oil tax trust fund and provided for a transfer of the balance in the fund to the general fund at the end of the 2009-11 biennium. Therefore, transfers from the permanent oil tax trust fund increased from $435 million as provided for by the Legislative Assembly in 2009 to $1,124.9 million due to action by the Legislative Assembly in 2011 to repeal the permanent oil tax trust fund at the end of the 2009-11 biennium in House Bill No. 1451 (2011).

2011-13 ESTIMATED GENERAL FUND REVENUES

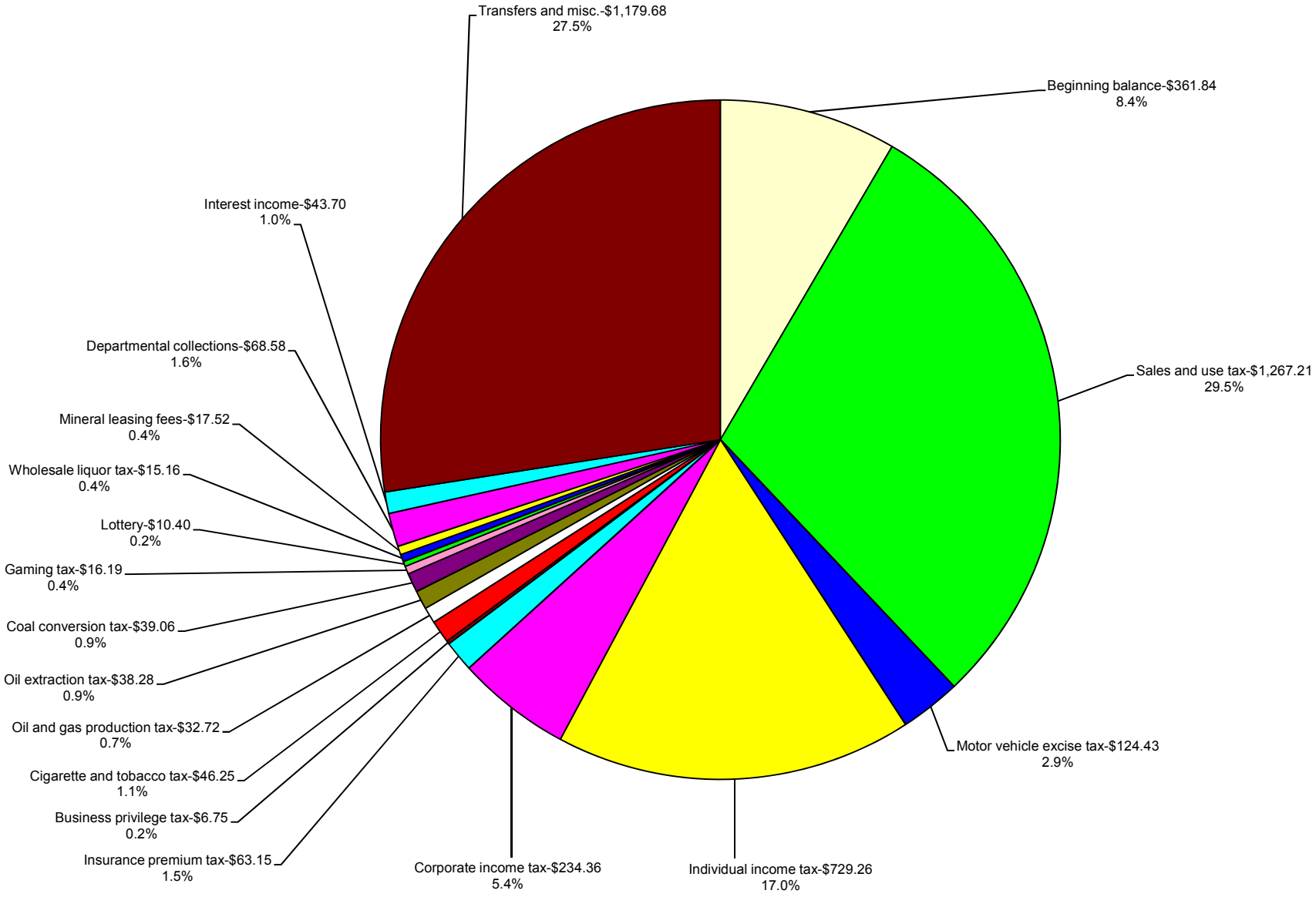
Total 2011-13 Estimated General Fund Revenues - $4,443.58
(Amounts Shown in Millions)



[1]Actual July 1, 2011, general fund balance.

2009-11 ACTUAL GENERAL FUND REVENUES

Total 2009-11 Actual General Fund Revenues - $4,294.54
(Amounts Shown in Millions)

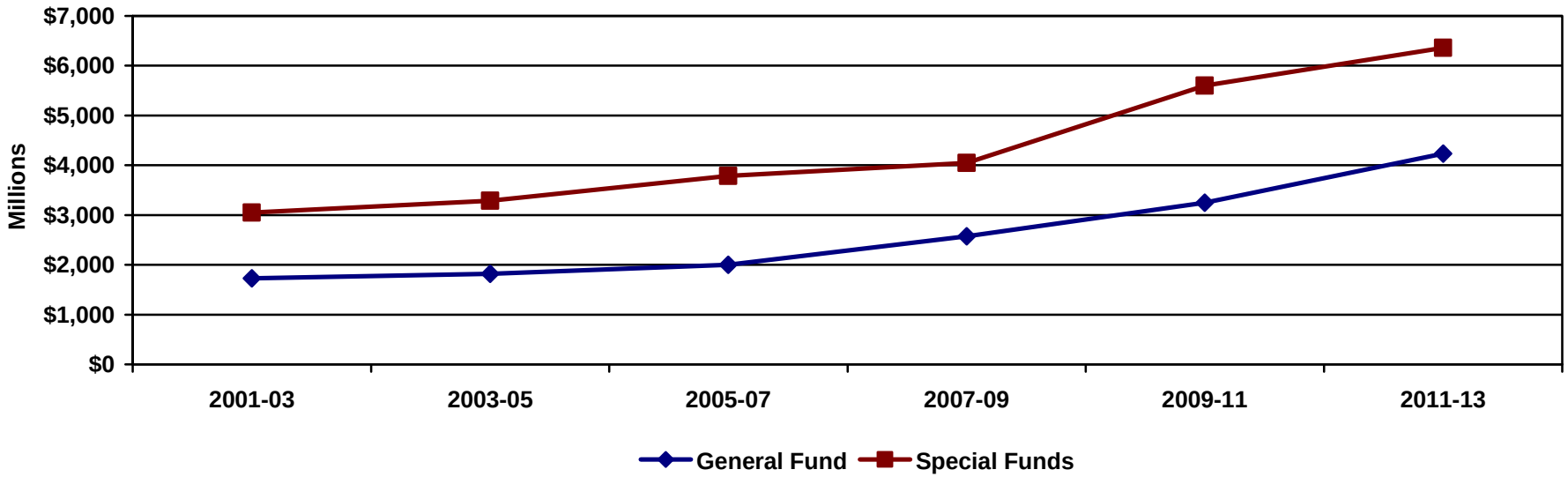


APPROPRIATIONS SUMMARY

The Legislative Assembly in 2011 provided general fund appropriations of $4,236,686,460, $940,090,811, or 28.5 percent, more than the 2009-11 legislative appropriations. Of the $4,236,686,460, $3,534,591,025 is considered ongoing general fund appropriations and $702,095,435 is considered one-time general fund appropriations. Ongoing spending increased by 18.6 percent. Additional information regarding one-time general fund appropriations is provided in the one-time funding schedule included in this section.

The Legislative Assembly in 2011 provided special fund appropriations of $6,362,287,420, $719,945,036, or 12.8 percent, more than the 2009-11 legislative appropriations.

The following is a summary of legislative appropriations for the 2001-03 through 2011-13 bienniums:



Biennium	General Fund Appropriations	Special Fund Appropriations	Total Appropriations
2001-03	$1,728,640,384	$3,049,996,983	$4,778,637,367
2003-05	$1,816,885,505	$3,289,715,994	$5,106,601,499
2005-07	$2,000,537,074	$3,785,221,167	$5,785,758,241
2007-09	$2,574,313,275	$4,049,667,487	$6,623,980,762
2009-11	$3,296,595,649	$5,642,342,384	$8,938,938,033
2011-13	$4,236,686,460	$6,362,287,420	$10,598,973,880

NOTE: Appropriation amounts are restated to reflect, where appropriate, deficiency appropriations provided by a subsequent Legislative Assembly, additional appropriations made during special legislative sessions, or budget allotments ordered by the Governor.

COMPARISON OF 2009-11 AND 2011-13 LEGISLATIVE APPROPRIATIONS
(Including Special Session Appropriations)

Budget No.	Budget	Legislative Appropriation 2009-11 General Fund	Legislative Appropriation 2009-11 Total Funds	Legislative Appropriation 2011-13 General Fund	Legislative Appropriation 2011-13 Total Funds	Increase (Decrease) From 2009-11 to 2011-13 General Fund	Increase (Decrease) From 2009-11 to 2011-13 Total Funds
	General Government						
101	Governor's office	$3,474,358	$108,174,037	$3,773,942	$25,291,658	$299,584	($82,882,379)
108	Secretary of State	6,161,588	18,477,264	9,326,160	16,113,144	3,164,572	(2,364,120)
110	Office of Management and Budget	32,197,196	41,766,644	32,892,699	43,407,160	695,503	1,640,516
112	Information Technology Department	19,170,785	229,541,839	19,252,204	183,674,964	81,419	(45,866,875)
117	State Auditor	6,762,229	9,075,031	7,143,808	9,571,330	381,579	496,299
120	State Treasurer	2,238,985	2,238,985	49,705,390	49,705,390	47,466,405	47,466,405
125	Attorney General	28,960,432	54,161,841	31,542,245	58,969,422	2,581,813	4,807,581
127	Tax Commissioner	44,516,586	44,712,586	39,238,449	39,248,449	(5,278,137)	(5,464,137)
140	Office of Administrative Hearings		1,498,712		1,827,199		328,487
150	Legislative Assembly	16,014,554	16,014,554	14,267,917	14,267,917	(1,746,637)	(1,746,637)
160	Legislative Council	10,439,503	10,509,503	11,561,158	11,631,158	1,121,655	1,121,655
180	Judicial branch	82,590,015	84,634,822	83,482,362	85,664,636	892,347	1,029,814
188	Commission on Legal Counsel for Indigents	9,470,148	11,420,365	9,808,430	11,779,282	338,282	358,917
190	Retirement and Investment Office		3,705,650		4,232,954		527,304
192	Public Employees Retirement System	13,000	6,146,488		6,867,890	(13,000)	721,402
	Total General Government	$262,009,379	$642,078,321	$311,994,764	$562,252,553	$49,985,385	($79,825,768)
	Education						
	Elementary, Secondary, and Other Education						
201	Department of Public Instruction	$819,455,590 [1]	$1,333,176,744 [1]	$902,190,651	$1,358,394,074	$82,735,061	$25,217,330
226	Land Department		13,792,561	65,000,000 [3]	205,465,189 [3]	65,000,000	191,672,628
250	State Library	4,651,028	6,586,364	5,263,975	7,398,585	612,947	812,221
252	School for the Deaf	7,139,896	9,308,446	6,718,772	8,806,779	(421,124)	(501,667)
253	North Dakota Vision Services - School for the Blind	3,510,068	4,328,970	3,797,240	4,632,331	287,172	303,361
270	Department of Career and Technical Education	25,981,008	36,743,890	27,981,679	38,748,567	2,000,671	2,004,677
	Total Elementary, Secondary, and Other Education	$860,737,590	$1,403,936,975	$1,010,952,317	$1,623,445,525	$150,214,727	$219,508,550
	Property Tax Relief - Education						
201	Department of Public Instruction	$295,000,000	$295,000,000	$341,790,000	$341,790,000	$46,790,000	$46,790,000
	Total Property Tax Relief - Education	$295,000,000	$295,000,000	$341,790,000	$341,790,000	$46,790,000	$46,790,000
	Higher Education						
215	North Dakota University System office	$86,508,682	$91,257,640	$116,629,810	$119,384,528	$30,121,128	$28,126,888
227	Bismarck State College	27,849,535	28,259,035	31,935,693	40,470,693	4,086,158	12,211,658
228	Lake Region State College	10,765,011	13,374,931	9,640,610	9,640,610	(1,124,401)	(3,734,321)
229	Williston State College	9,836,888	25,211,888	13,518,698	15,743,698	3,681,810	(9,468,190)
230	University of North Dakota (UND)	134,863,462	196,482,462	153,602,504	184,052,504	18,739,042	(12,429,958)
232	UND School of Medicine and Health Sciences	41,115,401	41,115,401	46,783,021	46,783,021	5,667,620	5,667,620
235	North Dakota State University (NDSU)	128,763,124	186,863,124	121,939,625	158,039,625	(6,823,499)	(28,823,499)

Budget No.	Budget	Legislative Appropriation 2009-11 General Fund	Legislative Appropriation 2009-11 Total Funds	Legislative Appropriation 2011-13 General Fund	Legislative Appropriation 2011-13 Total Funds	Increase (Decrease) From 2009-11 to 2011-13 General Fund	Increase (Decrease) From 2009-11 to 2011-13 Total Funds
238	State College of Science	39,156,042	46,292,042	44,985,191	55,685,191	5,829,149	9,393,149
239	Dickinson State University	25,231,011	25,581,011	23,215,454	23,215,454	(2,015,557)	(2,365,557)
240	Mayville State University	19,018,467	22,686,967	13,083,328	13,083,328	(5,935,139)	(9,603,639)
241	Minot State University	39,877,100	67,127,100	43,020,973	59,055,528	3,143,873	(8,071,572)
242	Valley City State University	19,245,122	37,745,122	28,162,473	29,177,473	8,917,351	(8,567,649)
243	Dakota College at Bottineau	7,210,530	9,210,530	7,055,942	7,055,942	(154,588)	(2,154,588)
244	North Dakota Forest Service	3,855,768	4,853,254	4,212,472	5,215,958	356,704	362,704
	Total Higher Education	$593,296,143	$796,060,507	$657,785,794	$766,603,553	$64,489,651	($29,456,954)
	Total Education	$1,749,033,733	$2,494,997,482	$2,010,528,111	$2,731,839,078	$261,494,378	$236,841,596
	Health and Welfare						
301	State Department of Health	$27,231,665	$205,260,196	$34,013,780	$194,962,533	$6,782,115	($10,297,663)
305	Tobacco Prevention and Control Executive Committee		12,882,000		12,922,614		40,614
313	Veterans' Home	16,841,722	33,677,020	5,553,323	20,896,646	(11,288,399)	(12,780,374)
316	Indian Affairs Commission	684,585	702,585	822,878	822,878	138,293	120,293
321	Department of Veterans' Affairs	1,031,487	1,031,487	1,417,219	1,417,219	385,732	385,732
325	Department of Human Services	652,145,814	2,290,395,951	940,976,017	2,648,548,255	288,830,203	358,152,304
360	Protection and Advocacy Project	1,725,815	4,713,318	1,985,365	5,104,253	259,550	390,935
380	Job Service North Dakota	1,565,442	71,770,286	1,879,892	71,996,698	314,450	226,412
	Total Health and Welfare	$701,226,530	$2,620,432,843	$986,648,474	$2,956,671,096	$285,421,944	$336,238,253
	Regulatory						
401	Insurance Commissioner		$16,191,800		$19,044,080		$2,852,280
405	Industrial Commission	$14,275,254	63,593,238	$18,075,613	64,842,369	$3,800,359	1,249,131
406	Labor Commissioner	1,421,583	1,834,334	1,540,125	1,964,636	118,542	130,302
408	Public Service Commission	5,676,165	16,338,407	6,020,215	19,081,863	344,050	2,743,456
412	Aeronautics Commission	550,000	12,932,666	554,500	13,088,188	4,500	155,522
413	Department of Financial Institutions		6,186,488		6,836,318		649,830
414	Securities Department	1,798,362	2,115,561	1,909,220	2,226,419	110,858	110,858
471	Bank of North Dakota	11,100,000	55,417,274	54,400,000 [4]	111,253,155 [4]	43,300,000	55,835,881
473	Housing Finance Agency		71,424,343		38,590,046		(32,834,297)
475	Mill and Elevator		40,057,242		47,071,877		7,014,635
485	Workforce Safety and Insurance		56,877,605		58,413,293		1,535,688
	Total Regulatory	$34,821,364	$342,968,958	$82,499,673	$382,412,244	$47,678,309	$39,443,286
	Public Safety						
504	Highway Patrol	$31,357,985	$42,251,715	$35,125,144	$46,650,469	$3,767,159	$4,398,754
530	Department of Corrections and Rehabilitation	167,140,829	238,652,574	159,565,919	191,172,069	(7,574,910)	(47,480,505)
540	Adjutant General	28,010,807	213,141,291	65,637,139 [5]	223,859,041 [5]	37,626,332	10,717,750
	Department of Emergency Services	12,734,407	64,355,794	12,916,416	151,798,892	182,009	87,443,098
	Total Public Safety	$239,244,028	$558,401,374	$273,244,618	$613,480,471	$34,000,590	$55,079,097

Budget No.	Budget	Legislative Appropriation 2009-11 General Fund	Legislative Appropriation 2009-11 Total Funds	Legislative Appropriation 2011-13 General Fund	Legislative Appropriation 2011-13 Total Funds	Increase (Decrease) From 2009-11 to 2011-13 General Fund	Increase (Decrease) From 2009-11 to 2011-13 Total Funds
	Agriculture and Economic Development						
601	Department of Commerce	$63,476,303 [2]	$201,737,408 [2]	$41,759,865	$365,394,802	($21,716,438)	$163,657,394
602	Agriculture Department	7,547,383	21,728,849	8,196,746	22,997,997	649,363	1,269,148
616	State Seed Department		6,827,495		6,894,011		66,516
627	Upper Great Plains Transportation Institute	1,589,793	26,326,992	1,919,628	24,419,961	329,835	(1,907,031)
628	Branch research centers	12,367,190	27,559,006	14,945,208	29,942,789	2,578,018	2,383,783
630	NDSU Extension Service	22,000,412	47,929,289	24,885,644	48,014,454	2,885,232	85,165
638	Northern Crops Institute	1,439,221	3,037,486	1,692,582	3,347,307	253,361	309,821
640	Main Research Center	60,217,151	105,930,418	54,456,398	98,589,973	(5,760,753)	(7,340,445)
649	Agronomy Seed Farm		1,275,238		1,435,168		159,930
665	State Fair Association	15,697,150	18,697,150	730,000	730,000	(14,967,150)	(17,967,150)
670	Racing Commission	295,000	325,000	317,501	447,501	22,501	122,501
	Total Agriculture and Economic Development	$184,629,603	$461,374,331	$148,903,572	$602,213,963	($35,726,031)	$140,839,632
	Natural Resources						
701	State Historical Society	$52,474,252	$68,846,089	$13,034,891	$16,585,304	($39,439,361)	($52,260,785)
709	Council on the Arts	1,368,734	3,104,220	1,363,602	3,218,462	(5,132)	114,242
720	Game and Fish Department		59,463,938	300,000 [6]	65,987,742 [6]	300,000	6,523,804
750	Parks and Recreation Department	15,833,959	28,782,013	16,623,556	29,293,088	789,597	511,075
770	State Water Commission	14,123,899	326,209,708	14,995,199	509,415,420	871,300	183,205,712
	Total Natural Resources	$83,800,844	$486,405,968	$46,317,248	$624,500,016	($37,483,596)	$138,094,048
	Transportation						
801	Department of Transportation	$4,600,000	$1,251,615,588	$376,550,000 [7]	$2,125,604,459 [7]	$371,950,000	$873,988,871
	Total Transportation	$4,600,000	$1,251,615,588	$376,550,000	$2,125,604,459	$371,950,000	$873,988,871
	TOTAL APPROPRIATIONS	$3,259,365,481	$8,858,274,865	$4,236,686,460	$10,598,973,880	$977,320,979	$1,740,699,015
	APPROPRIATION SUMMARY						
	General Government	$262,009,379	$642,078,321	$311,994,764	$562,252,553	$49,985,385	($79,825,768)
	Education	1,749,033,733	2,494,997,482	2,010,528,111	2,731,839,078	261,494,378	236,841,596
	Health and Welfare	701,226,530	2,620,432,843	986,648,474	2,956,671,096	285,421,944	336,238,253
	Regulatory	34,821,364	342,968,958	82,499,673	382,412,244	47,678,309	39,443,286
	Public Safety	239,244,028	558,401,374	273,244,618	613,480,471	34,000,590	55,079,097
	Agriculture and Economic Development	184,629,603	461,374,331	148,903,572	602,213,963	(35,726,031)	140,839,632
	Natural Resources	83,800,844	486,405,968	46,317,248	624,500,016	(37,483,596)	138,094,048
	Transportation	4,600,000	1,251,615,588	376,550,000	2,125,604,459	371,950,000	873,988,871
	TOTAL APPROPRIATIONS	$3,259,365,481 *	$8,858,274,865 *	$4,236,686,460	$10,598,973,880	$977,320,979	$1,740,699,015

* 2009-11 appropriations made by the 61st Legislative Assembly	$3,259,365,481	$8,858,274,865
2009-11 deficiency appropriations made by the 62nd Legislative Assembly	37,230,168	80,663,168
Total 2009-11 appropriations	$3,296,595,649	$8,938,938,033

[1] The 2009-11 biennium amounts shown for the Department of Public Instruction include a $5 million contingent general fund appropriation for supplemental transportation aid payments to school districts.

[2] The 2009-11 biennium amounts shown for the Department of Commerce include a $5 million contingent general fund transfer to the centers of excellence fund.

[3] The 2011-13 biennium amounts shown for the Land Department reflect a $30 million contingent transfer from the general fund to the oil and gas impact grant fund for additional oil and gas impact grant distributions and a $5 million transfer from the general fund to the oil and gas impact grant fund for distributions to new oil and gas-producing counties.

[4] The 2011-13 biennium amounts shown for the Bank of North Dakota reflect a $20 million contingent transfer from the general fund to the rebuilders loan program fund.

[5] The 2011-13 biennium amounts shown for the Adjutant General reflect a $48,700,000 transfer from the general fund to the state disaster relief fund.

[6] The 2011-13 biennium amounts shown for the Game and Fish Department reflect a $300,000 transfer from the general fund to the game and fish fund.

[7] The 2011-13 biennium amounts shown for the Department of Transportation reflect a $370.6 million transfer from the general fund to the highway fund for state, county, and township roadway projects in areas affected by oil and gas development and a $100,000 transfer from the general fund to the public transportation fund for distribution to public transit agencies.

ONE-TIME FUNDING ITEMS FOR THE 2011-13 BIENNIUM

Agency - Description	Bill No.	Legislative Appropriations - General Fund
101 - **Governor's office**		
Governor's transition funding	SB 2001	$65,000
108 - **Secretary of State**		
Database and processing platform migration project	SB 2002	3,500,000
Online public meeting notice system	SB 2002	43,039
110 - **Office of Management and Budget**		
Repairs as identified in the Capitol envelop study	SB 2015	2,800,000
North Dakota 125th anniversary coordinator	SB 2015	50,000
Capitol complex parking lot repairs	SB 2015	800,000
State Board of Integrative Health	SB 2271	4,000
112 - **Information Technology Department**		
Criminal Justice Information System Initiative projects	HB 1021	200,000
Statewide Longitudinal Data System Initiative	HB 1021	1,757,624
120 - **State Treasurer**		
Information technology development costs	SB 2005	266,588
Transportation funding distributions	HB 1012	25,000,000
Transportation funding distributions	SB 2371	23,000,000
125 - **Attorney General**		
Equipment and vehicle purchases	SB 2003	312,400
127 - **Tax Department**		
GenTax software version upgrade	SB 2006	1,000,000
150 - **Legislative Assembly**		
Redistricting special session	HB 1001	272,018
Information technology projects	HB 1001	159,938
Computer equipment replacement	HB 1001	510,750
Legislative wing equipment and improvements	HB 1001	1,300,000
160 **- Legislative Council**		
Information technology projects	HB 1001	483,807
Computer equipment replacement	HB 1001	76,000
Office equipment replacement	HB 1001	25,000
Office improvements	HB 1001	50,000
Performance review of the State Auditor's office	SB 2004	100,000
180 - **Judicial branch**		
Equipment over $5,000	HB 1002	185,000
Information technology equipment over $5,000	HB 1002	516,480
Work Assessment Policy Committee and weighted caseload studies	HB 1002	200,000

Agency - Description	Bill No.	Legislative Appropriations - General Fund
201 - **Department of Public Instruction**		
State automated reporting system computer application maintenance	SB 2013	384,000
226 - **Land Department**		
Flood-impacted political subdivision infrastructure grants	SB 2371	30,000,000
Transfer to oil and gas impact grant fund - New oil-producing counties	SB 2371	5,000,000
Contingent transfer to oil and gas impact grant fund	SB 2371	30,000,000
227 - **Bismarck State College**		
Plant Services Building	HB 1003	1,500,000
Special assessments payoff	HB 1003	257,933
National Energy Center of Excellence project	HB 1003	3,300,000
228 - **Lake Region State College**		
Roof replacement project	HB 1003	866,000
229 - **Williston State College**		
Science laboratory renovation	HB 1003	1,320,000
Campus branding project	HB 1003	1,000,000
Workforce training building project	HB 1003	500,000
Campus needs relating to the impact of oil and gas development	HB 1477	2,000,000
230 - **University of North Dakota (UND)**		
Joint information technology facility	HB 1003	12,500,000
Special assessments payoff	HB 1003	97,146
232 - **UND School of Medicine and Health Sciences**		
Space utilization loan	HB 1003	100,000
235 - **North Dakota State University**		
Special assessments payoff	HB 1003	272,683
238 - **State College of Science**		
Bisek Hall renovation and addition project	HB 1003	10,300,000
Special assessments payoff	HB 1003	58,666
239 - **Dickinson State University**		
Operating funds to replace reduced oil royalty revenues and for Theodore Roosevelt digitization project	HB 1003	900,000
240 - **Mayville State University**		
Special assessments payoff	HB 1003	84,513
Water drainage study	HB 1003	55,000
241 - **Minot State University**		
Geothermal energy project	HB 1003	4,850,000
242 - **Valley City State University**		
Rhoades Science Center addition and renovation	HB 1003	10,300,000
Special assessments payoff	HB 1003	48,416
243 - **Dakota College at Bottineau**		
Campus improvements	HB 1003	700,000

Agency - Description	Bill No.	Legislative Appropriations - General Fund
244 - **Forest Service**		
Emerald ash borer mitigation	HB 1003	250,000
252 - **School for the Deaf**		
Extraordinary repairs	SB 2013	103,800
253 - **North Dakota Vision Services - School for the Blind**		
Equipment over $5,000	SB 2013	25,500
Facility master plan	SB 2013	20,000
Instructional equipment	SB 2013	24,500
301 - **State Department of Health**		
ST-elevation myocardial infarction response program grant	HB 1004	600,000
Contingent appropriation - Litigation and administrative proceedings	HB 1004	500,000
321 - **Department of Veterans' Affairs**		
Discharge project	HB 1007	22,000
Website	HB 1007	15,593
"Stand down" events	HB 1177	20,000
Veterans' postwar trust fund programs	HB 1468	210,000
Vans to transport veterans	HB 1468	50,000
325 - **Department of Human Services**		
State Hospital capital projects	SB 2012	1,800,000
Medicaid supplemental payments	HB 1152	1,527,802
Guardianship services	HB 1199	64,000
Medicaid management information system	SB 2015	1,474,362
Computer modifications	SB 2024	185,256
Eligibility system project	HB 1475	8,736,675
405 - **Industrial Commission**		
Analysis of oil-bearing rocks	HB 1014	40,000
Paleontologic preparation work	HB 1014	62,400
Renewable energy development program	HB 1014	1,500,000
Sand deposit study	HB 1014	50,000
Shallow gas study	HB 1014	25,000
Carbon dioxide storage facility administrative fund	HB 1014	532,000
Temporary employees - Core library	HB 1014	90,000
Litigation and other administrative proceedings	SB 2371	1,000,000
412 - **Aeronautics Commission**		
Database	SB 2206	4,500
471 - **Bank of North Dakota**		
Western Area Water Supply Authority loan	HB 1206	25,000,000
Contingent transfer to rebuilders loan program	SB 2371	20,000,000
504 - **Highway Patrol**		
Radio equipment replacement	HB 1011	1,076,000

Agency - Description	Bill No.	Legislative Appropriations - General Fund
530 - **Department of Corrections and Rehabilitation**		
Capital projects	HB 1015	617,968
Equipment over $5,000	HB 1015	304,600
Extraordinary repairs	HB 1015	741,490
540 - **Adjutant General**		
Central electronics bank dispatch system	SB 2016	1,100,000
Message switch upgrades	SB 2016	235,000
Technology projects	SB 2016	100,000
Military service center	SB 2016	72,700
State building extraordinary repairs	SB 2016	325,381
Armory grants	SB 2016	60,000
State Radio tower package	SB 2016	1,500,000
Statewide seamless base map	SB 2016	400,000
Equipment	SB 2016	1,525,347
Flood-damaged school infrastructure grants	SB 2371	500,000
Transfer to the state disaster relief fund	SB 2371	48,700,000
601 - **Department of Commerce**		
Transfer to workforce excellence fund	SB 2057	375,000
American Indian Business Office	SB 2057	50,000
Centers of research excellence	SB 2057	12,000,000
Electronic portfolio pilot project	SB 2057	150,000
2020 and Beyond initiative	SB 2057	50,000
640 - **Main Research Center**		
Capital projects	HB 1020	6,991,650
701 - **State Historical Society**		
Extraordinary repairs	SB 2018	125,000
Database migration	SB 2018	30,900
Enhanced marketing	SB 2018	75,000
Fort Abercrombie bank stabilization	SB 2018	350,000
Historic sites exhibits	SB 2018	90,000
Information technology business analysis	SB 2018	10,000
North Dakota 125th anniversary celebration planning	SB 2018	50,000
Temporary staff for expansion	SB 2018	59,800
North Dakota 8th grade curriculum	SB 2018	125,000
750 - **Parks and Recreation Department**		
Equipment	SB 2019	58,000
Capital projects	SB 2019	4,299,210
Little Missouri State Park trail leases	SB 2019	85,000
Statewide comprehensive outdoor recreation plan	SB 2019	40,000
Grant to International Peace Garden for conservatory addition	SB 2019	242,000
Grant to International Peace Garden for a memorial for victims of the September 11, 2001, terrorist attack	SB 2019	25,000

Agency - Description	Bill No.	Legislative Appropriations - General Fund
801 - **Department of Transportation**		
Devils Lake highway project	HB 1012	5,850,000
State road projects in areas affected by oil and gas development	HB 1012	228,600,000
County and township road projects in areas affected by oil and gas development	HB 1012	142,000,000
Transfer to public transportation fund	SB 2015	100,000
Total		$702,095,435

APPROPRIATIONS RELATING TO THE IMPLEMENTATION OF FEDERAL HEALTH CARE REFORM

The schedule below summarizes funding included in the 2011-13 executive budget recommendation and funding appropriated by the Legislative Assembly in 2011 relating to the implementation of the Patient Protection and Affordable Care Act.

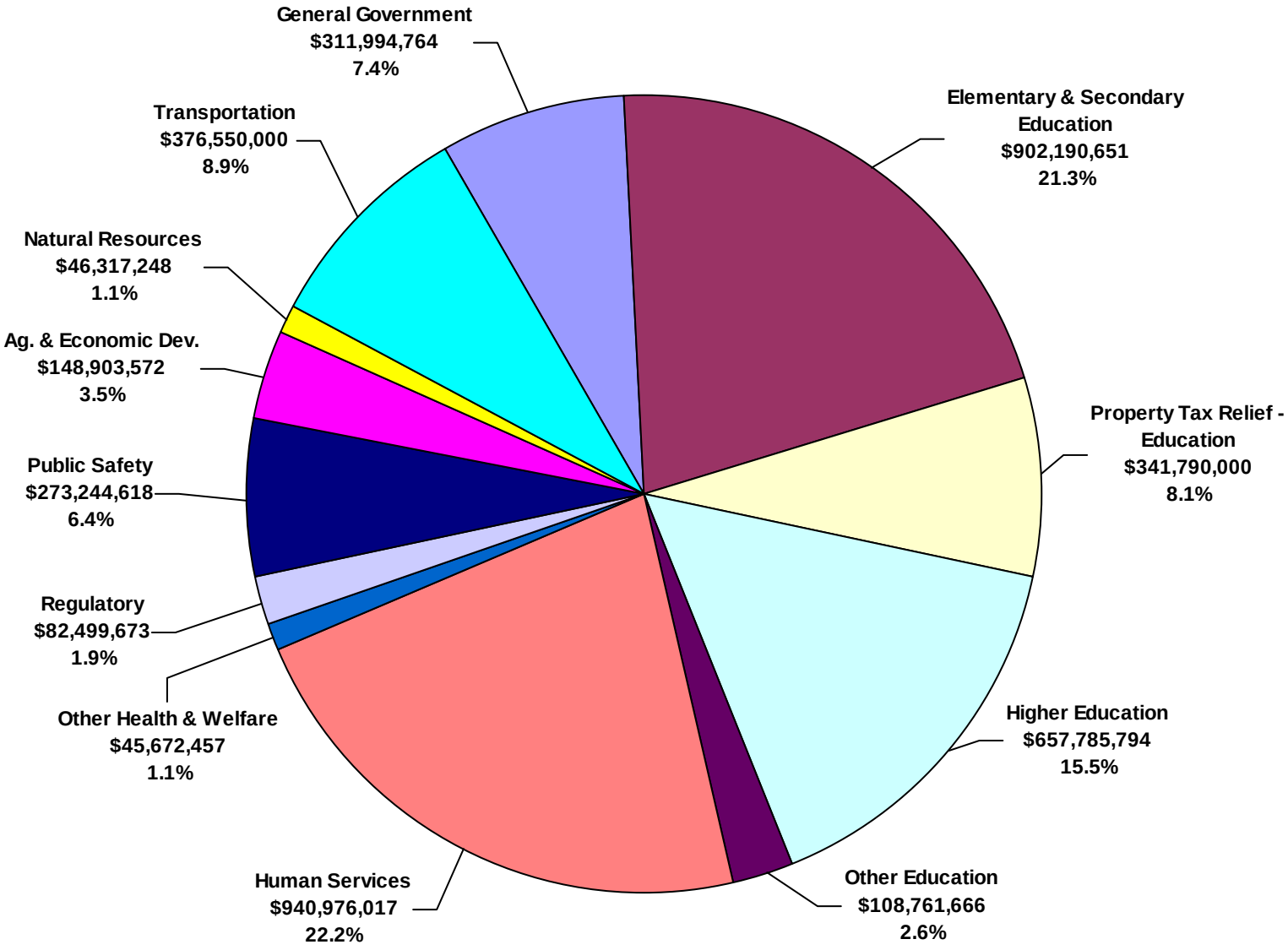
		2011-13 Executive Budget				2011-13 Legislative Appropriations			
Department	Description	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
State Department of Health	HB 1004 - Funding for complying with federal health care reform provisions in the following areas:								
	Public health infrastructure	1.00		$200,000	$200,000	1.00			
	Abstinence			182,100	182,100				
	Home visiting			1,413,012	1,413,012				
	Total - State Department of Health	1.00		$1,795,112	$1,795,112	1.00			
Department of Human Services	SB 2012 - Funding to expand the Medicaid program and implement various federal regulations	7.00	$225,507	$305,588	$531,095				
	HB 1475 - Funding for complying with federal health care reform provisions					7.00	$214,123	$290,156	$504,279
	Total - Department of Human Services	7.00	$225,507	$305,588	$531,095	7.00	$214,123	$290,156	$504,279
Insurance Commissioner	SB 2010 - Funding for enhanced insurance premium rate review activities relating to health care reform	5.00		$2,504,055	$2,504,055			$1,418,637	$1,418,637
	HB 1126 - Relates to the creation of a health insurance exchange and includes an appropriation of federal funds from the Patient Protection and Affordable Care Act							1,000,000	1,000,000
	HB 1475 - Funding for complying with federal health care reform provisions					4.00		642,350	642,350
	Total - Insurance Commissioner	5.00		$2,504,055	$2,504,055	4.00		$3,060,987	$3,060,987
Total		13.00	$225,507	$4,604,755	$4,830,262	12.00	$214,123	$3,351,143	$3,565,266

CONTINGENT 2011-13 GENERAL FUND APPROPRIATIONS AND TRANSFERS
(Including Special Session Appropriations and Transfers)

Bill No. - Agency	Description	Amount
HB 1004 - State Department of Health	The State Department of Health received $500,000 from the general fund for possible litigation and other administrative proceedings involving the federal Environmental Protection Agency. The department may also borrow up to $500,000 from the Bank of North Dakota for this purpose. The department may only spend the general fund appropriation and borrow funding from the Bank upon receiving approval from the Attorney General.	$500,000
HB 1014 - Industrial Commission - Department of Mineral Resources	The Department of Mineral Resources may spend $192,393 for an additional FTE position if the oil drilling rig count exceeds 180 for 30 consecutive days and may spend an additional $192,393 for another FTE position if the drilling rig count exceeds 190 for 30 consecutive days. The department may also spend $359,186 for 2 additional FTE positions if the total number of oil wells in the state exceeds 9,300. The Department of Mineral Resources must receive Emergency Commission approval prior to spending any of the additional funds.	743,972
HB 1020 - Williston Research Center	The Williston Research Center may spend $210,000 of funding and hire 1 FTE director position only if 50 percent of the 2011-13 biennium costs relating to the director position is not provided by the Montana State University Eastern Agriculture Research Center.	210,000
SB 2371 - State Treasurer	The State Treasurer is to distribute $23 million for transportation-related purposes to counties, cities, and townships if oil and gas tax revenue collections exceed estimates by at least $48 million for the period beginning July 1, 2011, and ending February 29, 2012.	23,000,000
SB 2371 - Land Department	The Office of Management and Budget is to transfer $30 million from the general fund to the oil and gas impact grant fund if oil and gas tax revenue collections exceed estimates by at least $48 million for the period beginning July 1, 2011, and ending February 29, 2012.	30,000,000
SB 2371 - Bank of North Dakota	The Office of Management and Budget is to transfer $20 million from the general fund to the rebuilders loan program fund if $30 million of funding previously deposited in the rebuilders loan program fund from Bank of North Dakota profits is fully obligated prior to June 30, 2013.	20,000,000
Total		$74,453,972

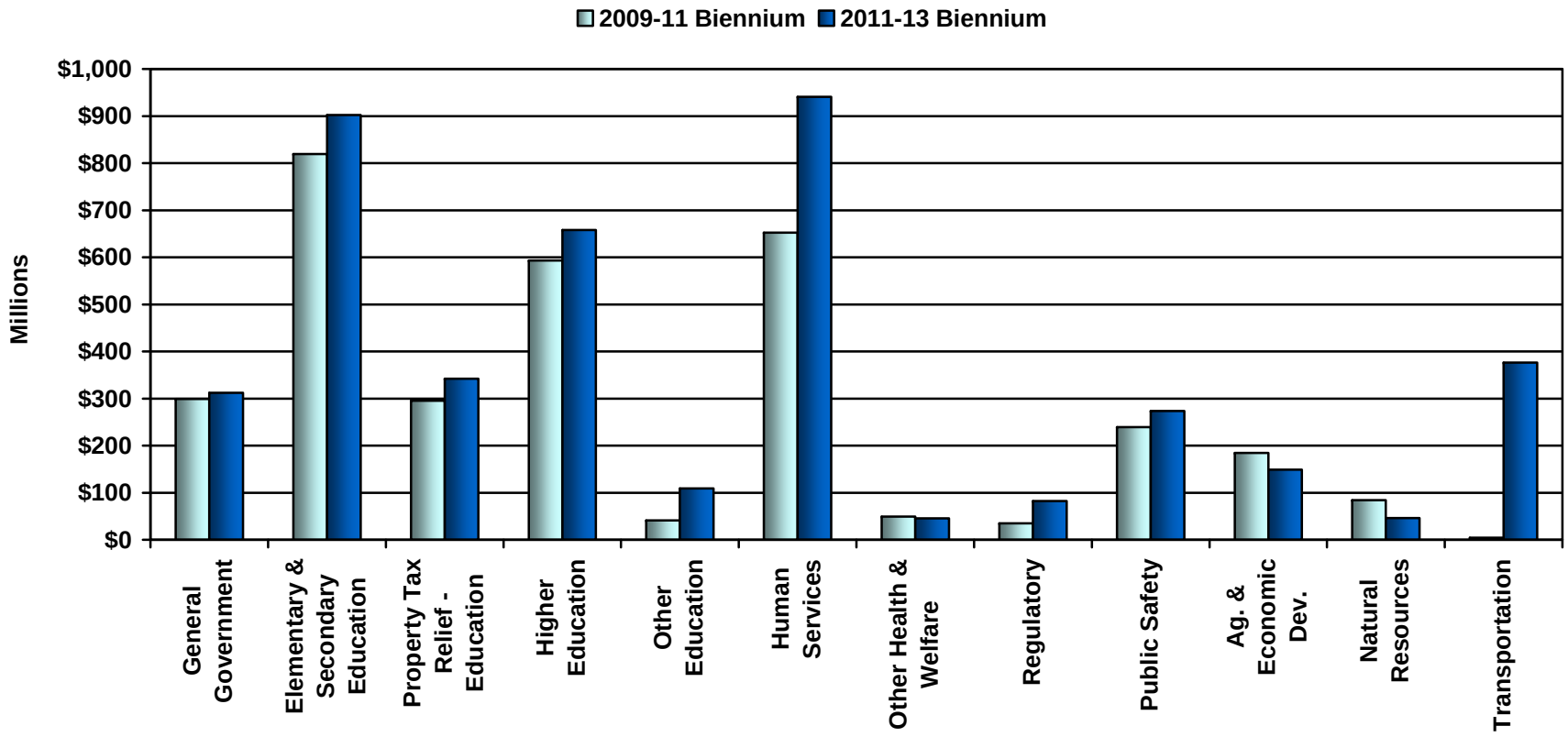
2011-13 BIENNIUM GENERAL FUND APPROPRIATIONS

Total 2011-13 General Fund Appropriations - $4,236,686,460



COMPARISON OF 2009-11 AND 2011-13 GENERAL FUND APPROPRIATIONS

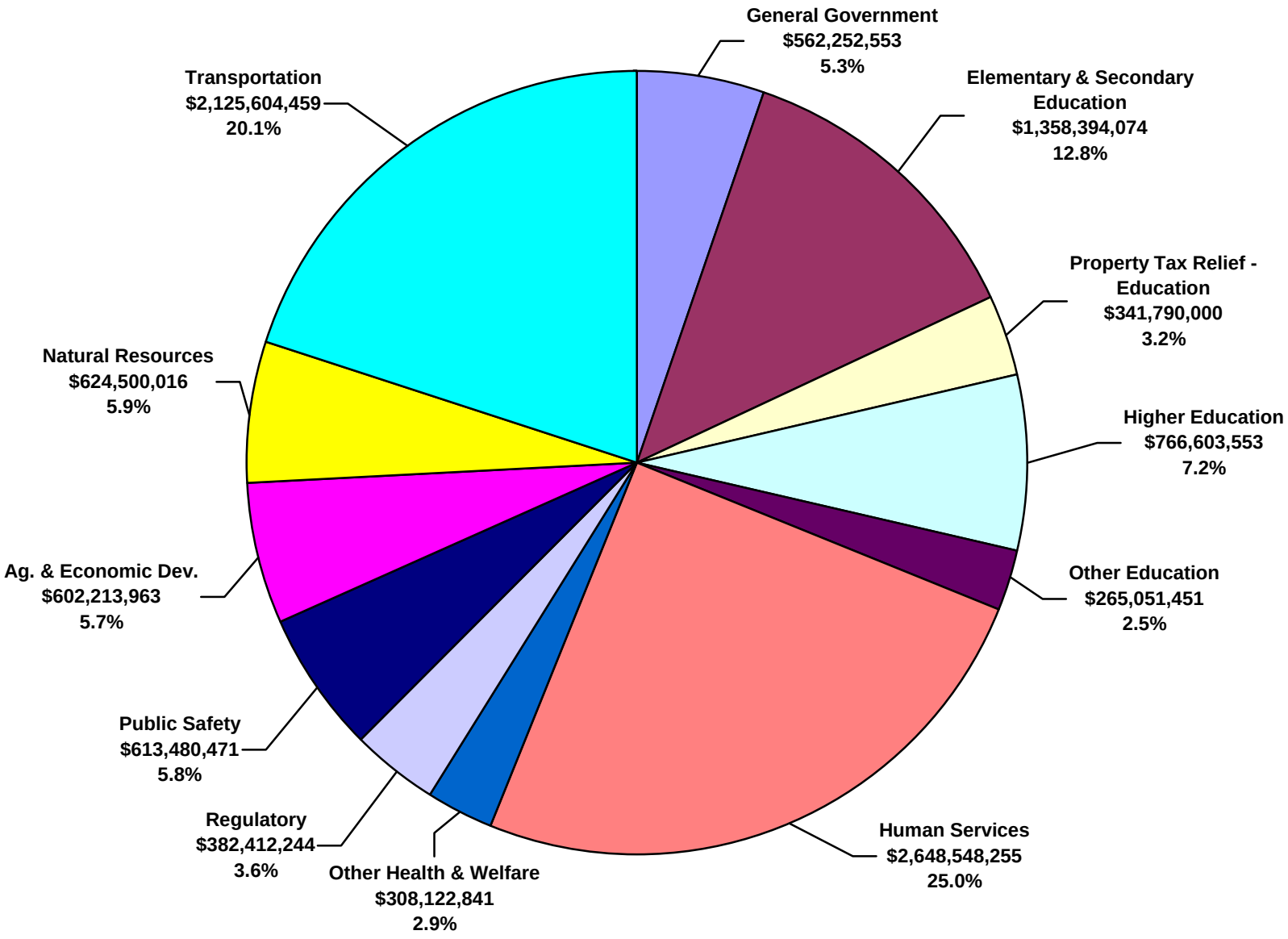
(Amounts Shown in Millions)



	2009-11 Biennium	2011-13 Biennium	Increase (Decrease)	Percentage Increase (Decrease)
General Government	$298,819,379	$311,994,764	$13,175,385	4.41%
Elementary & Secondary Education	819,455,590	902,190,651	82,735,061	10.10%
Property Tax Relief - Education	295,211,264	341,790,000	46,578,736	15.78%
Higher Education	593,355,047	657,785,794	64,430,747	10.86%
Other Education	41,282,000	108,761,666	67,479,666	163.46%
Human Services	652,145,814	940,976,017	288,830,203	44.29%
Other Health & Welfare	49,080,716	45,672,457	(3,408,259)	(6.94%)
Regulatory	34,971,364	82,499,673	47,528,309	135.91%
Public Safety	239,244,028	273,244,618	34,000,590	14.21%
Ag. & Economic Dev.	184,629,603	148,903,572	(35,726,031)	(19.35%)
Natural Resources	83,800,844	46,317,248	(37,483,596)	(44.73%)
Transportation	4,600,000	376,550,000	371,950,000	8,085.87%
Total	$3,296,595,649	$4,236,686,460	$940,090,811	28.52%

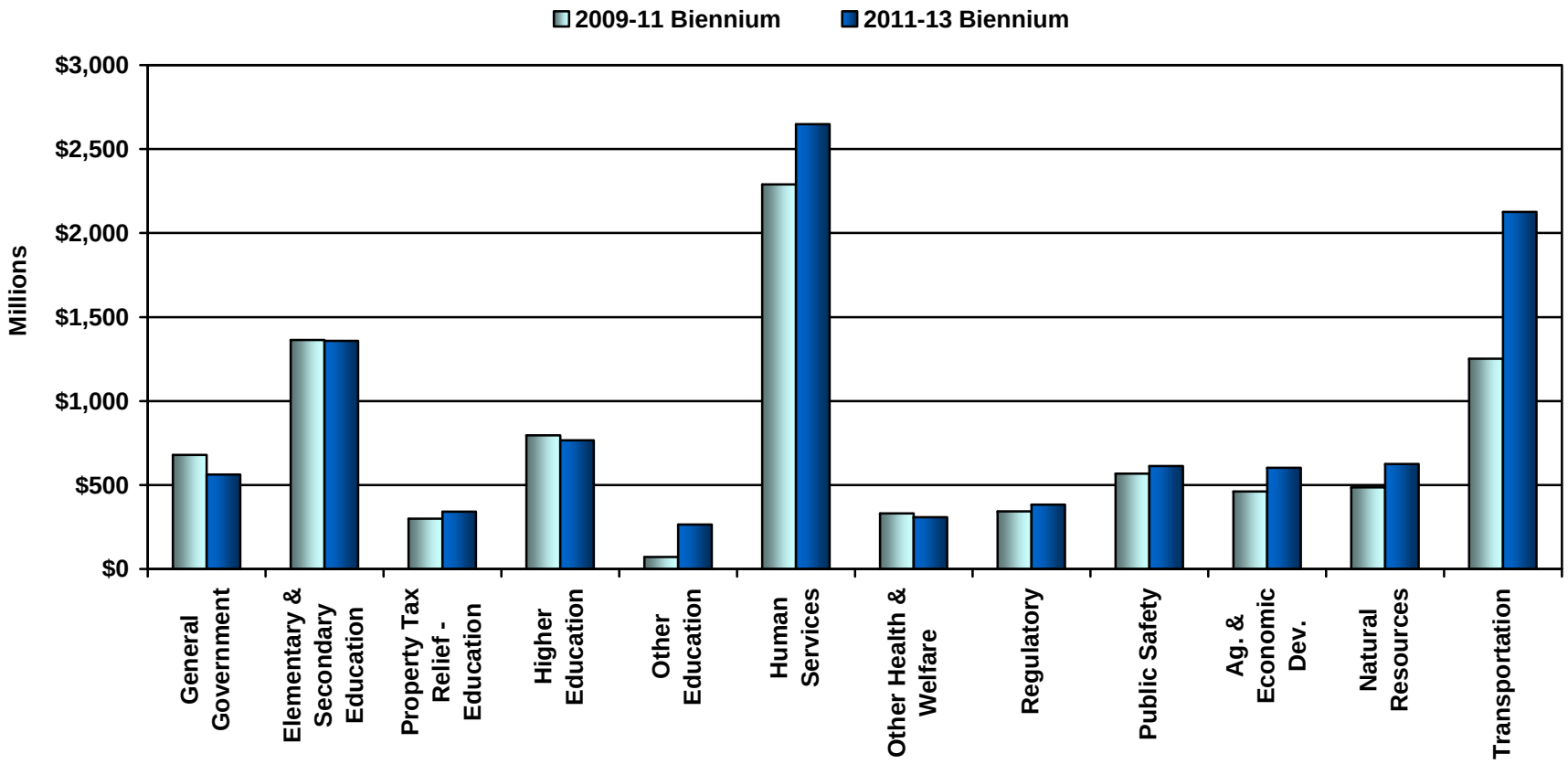
2011-13 BIENNIUM ALL FUNDS APPROPRIATIONS

Total 2011-13 Biennium All Funds Appropriations - $10,598,973,880



COMPARISON OF 2009-11 AND 2011-13 ALL FUNDS APPROPRIATIONS

(Amounts Shown in Millions)



	2009-11 Biennium	2011-13 Biennium	Increase (Decrease)	Percentage Increase (Decrease)
General Government	$678,888,321	$562,252,553	($116,635,768)	(17.18%)
Elementary & Secondary Education	1,363,176,744	1,358,394,074	(4,782,670)	(0.35%)
Property Tax Relief - Education	299,444,264	341,790,000	42,345,736	14.14%
Higher Education	796,119,411	766,603,553	(29,515,858)	(3.71%)
Other Education	70,760,231	265,051,451	194,291,220	274.58%
Human Services	2,290,395,951	2,648,548,255	358,152,304	15.64%
Other Health & Welfare	330,036,892	308,122,841	(21,914,051)	(6.64%)
Regulatory	343,118,958	382,412,244	39,293,286	11.45%
Public Safety	567,401,374	613,480,471	46,079,097	8.12%
Ag. & Economic Dev.	461,574,331	602,213,963	140,639,632	30.47%
Natural Resources	486,405,968	624,500,016	138,094,048	28.39%
Transportation	1,251,615,588	2,125,604,459	873,988,871	69.83%
Total	$8,938,938,033	$10,598,973,880	$1,660,035,847	18.57%

HIGHER EDUCATION - OVERVIEW

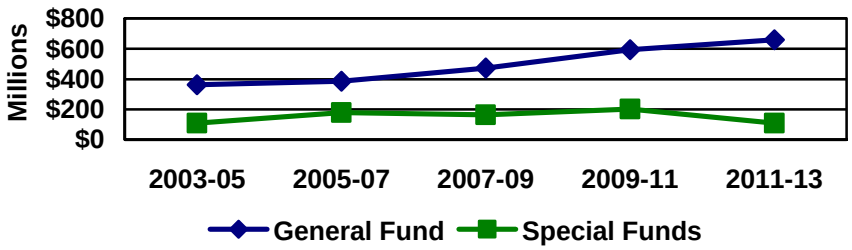
The Legislative Assembly in 2011 made the following higher education funding changes compared to 2009-11 legislative appropriations for higher education:

- Increased **general fund** support by $64,430,747 as follows:

	2009-11 Legislative Appropriations	2011-13 Legislative Appropriations	Increase (Decrease)	
Ongoing general fund appropriations	$534,062,895	$606,525,437	$72,462,542	13.6%
One-time general fund appropriations	59,292,152	51,260,357	(8,031,795)	(13.5%)
Total	$593,355,047	$657,785,794	$64,430,747	10.9%

- Decreased support from **special funds** by $93,946,605, or 46.3 percent. Special funds support relates primarily to major capital projects funded from local sources or through the issuance of revenue bonds.
- Adjusted the authorized number of **FTE positions** from 2,131.42 to 2,245.51 to reflect the number of FTE positions supported by the general fund.

Higher Education Appropriations



Biennium	General Fund	Special Funds	Total
2003-05	$364,029,938	$110,546,775	$474,576,713
2005-07	$387,157,893	$178,552,108	$565,710,001
2007-09	$472,036,237	$165,419,701	$637,455,938
2009-11	$593,355,047	$202,764,364	$796,119,411
2011-13	$657,785,794	$108,817,759	$766,603,553

Major items include:

1. **One-time general fund appropriations** - Provided funding of $51,260,357 from the general fund for the following one-time funding items:

Major capital projects	$47,136,000
Williston State College operations	2,000,000
Dickinson State University operating funds	900,000
Mayville State University campus drainage study	55,000
Development of space utilization plan at the University of North Dakota School of Medicine and Health Sciences	100,000
Special assessment payments	819,357
Forest Service emerald ash borer program	250,000
Total	$51,260,357

2. **Campus parity** - Provided $32.6 million from the general fund for campus parity to continue the fiscal year 2011 legislatively authorized salary increases, 3 percent per year salary increases for the 2011-13 biennium, health insurance increases, and estimated utility cost increases.
3. **Employee retirement contributions** - Provided funding of $2,426,499 from the general fund for increased retirement contributions for North Dakota University System employees. The funding will be used to increase the state contribution to employee retirement programs by 1 percent on January 1, 2012, and by 1 percent on January 1, 2013.
4. **Campus equity and tuition affordability pool** - Provided $15,240,565 from the general fund for campus equity and student affordability distributions as determined by the State Board of Higher Education.
5. **Student financial assistance program** - Provided funding of $19,374,022, of which $19,025,594 is from the general fund and $348,428 is from federal funds, for the student financial assistance grant program. This is the same amount of funding as provided for the 2009-11 biennium.
6. **Career and technical education and academic scholarships** - Provided $10 million from the general fund to continue the career and technical education and academic scholarship program. This represents an increase of $7 million from the 2009-11 biennium appropriation of $3 million for the program.

7. **Professional student exchange program** - Provided funding of $3,321,438, of which $2,856,131 is from the general fund and $465,307 is from the student loan trust fund, for the professional student exchange program. The funding includes a $510,000 increase from the general fund to replace reduced funding available from the student loan trust fund. This level represents a total funds decrease of $15,662 from the 2009-11 legislative appropriation of $3,337,100.
8. **Scholars program** - Provided $2,113,584 from the general fund for the scholars program. This is the same level of funding as provided during the 2009-11 biennium.
9. **Competitive research** - Provided $7,050,000 from the general fund for competitive research matching funding. This is the same level of funding as provided during the 2009-11 biennium.
10. **System information technology services** - Provided funding of $36,006,667, of which $35,467,230 is from the general fund and $539,437 is from the student loan trust fund, for support of the Higher Education Computer Network, the Interactive Video Network, the On-line Dakota Information Network, and other related technology initiatives. The funding includes an increase of $1,249,509 for parity, $3.527 million for technology maintenance, and $616,000 for a ConnectND database upgrade. This level of funding represents an increase of $5,776,629 from the 2009-11 biennium appropriation of $30,230,038.
11. **Capital assets** - Funding of $176,385,770 is provided for capital assets, including:

	General Fund	Special Funds	Total
Capital construction lease payments	$11,787,519	$417,250	$12,204,769
Campus extraordinary repairs	11,160,089		11,160,089
Special assessment payments	819,357		819,357
Major capital projects	47,136,000	105,065,555	152,201,555
Total	$70,902,965	$105,482,805	$176,385,770

Williston State College
Budget No. 229
House Bill Nos. 1003 and 1477

	FTE Positions	General Fund	Other Funds	Total
2011-13 executive budget (bills as introduced)	43.42	$9,100,096	$2,820,000	$11,920,096
2011-13 legislative appropriations (including special session appropriations)	**43.42**	**13,518,698**	**2,225,000**	**15,743,698**
Legislative increase (decrease) to executive budget	0.00	$4,418,602	($595,000)	$3,823,602
Legislative increase (decrease) to 2009-11 appropriations	0.00	$3,681,810	($13,150,000)	($9,468,190)

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2009-11 legislative appropriations	$7,844,886	$1,992,002	$9,836,888
2011-13 legislative appropriations (including special session appropriations)	**8,698,698**	**4,820,000**	**13,518,698**
2011-13 legislative increase (decrease) to 2009-11 appropriations	$853,812	$2,827,998	$3,681,810
Percentage increase (decrease) to 2009-11 appropriations	10.9%	142.0%	37.4%
2011-13 legislative increase (decrease) to executive budget	($401,398)	$4,820,000	$4,418,602
Percentage increase (decrease) to executive budget	(4.4%)	N/A	48.6%

SUMMARY OF LEGISLATIVE CHANGES DURING THE NOVEMBER 2011 SPECIAL LEGISLATIVE SESSION

	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Added one-time funding for public safety or other unusual or unexpected expenses due to the impact of oil and gas development in the region (House Bill No. 1477).		$2,000,000		$2,000,000
Total special session legislative changes	0.00	$2,000,000	$0	$2,000,000

State College of Science
Budget No. 238
House Bill Nos. 1003 and 1477

	FTE Positions	General Fund	Other Funds	Total
2011-13 executive budget (bills as introduced)	164.87	$43,703,080	$10,500,000	$54,203,080
2011-13 legislative appropriations (including special session appropriations)	**164.87**	**44,985,191**	**10,700,000**	**55,685,191**
Legislative increase (decrease) to executive budget	0.00	$1,282,111	$200,000	$1,482,111
Legislative increase (decrease) to 2009-11 appropriations	0.00	$5,829,149	$3,564,000	$9,393,149

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2009-11 legislative appropriations	$32,421,899	$6,734,143	$39,156,042
2011-13 legislative appropriations (including special session appropriations)	**34,626,525**	**10,358,666**	**44,985,191**
2011-13 legislative increase (decrease) to 2009-11 appropriations	$2,204,626	$3,624,523	$5,829,149
Percentage increase (decrease) to 2009-11 appropriations	6.8%	53.8%	14.9%
2011-13 legislative increase (decrease) to executive budget	($770,704)	$2,052,815	$1,282,111
Percentage increase (decrease) to executive budget	(2.2%)	24.7%	2.9%

SUMMARY OF LEGISLATIVE CHANGES DURING THE NOVEMBER 2011 SPECIAL LEGISLATIVE SESSION

	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Changed revenue bond authority and special funds appropriation (revenue bond proceeds) of $4 million from the Schulz Hall renovation project to the Riley Hall renovation project (House Bill No. 1477).				$0
Total special session legislative changes	0.00	$0	$0	$0

Dickinson State University
Budget No. 239
House Bill Nos. 1003 and 1477

	FTE Positions	General Fund	Other Funds	Total
2011-13 executive budget (bills as introduced)	92.96	$31,757,019	$0	$31,757,019
2011-13 legislative appropriations (including special session appropriations)	**92.96**	**23,215,454**	**0**	**23,215,454**
Legislative increase (decrease) to executive budget	0.00	($8,541,565)	$0	($8,541,565)
Legislative increase (decrease) to 2009-11 appropriations	0.00	($2,015,557)	($350,000)	($2,365,557)

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2009-11 legislative appropriations	$21,568,839	$3,662,172	$25,231,011
2011-13 legislative appropriations (including special session appropriations)	**22,315,454**	**900,000**	**23,215,454**
2011-13 legislative increase (decrease) to 2009-11 appropriations	$746,615	($2,762,172)	($2,015,557)
Percentage increase (decrease) to 2009-11 appropriations	3.5%	(75.4%)	(8.0%)
2011-13 legislative increase (decrease) to executive budget	($641,565)	($7,900,000)	($8,541,565)
Percentage increase (decrease) to executive budget	(2.8%)	(89.8%)	(26.9%)

SUMMARY OF LEGISLATIVE CHANGES DURING THE NOVEMBER 2011 SPECIAL LEGISLATIVE SESSION

Theodore Roosevelt Center Funding

Section 3 of House Bill No. 1477 provides legislative intent that the $750,000 general fund appropriation provided by the Legislative Assembly during the 2011 regular legislative session to Dickinson State University for the digitization of documents related to the Theodore Roosevelt Center may be used for any project or program related to the center.

Information Technology Department
Budget No. 112
House Bill Nos. 1021 and 1475, Senate Bill No. 2013

	FTE Positions	General Fund	Other Funds	Total
2011-13 executive budget (bills as introduced)	328.20	$19,121,204	$145,303,651	$164,424,855
2011-13 legislative appropriations (including special session appropriations)	**336.30**	**19,252,204**	**164,422,760**	**183,674,964**
Legislative increase (decrease) to executive budget	8.10	$131,000	$19,119,109	$19,250,109
Legislative increase (decrease) to 2009-11 appropriations	8.10	$81,419	($45,948,294)	($45,866,875)

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2009-11 legislative appropriations	$14,983,554	$4,187,231	$19,170,785
2011-13 legislative appropriations (including special session appropriations)	**17,294,580**	**1,957,624**	**19,252,204**
2011-13 legislative increase (decrease) to 2009-11 appropriations	$2,311,026	($2,229,607)	$81,419
Percentage increase (decrease) to 2009-11 appropriations	15.4%	(53.2%)	0.4%
2011-13 legislative increase (decrease) to executive budget	$131,000	$0	$131,000
Percentage increase (decrease) to executive budget	0.8%	0.0%	0.7%

SUMMARY OF LEGISLATIVE CHANGES DURING THE NOVEMBER 2011 SPECIAL LEGISLATIVE SESSION

	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Added funding and 10 FTE positions for the Department of Human Services' eligibility system replacement project. The 10 FTE positions are only authorized until the development and implementation of the system is completed (House Bill No. 1475).	10.00		$19,346,077	$19,346,077
Total special session legislative changes	10.00	$0	$19,346,077	$19,346,077

State Treasurer
Budget No. 120
Senate Bill Nos. 2005 and 2371, House Bill No. 1012

	FTE Positions	General Fund	Other Funds	Total
2011-13 executive budget (bills as introduced)	7.00	$1,649,802	$0	$1,649,802
2011-13 legislative appropriations (including special session appropriations)	**7.00**	**49,705,390**	**0**	**49,705,390**
Legislative increase (decrease) to executive budget	0.00	$48,055,588	$0	$48,055,588
Legislative increase (decrease) to 2009-11 appropriations	0.00	$12,466,405[1]	$0	$12,466,405[1]

[1]The amount shown reflects a $35 million general fund appropriation approved by the Legislative Assembly in 2011 for supplemental transportation funding distributions to non-oil-producing counties, cities, and townships for the 2009-11 biennium.

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2009-11 legislative appropriations	$2,238,985	$35,000,000	$37,238,985
2011-13 legislative appropriations (including special session appropriations)	**1,438,802**	**48,266,588**	**49,705,390**
2011-13 legislative increase (decrease) to 2009-11 appropriations	($800,183)	$13,266,588	$12,466,405
Percentage increase (decrease) to 2009-11 appropriations	(35.7%)	37.9%	33.5%
2011-13 legislative increase (decrease) to executive budget	$24,000	$48,031,588	$48,055,588
Percentage increase (decrease) to executive budget	1.7%	20,439.0%	2,912.8%

SUMMARY OF LEGISLATIVE CHANGES DURING THE NOVEMBER 2011 SPECIAL LEGISLATIVE SESSION

	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Added contingent one-time funding for providing transportation funding distributions to non-oil-producing counties, cities, and townships. Funding is contingent on oil and gas tax revenue collections for the period July 1, 2011, through February 29, 2012, exceeding oil and gas tax revenue collection forecasts for that period by at least $48 million (Senate Bill No. 2371). The State Treasurer must distribute $6.8 million to non-oil-producing counties and cities pursuant to subsection 4 of North Dakota Century Code Section 54-27-19, $1.7 million to counties and townships in non-oil-producing counties pursuant to Section 54-27-19.1,		$23,000,000		$23,000,000

and $14.5 million to counties and townships in non-oil-producing counties through a distribution of $10,000 to each organized township and a distribution of $10,000 for each unorganized township to the county in which the unorganized township is located.				
Total special session legislative changes	0.00	$23,000,000	$0	$23,000,000

Land Department
Budget No. 226
House Bill No. 1013, Senate Bill No. 2371

	FTE Positions	General Fund	Other Funds	Total
2011-13 executive budget (bills as introduced)	24.75	$0	$105,575,020	$105,575,020
2011-13 legislative appropriations (including special session appropriations)	**24.75**	**65,000,000**	**140,465,189**	**205,465,189**
Legislative increase (decrease) to executive budget	0.00	$65,000,000	$34,890,169	$99,890,169
Legislative increase (decrease) to 2009-11 appropriations	3.00	$65,000,000	$126,672,628	$191,672,628

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2009-11 legislative appropriations	$0	$0	$0
2011-13 legislative appropriations (including special session appropriations)	**0**	**65,000,000**	**65,000,000**
2011-13 legislative increase (decrease) to 2009-11 appropriations	$0	$65,000,000	$65,000,000
Percentage increase (decrease) to 2009-11 appropriations	N/A	N/A	N/A
2011-13 legislative increase (decrease) to executive budget	$0	$65,000,000	$65,000,000
Percentage increase (decrease) to executive budget	N/A	N/A	N/A

SUMMARY OF LEGISLATIVE CHANGES DURING THE NOVEMBER 2011 SPECIAL LEGISLATIVE SESSION

	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Added one-time funding for providing flood-impacted political subdivision infrastructure development grants. Up to $110,000 of the funding may be used by the department for salaries and operating expenses relating to administration of the program.		$30,000,000		$30,000,000
Provided a one-time transfer from the general fund to the oil and gas impact grant fund for distribution to new major oil and gas-producing counties.		5,000,000		5,000,000
Provided funding from the oil and gas impact grant fund for distributions of $1,250,000 for each new major oil-producing county after November 2011 to address the impact from new oil and gas development. A major new oil-producing county is one that produced less than 100,000 barrels of oil in			$5,000,000	5,000,0000

November 2011 and subsequently has more than four rigs operating in the county.				
Provided a one-time contingent transfer from the general fund to the oil and gas impact grant fund. The transfer is contingent upon total oil and gas tax revenue collections for the period July 1, 2011, through February 29, 2012, exceeding oil and gas tax revenue collection projections for that period by at least $48 million.		30,000,000		30,000,000
Provided a one-time contingent appropriation of $30 million from the oil and gas impact grant fund for providing oil and gas impact grants in accordance with North Dakota Century Code Sections 57-62-03.1 and 57-62-05. For these funds, the commissioner is to give priority to approving grants related to emergency services. The appropriation is contingent upon total oil and gas tax revenue collections for the period July 1, 2011, through February 29, 2012, exceeding oil and gas tax revenue collection projections for that period by at least $48 million. This increases funding available for oil and gas impact grants for the 2011-13 biennium by $30 million, from $100 million to $130 million.			30,000,000	30,000,0000
Total special session legislative changes	0.00	$65,000,000	$35,000,000	$100,000,000

Flood-Impacted Political Subdivision Infrastructure Development Grants

The Legislative Assembly provided a $30 million one-time general fund appropriation to the Land Department for providing infrastructure development grants to flood-impacted political subdivisions. The Energy Infrastructure and Impact Office director is to develop a plan for providing infrastructure grants to eligible political subdivisions, receive and review applications for infrastructure grants, and make recommendations to the Board of University and School Lands on grants to eligible political subdivisions. The Board of University and School Lands is to award and distribute infrastructure grants to eligible political subdivisions based on identified needs. Eligible political subdivisions include counties, as well as cities, school districts, and other political subdivisions located within such counties, that have received an individual assistance designation by the Federal Emergency Management Agency relating to a 2011 flood event. Individual assistance designated counties include Barnes, Benson, Burleigh, McHenry, Morton, Ramsey, Renville, Richland, and Ward. Funding received by eligible political subdivisions may be used for up to 50 percent of the costs not otherwise reimbursed through federal or other state funds to:

- Develop new community infrastructure, the need for which is directly related to the displacement of residents due to flooding. Infrastructure includes community-owned waterlines, sewer, curb, and gutter.
- Evaluate the extent of damage to community-owned infrastructure.
- Restore or repair flood-related damage to community-owned infrastructure.
- Expand landfill capacity or reimburse flood-related waste disposal costs.
- Raise roads or develop flood control structures.
- Acquire property needed for infrastructure.
- Acquire homes damaged by levy construction.
- Provide reimbursement for other flood-related expenses.

Department of Human Services
Budget No. 325
Senate Bill Nos. 2012, 2015, 2024, 2057, 2163, 2298, House Bill Nos. 1152, 1199, 1325, 1475

	FTE Positions	General Fund	Other Funds	Total
2011-13 executive budget (bills as introduced)	2,196.35	$927,363,658	$1,683,661,250	$2,611,024,908
2011-13 legislative appropriations (including special session appropriations)	**2,197.35**	**940,976,017**	**1,707,572,238**	**2,648,548,255**
Legislative increase (decrease) to executive budget	1.00	$13,612,359	$23,910,988	$37,523,347
Legislative increase (decrease) to 2009-11 appropriations	(19.53)	$288,830,203	$69,322,101	$358,152,304

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2009-11 legislative appropriations	$647,849,516	$4,296,298	$652,145,814
2011-13 legislative appropriations (including special session appropriations)	**927,187,922**	**13,788,095**	**940,976,017**
2011-13 legislative increase (decrease) to 2009-11 appropriations	$279,338,406	$9,491,797	$288,830,203
Percentage increase (decrease) to 2009-11 appropriations	43.1%	220.9%	44.3%
2011-13 legislative increase (decrease) to executive budget	$1,624,264	$11,988,095	$13,612,359
Percentage increase (decrease) to executive budget	0.2%	666.0%	1.5%

SUMMARY OF LEGISLATIVE CHANGES DURING THE NOVEMBER 2011 SPECIAL LEGISLATIVE SESSION

	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Added one-time funding and 1 FTE position relating to the department's eligibility system replacement project (House Bill No. 1475).	1.00	$8,736,675	$33,881,250	$42,617,925
Added funding and 7 FTE positions for expenses associated with implementing the federal Affordable Care Act (House Bill No. 1475).	7.00	214,123	290,156	504,279
Total special session legislative changes	8.00	$8,950,798	$34,171,406	$43,122,204

Insurance Commissioner, including Insurance Tax Payments to Fire Departments
Budget No. 401
Senate Bill No. 2010, House Bill Nos. 1126 and 1475

	FTE Positions	General Fund	Other Funds	Total
2011-13 executive budget (bills as introduced)	50.50	$0	$18,437,148	$18,437,148
2011-13 legislative appropriations (including special session appropriations)	**49.50**	**0**	**19,044,080**	**19,044,080**
Legislative increase (decrease) to executive budget	(1.00)	$0	$606,932	$606,932
Legislative increase (decrease) to 2009-11 appropriations	4.00	$0	$2,852,280	$2,852,280

SUMMARY OF LEGISLATIVE CHANGES DURING THE NOVEMBER 2011 SPECIAL LEGISLATIVE SESSION

	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Authorized 4 new FTE positions and added special fund spending authority of $642,350 related to implementation of the federal Affordable Care Act (House Bill No. 1475).	4.00		$642,350	$642,350
Total special session legislative changes	4.00	$0	$642,350	$642,350

Industrial Commission
Budget No. 405
House Bill No. 1014, Senate Bill No. 2371

	FTE Positions	General Fund	Other Funds	Total
2011-13 executive budget (bills as introduced)	73.06	$16,917,628	$46,716,149	$63,633,777
2011-13 legislative appropriations (including special session appropriations)	**74.06[1]**	**18,075,613**	**46,766,756**	**64,842,369**
Legislative increase (decrease) to executive budget	1.00	$1,157,985	$50,607	$1,208,592
Legislative increase (decrease) to 2009-11 appropriations	13.00	$3,650,359[2]	($2,551,228)	$1,099,131[2]

[1]The 2011-13 authorized FTE positions do not include the 4 FTE positions for the Oil and Gas Division that were authorized in Section 8 of House Bill No. 1014 by the Legislative Assembly in 2011 for the 2011-13 biennium. Upon Emergency Commission approval, the Industrial Commission may hire 1 additional FTE position if the drilling rig count exceeds 180 for at least 30 consecutive days, 1 additional FTE position if the drilling rig count exceeds 190 for at least 30 consecutive days, and 2 additional FTE positions if the total number of oil wells in the state exceeds 9,300.

[2]The amount shown reflects a $150,000 general fund appropriation approved by the Legislative Assembly in 2011 for salaries and operating expenses relating to the Industrial Commission's oil and gas industry regulatory responsibilities for the 2009-11 biennium.

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2009-11 legislative appropriations	$10,747,102	$3,678,152	$14,425,254
2011-13 legislative appropriations (including special session appropriations)	**14,776,213**	**3,299,400**	**18,075,613**
2011-13 legislative increase (decrease) to 2009-11 appropriations	$4,029,111	($378,752)	$3,650,359
Percentage increase (decrease) to 2009-11 appropriations	37.5%	(10.3%)	25.3%
2011-13 legislative increase (decrease) to executive budget	$1,035,985	$122,000	$1,157,985
Percentage increase (decrease) to executive budget	7.5%	3.8%	6.8%

SUMMARY OF LEGISLATIVE CHANGES DURING THE NOVEMBER 2011 SPECIAL LEGISLATIVE SESSION

	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Added one-time funding for expenses associated with litigation or other administrative proceedings involving the Environmental Protection Agency's regulation of hydraulic fracturing (Senate Bill No. 2371).		$1,000,000		$1,000,000
Total special session legislative changes	0.00	$1,000,000	$0	$1,000,000

Bank of North Dakota
Budget No. 471
House Bill Nos. 1014 and 1206, Senate Bill No. 2371

	FTE Positions	General Fund	Other Funds	Total
2011-13 executive budget (bills as introduced)	176.50	$9,400,000	$46,853,155	$56,253,155
2011-13 legislative appropriations (including special session appropriations)	**176.50**	**54,400,000**	**56,853,155**	**111,253,155**
Legislative increase (decrease) to executive budget	0.00	$45,000,000	$10,000,000	$55,000,000
Legislative increase (decrease) to 2009-11 appropriations	0.00	$43,300,000	$12,535,881	$55,835,881

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2009-11 legislative appropriations	$9,400,000	$1,700,000	$11,100,000
2011-13 legislative appropriations (including special session appropriations)	**9,400,000**	**45,000,000**	**54,400,000**
2011-13 legislative increase (decrease) to 2009-11 appropriations	$0	$43,300,000	$43,300,000
Percentage increase (decrease) to 2009-11 appropriations	0.0%	2,547.1%	390.1%
2011-13 legislative increase (decrease) to executive budget	$0	$45,000,000	$45,000,000
Percentage increase (decrease) to executive budget	0.0%	N/A	478.7%

SUMMARY OF LEGISLATIVE CHANGES DURING THE NOVEMBER 2011 SPECIAL LEGISLATIVE SESSION

	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Provided a contingent one-time transfer from the general fund to the rebuilders loan program fund at the Bank of North Dakota. The funds are to be made available if the $30 million transferred to the rebuilders loan program from the Bank are fully obligated prior to June 30, 2013.		$20,000,000		$20,000,000
Total special session legislative changes	0.00	$20,000,000	$0	$20,000,000

Transfers

Section 7 of Senate Bill No. 2371 provides for a transfer of $30 million from the current and undivided profits of the Bank to the rebuilders loan program fund (see **Rebuilders Loan Program** section below).

The following schedule shows an analysis of the Bank's estimated capital structure for the 2011-13 biennium:

June 30, 2011, estimated capital level	$359,660,000
Estimated 2011-13 biennium profits	145,500,000[1]
2011-13 biennium transfers to health information technology-related funds per Sections 8 and 9 of Senate Bill No. 2332	(13,000,000)[2]
2011-13 biennium transfers to rebuilders loan program fund per Section 7 of Senate Bill No. 2371	(30,000,000)
Estimated capital on June 30, 2013	$462,160,000

[1]Actual calendar year 2010 profits were $61.9 million.

[2]House Bill No. 1021 provides for a transfer of $5 million from the Bank profits to the health information technology planning loan fund or to the health information technology loan fund and amends Section 8 of Chapter 519 of the 2009 Session Laws to extend the $8 million transfer provided for the 2009-11 biennium into the 2011-13 biennium.

Rebuilders Loan Program

Section 1 of Senate Bill No. 2371 establishes a rebuilders loan program and loan fund at the Bank. The program is to provide loans to North Dakota residents affected by a presidentially declared disaster in the state in an area eligible for Federal Emergency Management Agency individual assistance for the purpose of the resident rebuilding the resident's flood-damaged home or purchasing a new home in the disaster-impacted community. Individual assistance designated counties include Barnes, Benson, Burleigh, McHenry, Morton, Ramsey, Renville, Richland, and Ward.

A loan may be made from the fund only to an individual residing in the state whose home was granted a reduction in 2011 in true and full valuation from the individual's property's preflood value by an assessment reduction pursuant to the Governor's Executive Order 2011-22 or by an abatement for flood-damaged property granted by the board of county commissioners.

An initial loan made to an individual is limited to the lesser of $30,000 or actual documented damage not paid by flood insurance. The balance of the loan and any unpaid interest must be paid upon closing if the property is sold. If federal funds are made available for this program, an additional amount may be borrowed as determined by the Bank. A loan from the fund must have the interest rate fixed at 1 percent for a period of no more than 20 years. Principal and interest payments are deferred for the first 24 months of the loan.

Section 7 of Senate Bill No. 2371 provides for a transfer of $30 million from the current and undivided profits of the Bank to the rebuilders loan program fund. Section 8 of Senate Bill No. 2371 provides for a contingent transfer of $20 million from the general fund to the rebuilders loan program fund if the $30 million transferred to the rebuilders loan program fund from the Bank is fully obligated prior to June 30, 2013.

Section 9 of Senate Bill No. 2371 appropriates $10 million from the state disaster relief fund to the Adjutant General for providing:

- Additional rebuilders loan program funding to the Bank.
- Funding to political subdivisions for flood-impacted housing rehabilitation. Funding must be used as deemed most effective in that community to assist homeowners in rehabilitation or replacement of their flood-damaged homes and to retain homeowners in the community.

Other Sections in Senate Bill No. 2371

Section 5 amends Section 4 of Chapter 12 of the 2011 Session Laws to increase the amount of funding that the Department of Transportation may borrow from the Bank during the 2011-13 biennium for emergency relief projects. The 62nd Legislative Assembly previously authorized the Department of Transportation to borrow up to $120 million for emergency relief projects during the 2011-13 biennium. This section increases the amount of borrowing authority to $200 million.

Section 22 provides that the Bank utilize the flex partnership in assisting community expansion program to assist in financing of affordable multifamily housing units for individuals in areas of North Dakota affected by oil and gas production and distribution.

Highway Patrol
Budget No. 504
House Bill No. 1011, Senate Bill No. 2371

	FTE Positions	General Fund	Other Funds	Total
2011-13 executive budget (bills as introduced)	197.00	$38,291,883	$12,100,404	$50,392,287
2011-13 legislative appropriations (including special session appropriations)	**198.00**	**35,125,144**	**11,525,325**	**46,650,469**
Legislative increase (decrease) to executive budget	1.00	($3,166,739)	($575,079)	($3,741,818)
Legislative increase (decrease) to 2009-11 appropriations	4.00	$3,767,159	$631,595	$4,398,754

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2009-11 legislative appropriations	$31,077,985	$280,000	$31,357,985
2011-13 legislative appropriations (including special session appropriations)	**34,049,144**	**1,076,000**	**35,125,144**
2011-13 legislative increase (decrease) to 2009-11 appropriations	$2,971,159	$796,000	$3,767,159
Percentage increase (decrease) to 2009-11 appropriations	9.6%	284.3%	12.0%
2011-13 legislative increase (decrease) to executive budget	$391,561	($3,558,300)	($3,166,739)
Percentage increase (decrease) to executive budget	1.2%	(76.8%)	(8.3%)

SUMMARY OF LEGISLATIVE CHANGES DURING THE NOVEMBER 2011 SPECIAL LEGISLATIVE SESSION

	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Added 4 FTE trooper positions and related funding.	4.00	$681,870		$681,870
Total special session legislative changes	4.00	$681,870	$0	$681,870

Adjutant General, including the National Guard and the Department of Emergency Services
Budget No. 540
Senate Bill Nos. 2016, 2369, and 2371

	FTE Positions	General Fund	Other Funds	Total
2011-13 executive budget (bills as introduced)	242.00	$29,659,125	$204,204,378	$233,863,503
2011-13 legislative appropriations (including special session appropriations)	**242.00**	**78,553,555**	**297,104,378**	**375,657,933**
Legislative increase (decrease) to executive budget	0.00	$48,894,430	$92,900,000	$141,794,430
Legislative increase (decrease) to 2009-11 appropriations	10.00	$37,808,341	$60,352,507	$98,160,848

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2009-11 legislative appropriations	$22,209,867	$18,535,347	$40,745,214
2011-13 legislative appropriations (including special session appropriations)	**24,035,127**	**54,518,428**	**78,553,555**
2011-13 legislative increase (decrease) to 2009-11 appropriations	$1,825,260	$35,983,081	$37,808,341
Percentage increase (decrease) to 2009-11 appropriations	8.2%	194.1%	92.8%
2011-13 legislative increase (decrease) to executive budget	$246,430	$48,648,000	$48,894,430
Percentage increase (decrease) to executive budget	1.0%	828.7%	164.9%

SUMMARY OF LEGISLATIVE CHANGES DURING THE NOVEMBER 2011 SPECIAL LEGISLATIVE SESSION

	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Appropriated one-time funding from the general fund for providing flood-damaged school infrastructure grants to eligible school districts in the state. An eligible school district is one that experienced a 2011 flood event which resulted in multiple school facilities being damaged and unusable.		$500,000		$500,000
Provided a one-time transfer from the general fund to the state disaster relief fund, including $32.7 million for disaster-related expenses, $10 million for additional rebuilders loan program funding and for flood-impacted rehabilitation, and $6 million for road grade raising grants.		48,700,000		48,700,000
Appropriated $29.5 million from the state disaster relief fund for providing the required state share of funding for expenses associated with presidentially declared state disasters.			$29,500,000	29,500,000

Provided a contingent appropriation from the state disaster relief fund for grants to political subdivisions for a portion of the local share required to match federal emergency relief funding. The funding is contingent upon a 2012 disaster event exceeding $50 million in damages across the state.			5,000,000	5,000,000
Appropriated $10 million from the state disaster relief fund to the Adjutant General for providing: • Additional rebuilders loan program funding to the Bank of North Dakota. • Funding to political subdivisions for flood-impacted housing rehabilitation. Funding must be used as deemed most effective in that community to assist homeowners in rehabilitation or replacement of their flood-damaged homes and to retain homeowners in the community.			10,000,000	10,000,000
Total special session legislative changes	0.00	$49,200,000	$44,500,000	$93,700,000

Disaster Relief Funding

The Legislative Assembly in 2011 authorized the Adjutant General to use funding from the general fund and the state disaster relief fund for costs associated with state disasters and flood mitigation efforts for the 2011-13 biennium as follows:

	General Fund	State Disaster Relief Fund	Total
Regular session			
Contract for services to coordinate disaster response organizations with state and political subdivision disaster response efforts, including all aspects of disaster recovery from preparedness training through cleanup for declared or undeclared disasters		$400,000	$400,000
Spending authority for expenses related to the 2009 flood disaster ($3,369,258) and other unclosed state disasters ($4,473,046) in the 2011-13 biennium		7,842,304	7,842,304
Providing the required state share of funding for defraying the expenses associated with presidential-declared disasters pursuant to North Dakota Century Code Section 37-17.1-27		3,500,000	3,500,000
Providing emergency snow removal grants to counties, cities, and townships. Emergency snow removal grants are available for reimbursement of up to 60 percent of the costs incurred by the county, township, or city for the period January 2011 through March 2011 that exceed 200 percent of the average costs incurred for these months in 2004 through 2008.		9,000,000	9,000,000
Subject to Emergency Commission and Budget Section approval, funding may be utilized for city flood mitigation projects (up to $3.2 million) and for disaster relief relating to 2011 spring flooding, road grade raising projects, 50 percent of the local match for disasters occurring from January 2011 through June 2011, and state expenses associated with presidential-declared disasters in the state.		22,000,000	22,000,000

	General Fund	State Disaster Relief Fund	Total
Special session			
Subject to Emergency Commission and Budget Section approval, funding may be utilized for the required state share of expenses associated with presidentially declared state disasters.		29,500,000	29,500,000
Contingent appropriation for grants to political subdivisions for a portion of the local share required to match federal emergency relief funding, contingent upon a 2012 disaster event exceeding $50 million in damages across the state		5,000,000	5,000,000
Appropriations for:		10,000,000	10,000,000
• Additional rebuilders loan program funding to the Bank of North Dakota			
• Funding to political subdivisions for flood-impacted housing rehabilitation			
Flood-damaged school infrastructure grants to eligible school districts that experienced a 2011 flood event which resulted in multiple school facilities being damaged and unusable	$500,000		500,000
Total	**$500,000**	**$87,242,304**	**$87,742,304**

Department of Commerce
Budget No. 601
House Bill No. 1018, Senate Bill Nos. 2057 and 2371

	FTE Positions	General Fund	Other Funds	Total
2011-13 executive budget (bills as introduced)	70.25	$46,089,494	$88,634,937	$134,724,431
2011-13 legislative appropriations (including special session appropriations)	**68.25**	**41,759,865**	**323,634,937**	**365,394,802**
Legislative increase (decrease) to executive budget	(2.00)	($4,329,629)	$235,000,000	$230,670,371
Legislative increase (decrease) to 2009-11 appropriations	0.25	($21,716,438)	$185,373,832	$163,657,394

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2009-11 legislative appropriations	$30,056,303	$33,420,000	$63,476,303
2011-13 legislative appropriations (including special session appropriations)	**29,134,865**	**12,625,000**	**41,759,865**
2011-13 legislative increase (decrease) to 2009-11 appropriations	($921,438)	($20,795,000)	($21,716,438)
Percentage increase (decrease) to 2009-11 appropriations	(3.1%)	(62.2%)	(34.2%)
2011-13 legislative increase (decrease) to executive budget	($659,291)	($3,670,338)	($4,329,629)
Percentage increase (decrease) to executive budget	(2.2%)	(22.5%)	(9.4%)

SUMMARY OF LEGISLATIVE CHANGES DURING THE NOVEMBER 2011 SPECIAL LEGISLATIVE SESSION

	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Appropriated federal funds that may become available for providing loans or grants to flood-impacted individuals, property acquisitions, and infrastructure development grants to flood-impacted communities.			$235,000,000	$235,000,000
Total special session legislative changes	0.00	$0	$235,000,000	$235,000,000

State Water Commission
Budget No. 770
Senate Bill Nos. 2020 and 2371

	FTE Positions	General Fund	Other Funds	Total
2011-13 executive budget (bills as introduced)	87.00	$15,227,098	$443,688,322	$458,915,420
2011-13 legislative appropriations (including special session appropriations)	**87.00**	**14,995,199**	**494,420,221**	**509,415,420**
Legislative increase (decrease) to executive budget	0.00	($231,899)	$50,731,899	$50,500,000
Legislative increase (decrease) to 2009-11 appropriations	1.00	$871,300	$182,334,412	$183,205,712

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2009-11 legislative appropriations	$14,123,899	$0	$14,123,899
2011-13 legislative appropriations (including special session appropriations)	**14,995,199**	**0**	**14,995,199**
2011-13 legislative increase (decrease) to 2009-11 appropriations	$871,300	$0	$871,300
Percentage increase (decrease) to 2009-11 appropriations	6.2%	N/A	6.2%
2011-13 legislative increase (decrease) to executive budget	($231,899)	$0	($231,899)
Percentage increase (decrease) to executive budget	(1.5%)	N/A	(1.5%)

SUMMARY OF LEGISLATIVE CHANGES DURING THE NOVEMBER 2011 SPECIAL LEGISLATIVE SESSION

	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Added funding from the resources trust fund for additional expenses. As provided in Section 4 of Senate Bill No. 2020, any expenditures of these funds require Budget Section approval.			$50,000,000	$50,000,000
Total	0.00	$0	$50,000,000	$50,000,000

Floodway Property Acquisition and Construction Funding

Section 18 of Senate Bill No. 2371 provides the State Water Commission in its future plans place a high priority on providing funding for floodway property acquisitions and construction. The funding must be used to supplement federal hazard mitigation grant funds or other federal funds for acquiring property and for the construction of flood control projects in qualifying political subdivisions, including necessary funding for any state or local match requirements. Qualifying political subdivisions are cities or counties that are eligible for Federal Emergency Management Agency (FEMA) hazard mitigation grant funding or other comparable federal programs for flood mitigation and have received, or are located within counties that have received, an individual assistance designation by FEMA as a result of a flood event occurring during 2011.

Department of Transportation
Budget No. 801
House Bill No. 1012, Senate Bill Nos. 2015 and 2371

	FTE Positions	General Fund	Other Funds	Total
2011-13 executive budget (bills as introduced)	1,066.50	$5,850,000	$1,542,433,665	$1,548,283,665
2011-13 legislative appropriations (including special session appropriations)	**1,063.50**	**376,550,000[1]**	**1,749,054,459**	**2,125,604,459**
Legislative increase (decrease) to executive budget	(3.00)	$370,700,000	$206,620,794	$577,320,794
Legislative increase (decrease) to 2009-11 appropriations	9.00	$371,950,000	$502,038,871	$873,988,871

[1]Reflects a $370.6 million transfer from the general fund to the highway fund and a $100,000 transfer from the general fund to the public transportation fund.

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2009-11 legislative appropriations	$0	$4,600,000	$4,600,000
2011-13 legislative appropriations (including special session appropriations)	**0**	**376,550,000**	**376,550,000**
2011-13 legislative increase (decrease) to 2009-11 appropriations	$0	$371,950,000	$371,950,000
Percentage increase (decrease) to 2009-11 appropriations	N/A	8,085.9%	8,085.9%
2011-13 legislative increase (decrease) to executive budget	$0	$370,700,000	$370,700,000
Percentage increase (decrease) to executive budget	N/A	6,336.8%	6,336.8%

SUMMARY OF LEGISLATIVE CHANGES DURING THE NOVEMBER 2011 SPECIAL LEGISLATIVE SESSION

	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Increased the amount of funding that the department may borrow from the Bank of North Dakota during the 2011-13 biennium for emergency relief projects to $200 million. The 62nd Legislative Assembly previously authorized the department to borrow $120 million for emergency relief projects during the 2011-13 biennium.			$80,000,000	$80,000,000
Added funding from the state disaster relief fund to allow the department to provide grants to eligible counties for road grade raising projects on federal aid-eligible roads.			6,000,000	6,000,000

Amended a section of the 2011 Session Laws relating to the county and township road reconstruction program in areas affected by oil and gas development to increase the percentage of state funding that may be used for unpaved roadway projects from 25 percent to 90 percent. The amendment is retroactive to July 1, 2011.				
Total special session legislative changes	0.00	$0	$86,000,000	$86,000,000

ANALYSIS OF FTE POSITIONS AUTHORIZED BY THE LEGISLATIVE ASSEMBLY IN 2011 FOR THE 2011-13 BIENNIUM

Comparison to 2009-11				Comparison to Executive Recommendation		
2009-11 FTE Positions	2011-13 FTE Positions	Increase (Decrease)	Agency/FTE Increase (Decrease)	Executive Recommendation 2011-13 FTE Positions	2011-13 FTE Positions	Increase (Decrease)
			GENERAL GOVERNMENT			
18.00	18.00	0.00	**101 - Governor's office**	18.00	18.00	0.00
28.00	28.00	0.00	**108 - Secretary of State**	28.00	28.00	0.00
132.50	131.50	(1.00)	**110 - Office of Management and Budget**	131.50	131.50	0.00
328.20	336.30 [1]	8.10	**112 - Information Technology Department**	328.20	336.30 [1]	8.10
51.80	50.80	(1.00)	**117 - State Auditor**	50.80	50.80	0.00
7.00	7.00	0.00	**120 - State Treasurer**	7.00	7.00	0.00
202.50	204.00 [2]	1.50	**125 - Attorney General**	202.50	204.00 [2]	1.50
133.00	134.00	1.00	**127 - Tax Department**	133.00	134.00	1.00
5.00	5.00	0.00	**140 - Office of Administrative Hearings**	5.00	5.00	0.00
34.00	34.00	0.00	**160 - Legislative Council**	34.00	34.00	0.00
342.00	344.00	2.00	**180 - Judicial branch**	346.00	344.00	(2.00)
30.00	30.00	0.00	**188 - Commission on Legal Counsel for Indigents**	30.00	30.00	0.00
17.00	18.00	1.00	**190 - Retirement and Investment Office**	18.00	18.00	0.00
33.00	33.00	0.00	**192 - Public Employees Retirement System**	33.00	33.00	0.00
1,362.00	1,373.60	11.60	**TOTAL GENERAL GOVERNMENT**	1,365.00	1,373.60	8.60
			OTHER EDUCATION			
99.75	99.75	0.00	**201 - Department of Public Instruction**	99.75	99.75	0.00
21.75	24.75	3.00	**226 - Land Department**	24.75	24.75	0.00
29.75	29.75	0.00	**250 - State Library**	29.75	29.75	0.00
43.94	43.94	0.00	**252 - School for the Deaf**	43.94	43.94	0.00
29.50	29.50	0.00	**253 - North Dakota Vision Services - School for the Blind**	29.50	29.50	0.00

Comparison to 2009-11				Comparison to Executive Recommendation		
2009-11 FTE Positions	2011-13 FTE Positions	Increase (Decrease)	Agency/FTE Increase (Decrease)	Executive Recommendation 2011-13 FTE Positions	2011-13 FTE Positions	Increase (Decrease)
28.50	27.50	(1.00)	**270 - State Board for Career and Technical Education**	28.50	27.50	(1.00)
253.19	255.19	2.00	**TOTAL OTHER EDUCATION**	256.19	255.19	(1.00)
			HEALTH AND WELFARE			
343.50	344.00	0.50	**301 - State Department of Health**	343.50	344.00	0.50
4.00	5.00	1.00	**305 - Tobacco Prevention and Control Executive Committee**	4.00	5.00	1.00
120.72	120.72	0.00	**313 - Veterans' Home**	120.72	120.72	0.00
4.00	4.00	0.00	**316 - Indian Affairs Commission**	4.00	4.00	0.00
7.00	7.00	0.00	**321 - Department of Veterans' Affairs**	7.00	7.00	0.00
472.60	491.60 [1]	19.00	**325 - Department of Human Services (excluding State Hospital and Developmental Center)**	490.60	491.60 [1]	1.00
441.29	400.76	(40.53)	**- Department of Human Services - Developmental Center**	400.76	400.76	0.00
466.51	467.51	1.00	**- Department of Human Services - State Hospital**	467.51	467.51	0.00
836.48	837.48	1.00	**- Department of Human Services - Human service centers**	837.48	837.48	0.00
28.50	28.50	0.00	**360 - Protection and Advocacy Project**	28.50	28.50	0.00
284.05	261.76	(22.29)	**380 - Job Service North Dakota**	261.76	261.76	0.00
3,008.65	2,968.33	(40.32)	**TOTAL HEALTH AND WELFARE**	2,965.83	2,968.33	2.50
			REGULATORY			
45.50	49.50 [1]	4.00	**401 - Insurance Department**	50.50	49.50 [1]	(1.00)
61.06 [3]	74.06	13.00	**405 - Industrial Commission**	73.06	74.06	1.00
12.00	12.00	0.00	**406 - Labor Commissioner**	12.00	12.00	0.00
43.00	43.00	0.00	**408 - Public Service Commission**	43.00	43.00	0.00
6.00	6.00	0.00	**412 - Aeronautics Commission**	6.00	6.00	0.00
29.00	29.00	0.00	**413 - Department of Financial Institutions**	29.00	29.00	0.00
9.00	9.00	0.00	**414 - Securities Department**	9.00	9.00	0.00
176.50	176.50	0.00	**471 - Bank of North Dakota**	176.50	176.50	0.00
46.00	46.00	0.00	**473 - Housing Finance Agency**	46.00	46.00	0.00
131.00	131.00	0.00	**475 - Mill and Elevator Association**	135.00	131.00	(4.00)

Comparison to 2009-11				Comparison to Executive Recommendation		
2009-11 FTE Positions	2011-13 FTE Positions	Increase (Decrease)	Agency/FTE Increase (Decrease)	Executive Recommendation 2011-13 FTE Positions	2011-13 FTE Positions	Increase (Decrease)
247.14	247.14	0.00	**485 - Workforce Safety and Insurance**	247.14	247.14	0.00
806.20	823.20	17.00	**TOTAL REGULATORY**	827.20	823.20	(4.00)
			PUBLIC SAFETY			
194.00	198.00 [1]	4.00	**504 - Highway Patrol**	197.00	198.00 [1]	1.00
735.29	794.29	59.00	**530 - Department of Corrections and Rehabilitation**	802.29	794.29	(8.00)
232.00	242.00	10.00	**540 - Adjutant General**	242.00	242.00	0.00
1,161.29	1,234.29	73.00	**TOTAL PUBLIC SAFETY**	1,241.29	1,234.29	(7.00)
			AGRICULTURE AND ECONOMIC DEVELOPMENT			
68.00	68.25	0.25	**601 - Department of Commerce**	70.25	68.25	(2.00)
74.50 [4]	77.00	2.50	**602 - Agriculture Department**	74.50	77.00	2.50
30.00	30.00	0.00	**616 - State Seed Department**	30.00	30.00	0.00
52.30 [5]	52.30	0.00	**627 - Upper Great Plains Transportation Institute**	52.30	52.30	0.00
95.49 [5]	97.49	2.00	**628 - Branch research centers**	95.49	97.49	2.00
255.75 [5]	256.75	1.00	**630 - North Dakota State University Extension Service**	255.75	256.75	1.00
11.00 [5]	11.00	0.00	**638 - Northern Crops Institute**	11.00	11.00	0.00
329.26 [5]	333.26	4.00	**640 - Main Research Center**	329.26	333.26	4.00
3.00 [5]	3.00	0.00	**649 - Agronomy Seed Farm**	3.00	3.00	0.00
2.00	2.00	0.00	**670 - Racing Commission**	2.00	2.00	0.00
921.30	931.05	9.75	**TOTAL AGRICULTURE AND ECONOMIC DEVELOPMENT**	923.55	931.05	7.50
			NATURAL RESOURCES AND HIGHWAYS			
62.00	63.00	1.00	**701 - State Historical Society**	63.00	63.00	0.00
5.00	5.00	0.00	**709 - Council on the Arts**	5.00	5.00	0.00
157.00	157.00	0.00	**720 - Game and Fish Department**	157.00	157.00	0.00
53.00	54.00	1.00	**750 - Parks and Recreation Department**	54.00	54.00	0.00

Comparison to 2009-11				Comparison to Executive Recommendation		
2009-11 FTE Positions	2011-13 FTE Positions	Increase (Decrease)	Agency/FTE Increase (Decrease)	Executive Recommendation 2011-13 FTE Positions	2011-13 FTE Positions	Increase (Decrease)
86.00	87.00	1.00	**770 - State Water Commission**	87.00	87.00	0.00
1,054.50	1,063.50	9.00	**801 - Department of Transportation**	1,066.50	1,063.50	(3.00)
1,417.50	1,429.50	12.00	**TOTAL NATURAL RESOURCES AND HIGHWAYS**	1,432.50	1,429.50	(3.00)
			SUMMARY TOTALS			
1,362.00	1,373.60	11.60	General Government	1,365.00	1,373.60	8.60
253.19	255.19	2.00	Other Education	256.19	255.19	(1.00)
3,008.65	2,968.33	(40.32)	Health and Welfare	2,965.83	2,968.33	2.50
806.20	823.20	17.00	Regulatory	827.20	823.20	(4.00)
1,161.29	1,234.29	73.00	Public Safety	1,241.29	1,234.29	(7.00)
921.30	931.05	9.75	Agriculture and Economic Development	923.55	931.05	7.50
1,417.50	1,429.50	12.00	Natural Resources and Highways	1,432.50	1,429.50	(3.00)
8,930.13	9,015.16	85.03	**TOTAL ALL DEPARTMENTS (EXCLUDING HIGHER EDUCATION)**	9,011.56	9,015.16	3.60
			HIGHER EDUCATION			
23.30 [6]	23.30	0.00	**215 - North Dakota University System office**	23.30	23.30	0.00
111.51 [6]	111.51	0.00	**227 - Bismarck State College**	111.51	111.51	0.00
37.50 [6]	37.50	0.00	**228 - Lake Region State College**	37.50	37.50	0.00
43.42 [6]	43.42	0.00	**229 - Williston State College**	43.42	43.42	0.00
651.91 [6]	651.91	0.00	**230 - University of North Dakota**	651.91	651.91	0.00
137.43 [6]	137.43	0.00	**232 - University of North Dakota School of Medicine and Health Sciences**	137.43	137.43	0.00
584.88 [6]	584.88	0.00	**235 - North Dakota State University**	584.88	584.88	0.00
164.87 [6]	164.87	0.00	**238 - State College of Science**	164.87	164.87	0.00
92.96 [6]	92.96	0.00	**239 - Dickinson State University**	92.96	92.96	0.00
58.72 [6]	58.72	0.00	**240 - Mayville State University**	58.72	58.72	0.00
187.83 [6]	187.83	0.00	**241 - Minot State University**	187.83	187.83	0.00
90.37 [6]	90.37	0.00	**242 - Valley City State University**	90.37	90.37	0.00
34.81 [6]	34.81	0.00	**243 - Dakota College at Bottineau**	34.81	34.81	0.00
26.00 [6]	26.00	0.00	**244 - Forest Service**	26.00	26.00	0.00
2,245.51	2,245.51	0.00	**TOTAL HIGHER EDUCATION**	2,245.51	2,245.51	0.00
11,175.64	11,260.67	85.03	**TOTAL ALL DEPARTMENTS (INCLUDING HIGHER EDUCATION)**	11,257.07	11,260.67	3.60

[1] In the November 2011 special session, the Legislative Assembly increased total FTE positions authorized for the 2011-13 biennium by 26 FTE positions from 11,234.67 to 11,260.67. The following is a summary of the 26 additional FTE positions:

	2011-13 Regular Session Authorization	2011-13 Special Session Authorization	Increase	
112 - Information Technology Department	326.30	336.30	10.00	House Bill No. 1475 (2011) authorized 10 additional FTE positions related to the Department of Human Services' eligibility system replacement project. The positions are only authorized until the development and implementation of the system are completed.
325 - Department of Human Services	2,189.35	2,197.35	8.00	House Bill No. 1475 (2011) authorized 1 additional FTE position related to the eligibility system replacement project and 7 additional FTE positions related to implementation of the federal Affordable Care Act.
401 - Insurance Department	45.50	49.50	4.00	House Bill No. 1475 (2011) authorized 4 additional FTE positions related to implementation of the federal Affordable Care Act.
504 - Highway Patrol	194.00	198.00	4.00	Senate Bill No. 2371 (2011) authorized 4 additional FTE trooper positions.

[2] House Bill No. 1269 (2011) appropriates $585,859 of funding from the federal NICS Improvement Act to the Attorney General for 1.5 FTE positions to administer the provisions of the Act. The FTE positions must be terminated when grant funding is no longer available.

[3] The 2009-11 FTE positions for the Industrial Commission do not include 2 FTE positions that the agency hired, subject to Emergency Commission approval during the 2009-11 biennium, that were funded with funding from the lands and minerals trust fund due to the average drilling rig count exceeding 100 active rigs. The Industrial Commission received funding from the general fund for those positions for the 2011-13 biennium.

[4] The 2009-11 FTE positions for the Agriculture Commissioner include 1 FTE meat inspection position that the agency was authorized to hire subject to Emergency Commission approval. The department has not filled the position, but the position is included in the department's 2011-13 biennium budget as an existing position.

[5] The FTE positions listed for the following entities under the control of the State Board of Higher Education were adjusted in accordance with Section 8 of Senate Bill No. 2020 (2009):

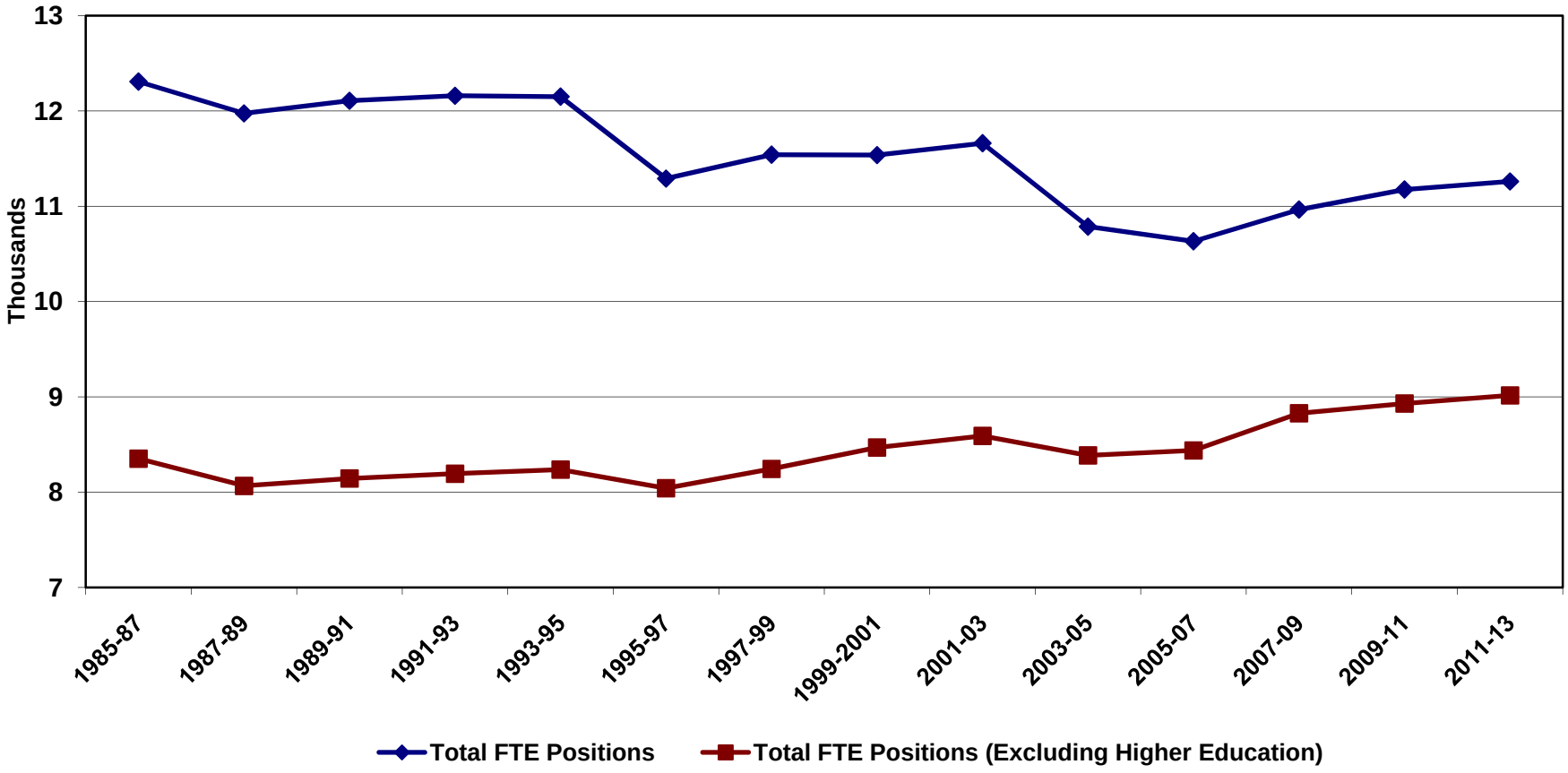
	2009-11 Legislative Authorization	Adjusted FTE Level	Variance
Upper Great Plains Transportation Institute	53.95	52.30	(1.65)
Branch research centers	97.26	95.49	(1.77)
North Dakota State University Extension Service	268.63	255.75	(12.88)
Northern Crops Institute	11.20	11.00	(0.20)
Main Research Center	352.39	329.26	(23.13)
Agronomy Seed Farm	3.00	3.00	0.00
Total	786.43	746.80	(39.63)

[6] The FTE positions listed for the following entities under the control of the State Board of Higher Education were adjusted in accordance with Section 20 of Senate Bill No. 2003 (2009) to the level supported by the general fund:

	2009-11 Legislative Authorization	Adjusted FTE Level	Variance
North Dakota University System office	21.30	23.30	2.00
Bismarck State College	110.93	111.51	0.58
Lake Region State College	32.97	37.50	4.53
Williston State College	41.10	43.42	2.32
University of North Dakota	625.28	651.91	26.63
University of North Dakota School of Medicine and Health Sciences	144.92	137.43	(7.49)
North Dakota State University	515.76	584.88	69.12
State College of Science	157.24	164.87	7.63
Dickinson State University	91.10	92.96	1.86
Mayville State University	55.39	58.72	3.33
Minot State University	189.82	187.83	(1.99)
Valley City State University	86.86	90.37	3.51
Dakota College at Bottineau	31.75	34.81	3.06
Forest Service	27.00	26.00	(1.00)
Total	2,131.42	2,245.51	114.09

NUMBER OF STATE EMPLOYEES - HISTORY

The following is a summary of the number of authorized state FTE employee positions for the 1985-87 through 2011-13 bienniums:



Biennium	General Government	Education (Other Than Higher Education)	Higher Education	Health and Welfare	Regulatory	Public Safety	Agriculture and Economic Development	Natural Resources and Highways	Total FTE Positions	Total FTE Positions (Excluding Higher Education)
1985-87	915.50	396.39	3,956.84	3,393.11	996.43	552.80	802.28	1,294.50	12,307.85	8,351.01
1987-89	975.55	296.10	3,909.16	3,079.89[1]	1,021.93	648.77	770.58	1,273.00	11,974.98	8,065.82
1989-91	916.25	309.36	3,963.02	3,028.11	1,047.94	699.27	785.57	1,357.50	12,107.02	8,144.00
1991-93	949.85	327.91	3,965.80	2,876.26	1,078.92	727.69	826.57	1,406.50	12,159.50	8,193.70
1993-95	1,016.10	322.44	3,912.91	2,794.66	1,138.81	774.04	787.02[2]	1,404.00	12,149.98	8,237.07
1995-97	1,004.42	313.38	3,249.13[3]	3,103.11[4]	665.50[4]	774.52	777.97	1,402.50	11,290.53	8,041.40
1997-99	1,039.90	312.54	3,297.30	3,124.00	696.00	894.64	817.12	1,359.50	11,541.00	8,243.70
1999-2001	1,164.00[5]	308.19	3,068.64[6]	3,099.06	723.00	954.68	856.35	1,363.00	11,536.92	8,468.28
2001-03	1,236.20	271.07	3,070.58	3,069.86	762.50	967.18	914.03	1,369.75	11,661.17	8,590.59
2003-05	1,266.70[7]	245.60	2,400.38[8]	2,852.80	767.37	995.18[7]	878.65	1,379.75	10,786.43[9]	8,386.05
2005-07	1,246.00	243.89	2,194.42	2,840.20	763.51	1,056.28	898.80	1,389.00	10,632.10	8,437.68
2007-09	1,325.00	242.69	2,136.59	2,993.75	783.51	1,136.29	939.93	1,407.00	10,964.76	8,828.17
2009-11	1,362.00	253.19	2,245.51	3,008.65	806.20	1,161.29	921.30	1,417.50	11,175.64	8,930.13
2011-13	1,373.60	255.19	2,245.51	2,968.33	823.20	1,234.29	931.05	1,429.50	11,260.67[10]	9,015.16

[1]Reflects a phaseout of FTE positions at San Haven (258.47 FTE positions reduction) and a reduction of 46 FTE positions at the Grafton State School.

[2]Excludes 14.1 authorized FTE positions for commodity groups because 1993 House Bill No. 1203 provided statutory continuing appropriations for these agencies to spend funds they collect without a specific legislative appropriation.

[3]The state colleges and universities changed the formula for counting FTE teacher positions based on the number of months worked during the year. Those who worked 12 months were reduced from 1.2 FTE positions to 1 FTE position, and those who worked 9 months were reduced from 1 FTE position to .75 FTE position. The net reduction from the change is 415.85 FTE positions. In addition, the University of North Dakota Rehabilitation Hospital was privatized resulting in a reduction of 286.2 FTE positions.

[4]Job Service North Dakota and its 420.5 FTE positions were switched from **Regulatory** to **Health and Welfare**.

[5]The judicial branch added 129.5 FTE positions with the clerk of court unification.

[6]Reflects elimination of 203.3 FTE positions associated with local funds at the University of North Dakota School of Medicine and Health Sciences.

[7]Reflects an increase of 31 FTE positions in **General Government** and a corresponding reduction in **Public Safety** due to State Radio being consolidated with the Office of Management and Budget.

[8]The FTE count for higher education was reduced by 688.17 FTE positions to reflect institutional reductions and to report only the number of FTE positions funded from the general fund.

[9]House Bill No. 1505 (2003) provided that on November 1, 2003, 24 FTE positions relating to information services, including electronic mail, file and print server administration, database administration, storage, application server, and hosting services, must be reduced and transferred to the Information Technology Department. The project executive committee recommended the transfer of 8.5 FTE positions to the Information Technology Department on November 1, 2003, and the exemption of the remaining 15.5 FTE positions. The 2003-05 FTE positions reflect the transfer of 8.5 FTE positions.

[10]In the November 2011 special legislative session, the Legislative Assembly increased total FTE positions authorized for the 2011-13 biennium by 26 FTE positions from 11,234.67 to 11,260.67. Of the 26 FTE positions:

- Ten FTE positions are for the Information Technology Department relating to the Department of Human Services eligibility system replacement project.
- Eight FTE positions are for the Department of Human Services, including 1 FTE position for the eligibility system replacement project and 7 FTE positions relating to implementation of the federal Affordable Care Act.
- Four FTE positions are for the Insurance Commissioner relating to implementation of the federal Affordable Care Act.
- Four FTE positions are for trooper positions for the Highway Patrol.

INFORMATION TECHNOLOGY PROJECTS FOR THE 2011-13 BIENNIUM[1]

Agency or Institution	Project	2011-13 Executive Budget Recommendation			2011-13 Legislative Appropriations		
		General Fund	Other Funds	Total	General Fund	Other Funds	Total
108 - Secretary of State	Database and processing platform migration project	$3,500,000		$3,500,000	$3,500,000		$3,500,000
112 - Information Technology Department	Statewide Longitudinal Data System Initiative	$3,227,623		$3,227,623	$3,227,623		$3,227,623
125 - Attorney General	Criminal history repository replacement	$36,300	$450,000	$486,300	$36,300	$450,000	$486,300
127 - Tax Commissioner	GenTax software version update	$1,000,000		$1,000,000	$1,000,000		$1,000,000
201 - Department of Public Instruction	State automated reporting system application rewrite and maintenance	$384,000		$384,000	$384,000		$384,000
325 - Department of Human Services	Eligibility system replacement project planning				$25,000	$225,000	$250,000
	Eligibility system replacement project				8,736,675[2]	33,881,250[2]	42,617,925[2]
	Total - Department of Human Services				$8,761,675	$34,106,250	$42,867,925
380 - Job Service North Dakota	Unemployment insurance modernization project		$12,400,000	$12,400,000		$12,400,000	$12,400,000
	Workforce Data Quality Initiative		1,036,000	1,036,000		1,036,000	1,036,000
	Total - Job Service North Dakota		$13,436,000	$13,436,000		$13,436,000	$13,436,000
401 - Insurance Commissioner	American health benefit exchange project planning as mandated by the Patient Protection and Affordable Care Act of 2010					$1,000,000[3]	$1,000,000[3]
471 - Bank of North Dakota	Loan servicing for Department of Education direct student loans		$2,220,000	$2,220,000		$2,220,000	$2,220,000
485 - Workforce Safety and Insurance	Data warehousing project		$2,000,000	$2,000,000		$2,000,000	$2,000,000
	Information technology transformation project (funding in addition to the original legislative appropriation for the project of $14 million)		3,000,000	3,000,000		3,000,000	3,000,000
	Web portal		1,500,000	1,500,000		1,500,000	1,500,000
	Total - Workforce Safety and Insurance		$6,500,000	$6,500,000		$6,500,000	$6,500,000
540 - Adjutant General	Dispatch console replacement system	$1,100,000		$1,100,000	$1,100,000		$1,100,000
	Statewide baseline map - Phase 2	400,000	$500,000	900,000	400,000	$500,000	900,000
	Total - Adjutant General	$1,500,000	$500,000	$2,000,000	$1,500,000	$500,000	$2,000,000
801 - Department of Transportation	Driver's license redesign		$500,000	$500,000		$500,000	$500,000
	Road construction estimating program rewrite		537,680	537,680		537,680	537,680
	Total - Department of Transportation		$1,037,680	$1,037,680		$1,037,680	$1,037,680
Total		$9,647,923	$24,143,680	$33,791,603	$18,409,598	$59,249,930	$77,659,528

[1]North Dakota Century Code Section 54-59-02.1 requires the State Information Technology Advisory Committee to prioritize major executive branch computer software projects.

The committee met on September 20, 2010, and prioritized information technology projects for the 2011-13 biennium with a total cost over $250,000 by funding source. The following is a summary of the prioritization, including information as to whether the project is included in the 2011-13 executive budget recommendation and funded by the Legislative Assembly in 2011:

General Fund Projects

	Project	Agency	Included in Executive Budget Recommendation	Funding Provided by Legislative Assembly in 2011
1	Eligibility determination systems replacement	Department of Human Services	No	Yes[2]
2	Dispatch console replacement system	Adjutant General	Yes	Yes
3	Commercial vehicle information exchange window	Highway Patrol	No	No
4	Statewide Longitudinal Data System Initiative	Information Technology Department	Yes	Yes
5	Automated routing application	Highway Patrol	No	No
6	Statewide baseline map - Phase 2	Adjutant General	Yes	Yes

Special Funds Projects

	Project	Agency	Included in Executive Budget Recommendation	Funding Provided by Legislative Assembly in 2011
1	Criminal history repository replacement	Attorney General	Yes	Yes
2	Driver's license redesign	Department of Transportation	Yes	Yes
3	Loan servicing for Department of Education direct student loans	Bank of North Dakota	Yes	Yes
4	Road construction estimating program rewrite	Department of Transportation	Yes	Yes
5	Billing system	Information Technology Department	No	No

Federal Funds Projects

	Project	Agency	Included in Executive Budget Recommendation	Funding Provided by Legislative Assembly in 2011
1	Vocational rehabilitation information technology system replacement	Department of Human Services	No	No
2	Workforce Data Quality Initiative	Job Service North Dakota	Yes	Yes

[2]During the November 2011 special legislative session, the Legislative Assembly appropriated $42,617,925, of which $8,736,675 is from the general fund, to the Department of Human Services for the eligibility system replacement project.

[3]House Bill No. 1126 (2011) appropriates $1 million of federal funds to the Insurance Commissioner for project planning relating to the implementation of an American health benefit exchange.

ANALYSIS OF THE BUDGET STABILIZATION FUND FOR THE 2009-11 AND 2011-13 BIENNIUMS

	2009-11 Biennium		2011-13 Biennium	
Beginning balance		$324,936,548		$386,351,110
Add estimated revenues				
Transfer from general fund	$61,414,562[1]		$0	
Investment income	0[2]		12,500,000[3]	
Total estimated revenues		61,414,562		12,500,000
Total available		$386,351,110		$398,851,110
Less estimated expenditures and transfers				
None				
Total estimated expenditures and transfers		0[4]		0[4]
Estimated ending balance		$386,351,110		$398,851,110

[1]North Dakota Century Code Chapter 54-27.2, as amended by the Legislative Assembly in 2011 House Bill No. 1451, provides that any amount in the general fund at the end of a biennium in excess of $65 million must be transferred to the budget stabilization fund except that, beginning July 1, 2011, the balance in the budget stabilization fund may not exceed 9.5 percent of the general fund budget approved by the most recently adjourned Legislative Assembly. At the end of the 2009-11 biennium, the Office of Management and Budget transferred $61,414,562 from the general fund to the budget stabilization fund pursuant to Chapter 54-27.2. This amount was based on 2011-13 biennium general fund appropriations of $4,066,853,792 as approved by the Legislative Assembly during its 2011 regular legislative session resulting in a maximum balance allowed in the fund of $386,351,110.

[2]Interest earned on the fund is deposited in the general fund because the balance in the fund is at the maximum allowed under Section 54-27.2-01.

[3]Due to the increase in general fund appropriations for the 2011-13 biennium approved by the Legislative Assembly during its November 2011 special session, the maximum balance allowed in the budget stabilization fund is now based on 2011-13 biennium general fund appropriations of $4,236,686,460 resulting in a maximum balance allowed in the fund of $402,485,214. Therefore, interest earned by the fund will be retained in the fund until the maximum balance is reached. Based on the fund's most recent three-year average return rate, interest earnings for the remainder of the 2011-13 biennium are estimated to be $12.5 million.

[4]No transfers from the budget stabilization fund are anticipated.

FUND HISTORY

The budget stabilization fund was established by the Legislative Assembly in 1987 House Bill No. 1596. Major provisions include:

- Section 54-27.2-01 establishes the budget stabilization fund and provides that any interest earned on the balance of the budget stabilization fund must be retained in the fund. The section provides that any money in the fund in excess of 9.5 percent of the general fund budget as approved by the most recently adjourned Legislative Assembly must be deposited in the state general fund. The Legislative Assembly approved 2011 House Bill No. 1451 which decreased, effective July 1, 2011, the maximum balance allowed in the fund from 10 percent to 9.5 percent of the general fund budget approved by the most recently adjourned Legislative Assembly.
- Section 54-27.2-02 provides that any amount in the state general fund at the end of a biennium in excess of $65 million must be transferred to the budget stabilization fund.
- Section 54-27.2-03 provides that the Governor may order a transfer from the budget stabilization fund to the general fund if the director of the Office of Management and Budget projects that general fund revenues for the biennium will be at least 2.5 percent less than estimated by the most recently adjourned Legislative Assembly. The amount transferred is limited to the difference between an amount 2.5 percent less than the original legislative general fund revenue forecast and the revised forecast prepared by the Office of Management and Budget. Any transfer made must be reported to the Budget Section.

ANALYSIS OF THE RESOURCES TRUST FUND FOR THE 2009-11 AND 2011-13 BIENNIUMS

	2009-11 Biennium Actual		2011-13 Biennium Estimated	
Beginning balance		$87,378,167		$155,940,059
Add revenues				
Oil extraction tax collections	$148,886,433		$208,633,412[1]	
Repayments and reimbursements	3,413,941		3,495,000	
Investment earnings/miscellaneous income	2,261,518		1,069,931	
Total revenues		154,561,892		213,198,343
Total available		$241,940,059		$369,138,402
Less expenditures and transfers				
State Water Commission - Grants, projects, and project administration (2009 HB 1020; 2011 SB 2020)	$85,916,406[2]		$315,983,499[3]	
State Water Commission - Beaver Bay embankment feasibility study (2009 SB 2305)	83,594[2]			
State Water Commission - Western Area Water Supply Authority zero interest loan (2011 SB 2020)			25,000,000[3]	
Bank of North Dakota - Western Area Water Supply Authority 5 percent interest loan (2011 HB 1206)			10,000,000[3]	
State Water Commission - Defraying the expenses of the commission (2011 SB 2371)			18,154,903[4]	
Total expenditures and transfers		86,000,000		369,138,402
Ending balance		$155,940,059		$0

[1]Estimated revenues - 2011-13 biennium - The estimated revenues for the 2011-13 biennium reflect actual revenues through October 2011 and estimated revenues for the remainder of the biennium based on the February 2011 revenue forecast.

[2]Sections 1 and 5 of House Bill No. 1020 (2009) appropriated $188.4 million, or any additional amounts that become available, from the resources trust fund for defraying the expenses of the State Water Commission for the 2009-11 biennium. In addition, Senate Bill No. 2305 (2009) appropriated $342,000 from the resources trust fund to the State Water Commission for conducting a Beaver Bay embankment feasibility study. The amounts shown are the actual expenditures relating to these appropriations.

[3]Sections 1 and 4 of Senate Bill No. 2020 (2011) appropriate $332.4 million, or any additional amount that becomes available, from the resources trust fund for the purpose of defraying the expenses of the State Water Commission for the 2011-13 biennium. The Legislative Assembly added 1 FTE Water Development Division director position funded from the resources trust fund ($231,899) and appropriated an additional $500,000 from the resources trust fund for a remote metering device reimbursement program. The sections relating to the remote metering of water permits were vetoed by Governor Jack Dalrymple. The Legislative Assembly required that the State Water Commission receive Budget Section approval prior to the expenditure of any funds in excess of funding appropriated to the commission for water and atmospheric resources. In addition, the Legislative Assembly in 2011 provided in House Bill No. 1206 the State Water Commission make available, from funding appropriated from the resources trust fund for projects, $25 million for a zero interest loan to the Western Area Water Supply Authority. House Bill No. 1206 also appropriated $10 million from the resources trust fund to the Bank of North Dakota for a 5 percent loan to the Western Area Water Supply Authority.

[4]The Legislative Assembly, during its special legislative session in November 2011, appropriated $50 million from the resources trust fund to defray the expenses of the commission, subject to Budget Section approval as provided in Section 4 of Senate Bill No. 2020 relating to the appropriation of additional income in the resources trust fund and the water development trust fund. At this time, revenue estimates are sufficient to provide for $18,154,903 of the $50 million appropriation.

FUND HISTORY

The resources trust fund was created pursuant to passage of measure No. 6 in the November 1980 general election. Measure No. 6 created a 6.5 percent oil extraction tax, 10 percent of which was to be allocated to the resources trust fund. In June 1990 the Constitution of North Dakota was amended to establish the resources trust fund as a constitutional trust fund and provide that the principal and income of the fund could be spent only upon legislative appropriations for:

- Constructing water-related projects, including rural water systems.
- Energy conservation programs.

In November 1994 the voters of North Dakota approved a constitutional amendment, which is now Article X, Section 24, of the Constitution of North Dakota, to provide that 20 percent of oil extraction taxes be allocated as follows:

- Fifty percent (of the 20 percent) to the common schools trust fund.
- Fifty percent (of the 20 percent) to the foundation aid stabilization fund.

North Dakota Century Code Section 57-51.1-07, as amended by Senate Bill No. 2129 (2011), provides that oil extraction tax revenues be distributed as follows:

- Twenty percent to the resources trust fund.
- Twenty percent allocated as provided in Article X, Section 24, of the Constitution of North Dakota.
- Thirty percent to the legacy fund.
- Thirty percent to be allocated to the state's general fund, with certain funds designated for deposit in the property tax relief sustainability fund, the strategic investment and improvements fund, and the state disaster relief fund as provided in House Bill No. 1451 (2011).

ANALYSIS OF THE STATE DISASTER RELIEF FUND FOR THE 2007-09, 2009-11, AND 2011-13 BIENNIUMS

	2007-09 Biennium		2009-11 Biennium		2011-13 Biennium	
Beginning balance		$0		$37,623,216		$34,675,167
Add revenues						
Transfer from the general fund	$43,000,000[1]					
Transfer from the permanent oil tax trust fund (2011 SB 2369)			$22,000,000[2]			
Transfer from the general fund (Section 17 of 2011 SB 2371)					$48,700,000[3]	
Interest income			199,420		250,000	
Federal funds - Volunteer hours adjustment and local share federal-to-federal mission assignments			612,263			
National Guard reimbursements			136,057			
Total revenues		43,000,000		22,947,740		48,950,000
Total available		$43,000,000		$60,570,956		$83,625,167
Less estimated expenditures						
Emergency snow removal grants (2009 SB 2012; 2011 SB 2369)	$5,376,784[4]		$9,000,000[5]			
Disaster costs relating to disasters occurring prior to 2009			513,321[6]		$1,318,996[7,8]	
Disaster costs relating to 2009 flooding			5,739,762[6]		4,815,194[7,8]	
Disaster costs relating to the January 2010 winter snowstorm			1,506,693[6]		565,527[7,8]	
Disaster costs relating to 2010 flooding			3,390,192[6]		1,886,381[7,8]	
Disaster costs relating to the April 2010 ice storm			2,854,089[6]		1,142,381[7,8]	
Disaster costs relating to the April 2011 blizzard			16,937[6]			
Disaster costs relating to 2011 flooding			2,874,795[8, 9]		15,613,825[9,10]	
Disaster costs relating to flooding in incorporated cities (2011 SB 2369)					3,200,000[9]	
Disaster response coordination contract (2011 SB 2016)					400,000[11]	
State disasters and flood mitigation efforts (2011 SB 2016; 2011 SB 2369)					4,800,000[9]	
Required state share for presidentially declared disasters (Section 15 of 2011 SB 2371)					29,500,000[10]	

	2007-09 Biennium		2009-11 Biennium		2011-13 Biennium	
Contingent appropriation for 2012 disaster event (Section 16 of 2011 SB 2371)					4,382,863[3]	
Flood-impacted housing assistance grant program (Section 9 of 2011 SB 2371)					10,000,000[3]	
Road grade raising projects (Section 14 of 2011 SB 2371)					6,000,000[3]	
Total estimated expenditures and transfers		5,376,784		25,895,789		83,625,167[12]
Estimated ending balance		$37,623,216		$34,675,167		$0

NOTE: The amounts shown on this schedule reflect updated expenditure estimates by disaster provided by the Adjutant General as of October 2011.

[1]Section 5 of 2009 Senate Bill No. 2012 provided that the Office of Management and Budget (OMB) transfer $43 million from the general fund to the state disaster relief fund during the 2007-09 biennium.

[2]Senate Bill No. 2369 (2011) provides for a $22 million transfer from the permanent oil tax trust fund to the state disaster relief fund and authorizes the Adjutant General to use this funding for costs associated with state disasters and flood mitigation efforts.

[3]Section 17 of 2011 Senate Bill No. 2371 provides that OMB transfer $48.7 million from the general fund to the state disaster relief fund during the 2011-13 biennium for the following purposes:

Relief Assistance	Transfer Amount	Appropriation Authority
Disaster-related expenses	$32,700,000	Section 15 of Senate Bill No. 2371 provides appropriation authority of $29.5 million from the state disaster relief fund to the Adjutant General for providing the required state share of funding for expenses associated with presidentially declared state disasters. Section 16 of Senate Bill No. 2371 provides a contingent appropriation of $5 million from the state disaster relief fund to the Adjutant General relating to grants to political subdivisions for a portion of the local share required to match federal emergency relief funding. The funding is contingent upon a 2012 disaster event exceeding $50 million in damages across the state. **The transfer amount provided is currently anticipated to be $617,137 less than the amount needed to provide the $5 million in funding for possible 2012 disaster expenses.**
Flood-impacted housing assistance grant program	10,000,000	Section 9 of Senate Bill No. 2371 appropriates $10 million from the state disaster relief fund to the Adjutant General for providing: • Additional rebuilders loan program funding to the Bank of North Dakota. • Funding to political subdivisions for flood-impacted housing rehabilitation. Funding must be used as deemed most effective in that community to assist homeowners in rehabilitation or replacement of their flood-damaged homes and to retain homeowners in the community.
Road grade raising grants	6,000,000	Section 14 of Senate Bill No. 2371 appropriates $6 million from the state disaster relief fund to the Department of Transportation for grants to counties for road grade raising projects on federal aid-eligible roads.
Total	$48,700,000	

[4]Section 6 of 2009 Senate Bill No. 2012 authorized up to $20 million from the state disaster relief fund to be used for providing emergency snow removal grants to counties, cities, and townships in accordance with Section 7 of Senate Bill No. 2012. Section 7 of Senate Bill No. 2012 provided that a county, township, or city may apply to the Department of Emergency Services for an emergency snow removal grant for reimbursement of up to 50 percent of the costs incurred by the county, township, or city for the period January 2009 through March 2009 that exceed 200 percent of the average costs incurred for these months in 2004 through 2008. The Department of Emergency Services distributed these grants prior to June 30, 2009.

[5]Section 2 of 2011 Senate Bill No. 2369 authorized up to $9 million from the state disaster relief fund to be used for providing emergency snow removal grants to counties, cities, and townships. Section 2 of Senate Bill No. 2369 provided that a county, township, or city may apply to the Department of Emergency Services for an emergency snow removal grant for reimbursement of up to 60 percent of the costs incurred by the county, township, or city for the period January 2011 through March 2011 that exceed 200 percent of the average costs incurred for these months in 2004 through 2008. The Department of Emergency Services distributed $9 million in grants prior to June 30, 2011, and reported to the Budget Section regarding the grants awarded under this section on September 15, 2011.

[6]Section 6 of 2009 Senate Bill No. 2012 authorized up to $23 million from the state disaster relief fund to be used for paying costs relating to the 2009 flood disaster, snow removal damage to roads, and other disasters in accordance with Section 8 of Senate Bill No. 2012. Section 8 of Senate Bill No. 2012 provides that a political subdivision receiving federal emergency relief funding relating to disasters occurring from January 2009 through June 2009 may apply to the Department of Emergency Services for an emergency relief grant of up to 50 percent of the local match required to receive the federal emergency relief funding.

[7]Section 1 of 2011 Senate Bill No. 2016 includes spending authority of $7.8 million from the state disaster relief fund for expenses related to the 2009 flood disaster ($3,369,258) and other unclosed state disasters ($4,473,046) in the 2011-13 biennium.

[8]Section 5 of 2011 Senate Bill No. 2016 appropriates $3.5 million from the state disaster relief fund to the Adjutant General for the purpose of providing the required state share of funding for defraying the expenses associated with presidentially declared disasters pursuant to North Dakota Century Code Section 37-17.1-27.

[9]Section 4 of 2011 Senate Bill No. 2369 appropriates $22 million from the state disaster relief fund for flood-related costs for the remainder of the 2009-11 biennium and for the 2011-13 biennium. Subject to Emergency Commission and Budget Section approval, the Adjutant General may use the funding for city flood mitigation projects (up to $3.2 million) and for disaster relief relating to 2011 spring flooding, road grade raising projects, 50 percent of the local match for disasters occurring from January 2011 through June 2011, and state expenses associated with presidentially declared disasters in the state. As of September 2011 the Adjutant General has received Emergency Commission and Budget Section approval for 2011-13 expenses of $17.5 million for flood disasters, $1.2 million for funding specific city flood mitigation projects, and $4.8 million for road grade raising and matching grants to political subdivisions.

[10]Estimated 2011 flood costs total $674 million as of October 2011. The estimated state share of these costs to be paid by the Department of Emergency Services is $47.13 million, of which $2.87 million was spent in the 2009-11 biennium, leaving $44.26 million as the remaining state share. Prior to the November 2011 special legislative session, 2011-13 biennium appropriation authority of $15.6 million was available for 2011 flood relief expenditures from the state disaster relief fund and the state disaster relief fund had an estimated ending balance of $1.18 million. The Legislative Assembly in the November 2011 special legislative session provided a transfer and appropriation authority of $29.5 million from the state disaster relief fund to the Adjutant General for providing the required state share of funding for expenses associated with presidentially declared state disasters. The amount of state matching funds needed to be paid by the end of the 2011-13 biennium is not yet known.

[11]In 2011 Senate Bill No. 2016, the Legislative Assembly provided authority to the Department of Emergency Services to utilize funding from the state disaster relief fund to contract for services to coordinate disaster response organizations with state and political subdivision disaster response efforts, including all aspects of disaster recovery from preparedness training through cleanup for declared or undeclared disasters.

[12]Total 2011-13 appropriation authority consists of:

$22,000,000	see footnote 10
3,500,000	see footnote 8
7,842,304	see footnote 7
400,000	see footnote 11
29,500,000	see footnote 3

5,000,000	see footnote 3
10,000,000	see footnote 3
6,000,000	see footnote 3
$84,242,304	The amount available in the state disaster relief fund is estimated to be $617,137 less than the amount needed to provide for all funds appropriated from the fund. The exact amount of state matching funds required to be paid by the end of the 2011-13 biennium is not yet known and may be less than the full appropriation amount for the 2011-13 biennium.

FUND HISTORY

Section 37-17.1-27 (Section 4 of 2009 Senate Bill No. 2012) establishes a state disaster relief fund. In 2011 Senate Bill No. 2369, the Legislative Assembly amended Section 37-17.1-27 to limit use of money in the fund for only the required state share of funding for expenses associated with presidentially declared disasters in the state and to require Emergency Commission and Budget Section approval of the use of money in the fund. Any interest or other fund earnings must be deposited in the fund.

GENERAL FUND STATEMENTS - HISTORY

The schedule below provides a summary of actual and estimated general fund balances, revenues, expenditures, and transfers:

	Actual				Estimated
	2003-05	**2005-07**	**2007-09**	**2009-11**	**2011-13**
Beginning balance	$14,790,311	$68,015,056	$295,541,176	$361,843,514	$996,832,711[2]
Revenues	1,739,132,961	2,162,706,208	2,520,712,137	2,753,012,281	2,838,611,225
Transfers to general fund	157,808,488	154,710,132	194,551,242	1,179,682,508	608,135,000
Federal fiscal relief funding	56,456,581[1]				
Total available	$1,968,188,341	$2,385,431,396	$3,010,804,555	$4,294,538,303	$4,443,578,936
Expenditures	($1,800,700,654)	($1,989,362,851)	($2,524,024,493)	($3,236,291,030)	($4,236,686,460)[3]
Transfers to budget stabilization fund	(99,472,631)	(100,527,369)	(124,936,548)	(61,414,562)	
Total expenditures and transfers	($1,900,173,285)	($2,089,890,220)	($2,648,961,041)	($3,297,705,592)	($4,236,686,460)
Ending balance	$68,015,056	$295,541,176	$361,843,514	$996,832,711	$206,892,476[4]

[1]This amount relates to $56,456,581 of federal fiscal relief funding received by the state, $50,000,000 in direct payments and $6,456,581 received as enhanced federal medical assistance percentage (FMAP) reimbursements relating to 2001-03 biennium expenditures which were not received until the 2003-05 biennium.

[2]Actual July 1, 2011, balance.

[3]General fund appropriations for the 2011-13 biennium of $4,236,686,460 consist of $4,066,853,792 approved by the Legislative Assembly during its 2011 regular legislative session and $169,832,668 approved by the Legislative Assembly during its November 2011 special legislative session.

[4]The estimated general fund ending balance does not reflect any potential transfers at the end of the 2011-13 biennium from the general fund to the budget stabilization fund pursuant to North Dakota Century Code Chapter 54-27.2.

MEMORANDUM ON TOTAL GENERAL FUND AND SPECIAL FUNDS APPROPRIATIONS FOR THE 1967-69 THROUGH 2011-13 BIENNIUMS AND THE RELATIONSHIP TO TOTAL PERSONAL INCOME

The following schedule presents the general fund and special funds appropriations for the 1967-69 through 2011-13 bienniums. It includes an analysis of the relationship between appropriations and the total personal income in the state. This analysis indicates that the percentage of general fund appropriations to personal income has varied with the highest percentage occurring in the 2011-13 biennium and the lowest percentage occurring in the 1973-75 biennium. Regarding all funds appropriations, the highest percentage occurred in the 2011-13 biennium and the lowest percentage in the 1973-75 biennium.

The biennial appropriation totals include major deficiency appropriations for the various bienniums made by subsequent Legislative Assemblies. The special funds appropriation totals do not necessarily reflect total expenditures of special funds since in some instances federal funds and certain fees are not specifically appropriated but authorized to be spent by Emergency Commission action or continuing appropriations.

TOTAL RESTATED GENERAL FUND AND SPECIAL FUNDS APPROPRIATIONS FOR THE 1967-69 THROUGH 2011-13 BIENNIUMS AND THE RELATIONSHIP TO TOTAL PERSONAL INCOME

					Percentage of Appropriations to Personal Income	
Biennium	Total General Fund Appropriations[1]	Total Special Funds Appropriations[1]	Grand Total All Funds Appropriations	Total Personal Income	General Fund	All Funds
1967-69	$145,638,671	$205,351,205	$350,989,876	$3,326,700,000[2]	4.38%	10.55%
1969-71	$183,686,131	$261,745,459	$445,431,590	$3,869,200,000[2]	4.75%	11.51%
1971-73	$226,255,732	$267,845,499	$494,101,231	$4,840,000,000[3]	4.67%	10.21%
1973-75	$297,820,935	$356,127,664	$653,948,599	$7,620,000,000[3]	3.91%	8.58%
1975-77	$442,529,561	$436,181,752	$878,711,313	$7,700,000,000[3]	5.75%	11.41%
1977-79	$575,067,852	$565,096,709	$1,140,164,561	$8,800,000,000[3]	6.53%	12.96%
1979-81	$680,417,154	$772,341,770	$1,452,758,924	$10,900,000,000[3]	6.24%	13.33%
1981-83	$910,249,232	$1,205,292,293	$2,115,541,525	$14,450,000,000[3]	6.30%	14.64%
1983-85	$1,017,861,170	$1,148,055,629	$2,165,916,799	$16,600,000,000[3]	6.13%	13.05%
1985-87	$1,134,183,661[4]	$1,339,411,840	$2,473,595,501	$16,800,000,000[3]	6.75%	14.72%
1987-89	$1,058,708,224[5]	$1,440,445,277	$2,499,153,501	$16,900,000,000[8]	6.26%	14.79%
1989-91	$1,061,507,822[6]	$1,760,553,694[7]	$2,822,061,516	$18,600,000,000[8]	5.71%	15.17%
1991-93	$1,202,891,103[9]	$2,028,208,088	$3,231,099,191	$20,900,000,000[8]	5.76%	15.46%
1993-95	$1,251,925,967	$2,162,505,820	$3,414,431,787	$22,500,000,000[10]	5.56%	15.18%
1995-97	$1,352,467,281	$2,242,848,894	$3,595,316,175	$26,462,000,000[11]	5.11%	13.59%
1997-99	$1,510,747,421	$2,485,617,317	$3,996,364,738	$29,003,000,000[11]	5.21%	13.78%
1999-2001	$1,614,882,210	$3,265,271,344	$4,880,153,554	$31,879,000,000[11]	5.07%	15.31%
2001-03	$1,728,640,384[12]	$3,049,996,983	$4,778,637,367	$33,908,000,000[11]	5.10%	14.10%
2003-05	$1,816,885,505	$3,289,715,994	$5,106,601,499	$37,571,000,000[11]	4.83%	13.60%
2005-07	$2,000,537,074	$3,785,221,167	$5,785,758,241	$41,553,000,000[11]	4.81%	13.92%
2007-09	$2,574,313,275	$4,049,667,487	$6,623,980,762	$48,241,000,000[13]	5.34%	13.73%
2009-11	$3,296,595,649	$5,642,342,384	$8,938,938,033	$51,818,000,000[11]	6.36%	17.25%
2011-13	$4,236,686,460	$6,362,287,420	$10,598,973,880	$57,966,000,000[11]	7.31%	18.28%

[1]Appropriation amounts are restated to reflect, where appropriate, deficiency appropriations provided by a subsequent Legislative Assembly.

[2]Source: *Personal Income and State Expenditures*, a report to the Legislative Council's Budget "B" Committee, June 11, 1975.

[3]Source: Chase Econometrics Associates, Inc., Regional Forecasting Service.

[4]In addition, changes made to general fund appropriations were (a) reductions of $12,965,250 as a result of Legislative Assembly action in 1987; (b) a $44,125,917 reduction as of May 1987 as a result of a 4 percent allotment reduction made by the Governor; and (c) an increase of $4,388,862 for Emergency Commission action and 1983-85 carryover.

[5]In addition, changes made to general fund appropriations were reductions of $3,175,000 required because of the cable television sales tax referral and $21 million budget allotment mandated by the Governor in September 1988.

[6]This amount is adjusted for revisions made to general fund appropriations, including reductions of $95,763,770 resulting from the December 1989 sales and individual income tax referrals, increases of $5,967,192 relating to the use of the budget stabilization fund, and increases of $22,395,712 resulting from an August 1990, 2 percent unallotment.

[7]This amount is adjusted for revisions made to special funds appropriations, including reductions of $14,876,540 resulting from the December 1989 gas tax referral and a net reduction of $1,003,977 resulting from higher education tuition increases and Department of Human Services estimated income adjustments.

[8]Estimated amount from Wharton Econometric Forecasting Associates (WEFA), Inc., Regional Forecasting Service.

[9]In addition, the Legislative Assembly in 1991 House Bill No. 1046 appropriated up to $9.5 million from the general fund for rural development if 1991-93 biennium revenues were more than 1991-93 revenue estimates made by the Legislative Assembly in 1991, excluding the effect of Sunday opening, by at least $11 million. This did not become effective. This amount does not reflect budget allotments ordered by the Governor during the 1991-93 biennium of $4,305,000.

[10]Source: WEFA, Inc. - *Regional Economic Service - State Summary, Spring 1999.*

[11]Source: Economy.com, Inc. - Economic Service.

[12]The general fund appropriation amount for the 2001-03 biennium has been restated to reflect the 1.05 percent budget allotment ordered by Governor John Hoeven in July 2002.

[13]Source: United States Bureau of Economic Analysis.

COMPARISON OF EXECUTIVE BUDGET RECOMMENDATIONS TO FINAL BUDGETS APPROVED BY THE LEGISLATIVE ASSEMBLY FOR THE 1967-69 THROUGH 2011-13 BIENNIUMS[1]

	General Fund Appropriations	Special Funds Appropriations	Total All Appropriations	General Fund Revenues[2]
1967-69				
Executive budget	$132,496,141	$204,346,811	$336,842,952	$148,269,822
Legislative increase (decrease)	13,142,530	1,004,394	14,146,924	16,980,000
Legislative budget	$145,638,671	$205,351,205	$350,989,876	$165,249,822
1969-71				
Executive budget	$166,602,105	$216,086,092	$382,688,197	$181,000,000
Legislative increase (decrease)	17,084,026	45,659,367	62,743,393	22,092,623
Legislative budget	$183,686,131	$261,745,459	$445,431,590	$203,092,623
1971-73				
Executive budget	$226,640,383	$257,317,128	$483,957,511	$241,840,000
Legislative increase (decrease)	(384,651)	10,528,371	10,143,720	1,769,348
Legislative budget	$226,255,732	$267,845,499	$494,101,231	$243,609,348
1973-75				
Executive budget	$267,951,706	$314,124,492	$582,076,198	$307,075,000
Legislative increase (decrease)	6,733,531	38,835,098	45,568,629	(5,705,492)
Legislative budget	$274,685,237	$352,959,590	$627,644,827	$301,369,508
Add				
Deficiency appropriations provided by the 1975 Legislative Assembly	23,135,698	3,168,074	26,303,772	
Legislative budget as restated	$297,820,935	$356,127,664	$653,948,599	$301,369,508
1975-77				
Executive budget	$438,882,752	$394,903,834	$833,786,586	$530,645,000
Legislative increase (decrease)	3,646,809	41,277,918	44,924,727	5,461,978
Reduction to June 30, 1975, general fund balance for deficiency appropriations for 1973-75				(23,135,698)
Legislative budget	$442,529,561	$436,181,752	$878,711,313	$512,971,280

1977-79				
Executive budget	$538,440,978	$477,421,009	$1,015,861,987	$647,900,000
Legislative increase (decrease)	35,376,433	87,268,156	122,644,589	371,650
Legislative budget	$573,817,411	$564,689,165	$1,138,506,576	$648,271,650
Add				
Deficiency appropriations provided by the 1979 Legislative Assembly	1,250,441	407,544	1,657,985	
Legislative budget as restated	$575,067,852	$565,096,709	$1,140,164,561	$648,271,650
1979-81				
Executive budget	$646,401,970	$710,607,537	$1,357,009,507	$694,467,657
Legislative increase (decrease)	8,317,480	57,780,260	66,097,740	10,028,475
Reduction to June 30, 1979, general fund balance for deficiency appropriations for 1977-79				(1,250,441)
Legislative budget	$654,719,450	$768,387,797	$1,423,107,247	$703,245,691
Add				
Deficiency appropriations provided by the 1981 Legislative Assembly	25,697,704	3,953,973	29,651,677	
Legislative budget as restated	$680,417,154	$772,341,770	$1,452,758,924	$703,245,691
1981-83				
Executive budget	$1,030,540,733	$1,043,972,705	$2,074,513,438	$1,129,692,934
Legislative increase (decrease)	(126,944,501)	133,544,456	6,599,955	(102,960,239)
Legislative budget	$903,596,232	$1,177,517,161	$2,081,113,393	$1,026,732,695
Add				
Deficiency appropriations provided by the 1983 Legislative Assembly	6,653,000	27,775,132	34,428,132	
Legislative budget as restated	$910,249,232	$1,205,292,293	$2,115,541,525	$1,026,732,695
1983-85				
Executive budget	$924,455,265 [3]	$1,114,112,221	$2,038,567,486	$974,408,000
Legislative increase (decrease)	80,655,781	25,386,761	106,042,542	68,097,250
Legislative budget	$1,005,111,046	$1,139,498,982	$2,144,610,028	$1,042,505,250

Add				
Deficiency appropriations provided by the 1985 Legislative Assembly	12,750,124	8,556,647	21,306,771	
Legislative budget as restated	$1,017,861,170	$1,148,055,629	$2,165,916,799	$1,042,505,250
1985-87				
Executive budget	$1,188,601,469 [4]	$1,292,110,406	$2,480,711,875	$1,219,290,080
Legislative increase (decrease)	(63,055,462)	42,502,011	(20,553,451)	(62,146,218)
Legislative budget	$1,125,546,007	$1,334,612,417	$2,460,158,424	$1,157,413,862
Add				
Deficiency appropriations provided by the 1987 Legislative Assembly	130,000	4,799,423	4,929,423	
49th Legislative Assembly personal property tax replacement deficiency appropriation not spent until 1985-87 biennium	8,507,654		8,507,654	
Impact of revised revenue estimate				(75,126,740)
Legislative budget as restated	$1,134,183,661 [5]	$1,339,411,840	$2,473,595,501	$1,082,017,122
1987-89				
Executive budget	$1,114,031,918	$1,406,353,403	$2,520,385,321	$1,119,465,000
Legislative increase (decrease)	(56,862,745)	32,891,874	(23,970,871)	(56,462,787)
Legislative budget	$1,057,169,173	$1,439,245,277	$2,496,414,450	$1,063,002,213
Add				
Deficiency appropriations provided by the 1989 Legislative Assembly	1,539,051	1,200,000	2,739,051	
Legislative budget as restated	$1,058,708,224 [6]	$1,440,445,277	$2,499,153,501	$1,063,002,213
1989-91				
Executive budget	$1,115,265,227	$1,690,091,064	$2,805,356,291	$1,126,110,000
Legislative increase (decrease)	4,520,393	86,034,147	90,554,540	(2,152,095)
Legislative budget	$1,119,785,620	$1,776,125,211	$2,895,910,831	$1,123,957,905
Add				
Deficiency appropriations provided by the 1991 Legislative Assembly	9,123,068	309,000	9,432,068	

Reductions due to sales, individual income, and gas tax referrals	(95,763,770)	(14,876,540)	(110,640,310)	(103,240,108)
Increase in June 30, 1989, balance				7,361,495
Adjustments for higher education tuition increases and Department of Human Services estimated income adjustments		(1,003,977)	(1,003,977)	
Use of budget stabilization fund	5,967,192		5,967,192	
2 percent unallotment (August 1990)	22,395,712		22,395,712	
Legislative budget as restated	$1,061,507,822	$1,760,553,694	$2,822,061,516	$1,028,079,292
1991-93				
Executive budget	$1,166,588,941	$1,901,143,193	$3,067,732,134	$1,185,456,000
Legislative increase (decrease)	32,041,733	125,939,720	157,981,453	36,936,959
Legislative budget	$1,198,630,674 [7]	$2,027,082,913	$3,225,713,587 [7]	$1,222,392,959
Add				
Deficiency appropriations provided by the 1993 Legislative Assembly	4,260,429	1,125,175	5,385,604	
Legislative budget as restated	$1,202,891,103	$2,028,208,088	$3,231,099,191	$1,222,392,959
1993-95				
Executive budget	$1,228,289,194	$2,248,975,882	$3,477,265,076	$1,253,054,000
Legislative increase (decrease)	22,940,773	(88,551,589)	(65,610,816)	7,099,865
Legislative budget	$1,251,229,967	$2,160,424,293	$3,411,654,260	$1,260,153,865
Add				
Deficiency appropriations provided by the 1995 Legislative Assembly	696,000	2,081,527	2,777,527	
Legislative budget as restated	$1,251,925,967	$2,162,505,820	$3,414,431,787	$1,260,153,865
1995-97				
Executive budget	$1,345,660,131	$2,207,522,902	$3,553,183,033	$1,355,491,421
Legislative increase (decrease)	1,284,129	34,396,992	35,681,121	2,668,581
Legislative budget	$1,346,944,260	$2,241,919,894	$3,588,864,154	$1,358,160,002

Add				
Deficiency appropriations provided by the 1997 Legislative Assembly	5,523,021	929,000	6,452,021	
Legislative budget as restated	$1,352,467,281	$2,242,848,894	$3,595,316,175	$1,358,160,002
1997-99				
Executive budget	$1,494,395,064	$2,507,943,925	$4,002,338,989	$1,504,489,758
Legislative increase (decrease)	(5,154,977)	(22,576,608)	(27,731,585)	(4,393,735)
Legislative budget	$1,489,240,087	$2,485,367,317	$3,974,607,404	$1,500,096,023
Add				
Deficiency appropriations provided by the 1999 Legislative Assembly	21,507,334	250,000	21,757,334	
Legislative budget as restated	$1,510,747,421	$2,485,617,317	$3,996,364,738	$1,500,096,023
1999-2001				
Executive budget	$1,615,319,416	$2,711,061,796	$4,326,381,212	$1,625,566,507
Legislative increase (decrease)	(21,280,878)	504,237,505 [8]	482,956,627	(20,209,113)
Legislative budget	$1,594,038,538	$3,215,299,301	$4,809,337,839	$1,605,357,394
Add				
Deficiency appropriations provided by the 2001 Legislative Assembly	20,843,672	49,972,043	70,815,715	
Legislative budget as restated	$1,614,882,210	$3,265,271,344	$4,880,153,554	$1,605,357,394
2001-03				
Executive budget	$1,706,299,108	$2,970,092,352	$4,676,391,460	$1,720,969,291
Legislative increase (decrease)	40,684,605	52,604,631	93,289,236	38,009,116
Legislative budget	$1,746,983,713	$3,022,696,983 [9]	$4,769,680,696	$1,758,978,407
Add				
Deficiency appropriations provided by the 2003 Legislative Assembly		27,300,000	27,300,000	
Less				
1.05 percent budget allotment	(18,343,329)		(18,343,329)	
Legislative budget as restated	$1,728,640,384 [10]	$3,049,996,983	$4,778,637,367 [10]	$1,758,978,407

2003-05				
Executive budget	$1,762,103,934	$3,231,267,168	$4,993,371,102	$1,772,149,343
Legislative increase (decrease)	41,557,227	24,511,067	66,068,294	41,764,727
Legislative budget	$1,803,661,161	$3,255,778,235	$5,059,439,396	$1,813,914,070
Add				
Deficiency appropriations provided by the 2005 Legislative Assembly	13,224,344	34,000,000	47,224,344	
Less				
Special funds reductions required by HB 1505 (2003)		(62,241)	(62,241)	
Legislative budget as restated	$1,816,885,505	$3,289,715,994	$5,106,601,499	$1,813,914,070
2005-07				
Executive budget	$2,007,001,269	$3,538,353,475	$5,545,354,744	$2,017,154,996
Legislative increase (decrease)	(17,548,646)	224,867,692	207,319,046	(17,406,842)
Legislative budget	$1,989,452,623	$3,763,221,167	$5,752,673,790	$1,999,748,154
Add				
Deficiency appropriations provided by the 2007 Legislative Assembly	11,084,451	22,000,000	33,084,451	
Legislative budget as restated	$2,000,537,074	$3,785,221,167	$5,785,758,241	$1,999,748,154
2007-09				
Executive budget	$2,468,326,339	$3,864,876,095	$6,333,202,434	$2,502,682,419
Legislative increase (decrease)	(6,352,383)	155,638,989	149,286,606	(27,052,284)
Legislative budget	$2,461,973,956	$4,020,515,084	$6,482,489,040	$2,475,630,135
Add				
Deficiency appropriations provided by the 2009 Legislative Assembly	112,339,319	29,152,403	141,491,722	
Legislative budget as restated	$2,574,313,275	$4,049,667,487	$6,623,980,762	$2,475,630,135
2009-11				
Executive budget	$3,110,921,665	$4,598,634,482	$7,709,556,147	$3,175,713,942
Legislative increase (decrease)	148,443,816	1,000,274,902	1,148,718,718	103,180,918
Legislative budget	$3,259,365,481	$5,598,909,384	$8,858,274,865	$3,278,894,860

Add				
Deficiency appropriations provided by the 2011 Legislative Assembly	37,230,168	43,433,000	80,663,168	
Legislative budget as restated	$3,296,595,649	$5,642,342,384	$8,938,938,033	$3,278,894,860
2011-13				
Executive budget	$3,295,569,541	$5,998,005,832	$9,293,575,373	$3,351,306,217
Legislative increase (decrease)	771,284,251	(140,378,245)	630,906,006	766,671,533
Legislative budget	$4,066,853,792	$5,857,627,587	$9,924,481,379	$4,117,977,750
Add				
Appropriations and revenue adjustments made during the November 2011 special legislative session	169,832,668	504,659,833	674,492,501	325,601,186
Legislative budget as restated	$4,236,686,460	$6,362,287,420	$10,598,973,880	$4,443,578,936

[1]This schedule presents totals of appropriations and revenues recommended in the executive budget compared to the appropriations and revenues approved by the Legislative Assembly. Appropriation totals are adjusted to reflect deficiency appropriations made by succeeding Legislative Assemblies which are reflected in the previous biennium appropriation amounts.

[2]The general fund revenues include estimated general fund balances at the beginning of a biennium which are in several instances adjusted to reflect deficiency appropriations.

The following is a summary of major action by the Legislative Assembly affecting general fund revenues:

- The Legislative Assembly in 1967 increased the sales tax from 2.25 percent to 3 percent.
- The Legislative Assembly in 1969 repealed the personal property tax, increased the sales tax from 3 percent to 4 percent, and enacted the business privilege tax. Also, the Legislative Assembly reduced the executive budget general fund revenue estimates (primarily income tax estimates) by $4.7 million.
- The Legislative Assembly in 1973 increased the estimated July 1, 1973, general fund balance from the executive estimate by $3 million and increased executive budget 1973-75 revenue estimates for sales and income tax collections by $3.3 million. In addition, revenue estimates were reduced by exempting food purchases from the sales tax, revising the income tax rates, and repealing the tax on oleomargarine.
- The Legislative Assembly in 1975 increased the July 1, 1975, estimated general fund balance from the executive estimate by $14 million because of increased sales and income tax collections and increased the executive budget 1975-77 revenue estimates for sales and income tax collections by $10 million. In addition, a coal conversion tax and a coal severance tax were enacted. Also, revenue estimates were reduced by enacting the income tax inflation credit, reducing the business privilege tax, requiring driver's license fees to be deposited in the highway fund rather than the general fund, and amending the estate tax laws so no portion of estate tax collections are deposited in the state general fund.
- The executive budget and legislative revenue estimates for the 1977-79 biennium reflect the reduction of the sales tax from 4 percent to 3 percent.
- The Legislative Assembly in 1979 increased the June 30, 1979, estimated general fund balance from the executive budget estimate by $4 million because of increased income tax collections for the 1977-79 biennium and increased estimated income tax collections for the 1979-81 biennium by $7 million.

- The Legislative Assembly in 1981 reduced estimated income tax collections by $51.7 million as a result of an updating of the definition of federal taxable income and reducing income tax rates, changed the percentage of oil extraction tax going to the general fund from 45 percent to 30 percent resulting in a reduction of $39,766,667, transferred a portion of the oil and gas gross production tax to the highway tax distribution fund and townships resulting in a reduction of $32 million to general fund revenues, and added $21.5 million due to a March 19, 1981, Executive Budget Office revision of revenue estimates.
- The Legislative Assembly in 1983 reduced revenues by $58,406,000 due to revised revenue estimates of the Executive Budget Office; increased revenues by $86,030,000 to change the percentage of oil extraction tax going to the general fund from 30 percent to 90 percent; and provided major tax increases of $102,750,000 for personal and corporate income taxes, $41,590,000 in accelerated tax collections, $8,200,000 million in coal conversion taxes, $9,500,000 million in cigarette taxes, and $4,200,000 million in liquor taxes. Also, the executive budget and legislative revenue estimates for the 1983-85 biennium reflect an increase in the sales tax from 3 percent to 4 percent.
- The Legislative Assembly in 1985 reduced general fund revenues by $56,057,658 due to revised revenue estimates of the Executive Budget Office and increased revenues by $9,415,651 relating to a transfer from the coal development impact fund to the general fund, by $5,320,000 to remove the sales tax exemption from candy and selected carbonated beverages, and by $7,832,450 related to keeping the percentage of the oil extraction tax allocated to the general fund at 90 percent rather than 85 percent in the original executive budget.
- Revenues for the 1985-87 biennium were reduced by $75,126,740 after the 1985 legislative session consisting of a reduction of $110,386,758 due to revised revenue estimates of the Executive Budget Office, primarily a result of significant oil tax revenue shortfalls; an increase of $18,984,018 due to a higher than estimated July 1, 1985, general fund balance; and increases totaling $16,276,000 as a result of the 1986 special session action, of which $13,276,000 relates to a one-cent sales and use tax increase for the last six months of the 1985-87 biennium, and a $3 million increase relating to increasing the individual income tax from 10.5 percent to 14 percent and implementing mandatory withholding effective January 1, 1987 (this is the fiscal impact after the referral measure relating to the income tax increase was defeated in March 1987).
- The Legislative Assembly in 1987 increased general fund revenues by $9,220,000 due to revised revenue estimates of the Executive Budget Office by $46,140,000 due to a temporary .5 percent sales, use, and aircraft excise tax increase from 5 percent to 5.5 percent and to include cable television; by $8.3 million due to a one-year 10 percent individual income tax surtax; by $9,724,000 due to a nine-cent per package cigarette tax increase; and by $4,255,000 due to removing the royalty owners exemption from the oil extraction tax. Revenues were reduced by $4,625,000 to provide a 15-month oil extraction tax exemption and to reduce the oil extraction tax rate from 6.5 percent to 4 percent for new wells.
- The Legislative Assembly in 1989 increased general fund revenues by $32,236,000 due to revised revenue estimates of the Executive Budget Office by $87,241,000 due to a one-cent sales and use tax increase from 5 percent to 6 percent (the actual increase was from 5.5 percent to 6 percent; however, .5 percent was a temporary tax and the rate would have reverted to 5 percent); by $4,714,200 for a 6 percent sales tax on bingo; by $42.6 million to increase the individual income tax from 14 percent to 17 percent of federal tax liability and the equivalent increases in the long-form rates; and by $4.6 million to increase the insurance premium tax rates on accident, health, and other lines, except life insurance, from 1.25 percent to 1.75 percent.
- The Legislative Assembly in 1991 increased general fund revenues by $16.3 million due to allowing Sunday opening and by $23.2 million due to a transfer from Bank of North Dakota earnings.
- The Legislative Assembly in 1993 increased general fund revenues by $11.8 million due to repealing the capital construction fund, which received a portion of the sales, use, and motor vehicle excise tax; by $15.5 million due to increasing the cigarette tax by 15 cents (from 29 cents to 44 cents) and other tobacco products from 22 percent to 28 percent of the wholesale price; and by $8.2 million due to increasing the tax on charitable gaming tickets (pull tabs) from 2 percent to 4.5 percent.
- The Legislative Assembly in 1995 increased general fund revenues by $2.7 million due to increasing court fees and providing that the fees be deposited in the general fund rather than with the counties, additional revenues being projected in the March revenue forecast, and requiring a sales certificate on used vehicle sales. Revenues were reduced as a result of increasing the oil extraction tax allocation to the resources trust fund and decreasing transfers from the Mill and Elevator and state agency 1993-95 estimated turnback.
- The Legislative Assembly in 1997 reduced general fund revenues by $4.4 million due to decreasing Bank of North Dakota transfers to the general fund, decreasing state aid distribution fund transfers to the general fund, expanding the exemptions from the coal conversion tax, and a reduction resulting from the March revenue forecast. Revenues were increased as a result of estimating additional agency turnback for the 1995-97 biennium and additional oil and gas gross production tax revenues and increasing the percentage of sales and use tax collections that are deposited in the general fund.

- The Legislative Assembly in 1999 reduced general fund revenues by $20.2 million due to a reduction resulting from the March revenue revision, decreasing Bank of North Dakota transfers to the general fund, and a sales tax rate reduction for used farm machinery and repair parts and used irrigation equipment. Revenues were increased as a result of increased departmental collections from governmental nursing facility payment reimbursements, the contingent sale of developmentally disabled facility loans to the Bank of North Dakota, increased special funds transfers, and additional court filing fee revenue.
- The Legislative Assembly in 2001 increased general fund revenues by $38 million due to an increase resulting from the March revenue revision, increasing Bank of North Dakota transfers to the general fund, the providing of a transfer from the student loan trust fund, and increased departmental collections from governmental nursing facility payment reimbursements.
- The Legislative Assembly in 2003 increased general fund revenues by $41.7 million due to an increase resulting from the March revenue revision, a 1 percent lodging tax increase, increasing the transfer from the student loan trust fund, and providing transfers from the water development trust fund and the health care trust fund.
- The Legislative Assembly in 2005 decreased general fund revenues by $17.4 million due to defeating the executive budget proposal to repeal North Dakota Century Code Section 54-27.2-02 providing for the end of the biennium general fund balance in excess of $65 million to be transferred to the budget stabilization fund resulting in a reduction in revenue of $65 million, defeating the executive budget proposal to increase the limit for oil revenues to be deposited in the general fund rather than the permanent oil tax trust fund resulting in a reduction in revenue of $13.3 million, increasing the transfer from the lands and minerals trust fund, and providing transfers from the permanent oil tax trust fund.
- The Legislative Assembly in 2007 decreased general fund revenues by $120.85 million due to reducing the income tax "marriage penalty" and providing property tax relief by an income tax credit, decreased general fund revenues by $12.62 million to deposit motor vehicle excise tax collections in the highway fund rather than the general fund, decreased general fund revenues by $4.6 million to provide tax reductions and exemptions for heating fuels, and increased general fund revenues by $115 million by providing a transfer from the permanent oil tax trust fund.
- The Legislative Assembly in 2009 increased general fund revenues by $103.18 million due to providing a $435 million transfer from the permanent oil tax trust fund to the general fund, providing individual and corporate income tax rate reductions of $100 million, removing a $60 million transfer from the Bank of North Dakota to the general fund, defeating the executive recommendation to increase the limit of oil revenues deposited in the general fund rather than the permanent oil tax trust fund by $39 million, and depositing $30.46 million of motor vehicle excise tax collections in the highway fund rather than the general fund.
- The Legislative Assembly in 2011 increased general fund revenues by $766.67 million due to providing a $295 million transfer from the property tax relief sustainability fund, providing a $305 million transfer from the strategic investment and improvements fund, increasing the amount of oil and gas tax revenues deposited in the general fund by $229 million, transferring the permanent oil tax trust fund balance of $615 million at the end of the 2009-11 biennium, removing a transfer of $60 million from the Bank of North Dakota, removing a transfer of $239 million from the lands and minerals trust fund, removing a transfer of $232 million from the permanent oil tax trust fund, defeating the executive recommendation to deposit $45.7 million of motor vehicle excise taxes in the highway tax distribution fund rather than the general fund, and providing individual and corporate income tax rate reductions of $145 million.

[3]This is the amount of general fund appropriations recommended by the Governor in the original executive budget as submitted on December 13-14, 1982. On February 10, 1983, and March 21, 1983, the Governor made specific recommendations in regard to reductions in various general fund appropriations. The Governor also supported an additional general fund foundation aid appropriation due to depositing 90 percent of the oil extraction tax in the general fund. The Governor's revised general fund appropriation level, subsequent to the February 1983 adjustments discussed above, was $897.8 million, which included an additional $15.8 million for foundation aid due to a decline in oil revenue estimates. Subsequent to the March 1983 adjustments, the Governor's revised general fund appropriation level was $973.4 million, which was $871.5 million plus $101.9 million due to funding foundation aid from the general fund rather than from oil extraction tax collections.

[4]This is the amount of general fund appropriations recommended by Governor Alan Olson in the original executive budget as submitted on December 6-7, 1984. On February 5, 1985, Governor George Sinner recommended reductions to general fund appropriations which totaled $72,995,855. Governor Sinner's revised general fund appropriation level was $1,115,605,614.

[5]In addition to adjustments for deficiency appropriations, Governor Sinner mandated a 4 percent general fund allotment reduction totaling $44,125,917 as of May 1987, the 50th Legislative Assembly made general fund reductions totaling $12,965,250, and $4,388,862 was added for Emergency Commission action and 1983-85 carryover which resulted in a 1985-87 general fund spending level of $1,081,481,356.

[6]Other adjustments to the 1987-89 legislative general fund appropriations were a $3,174,998 reduction due to the cable television sales tax referral and a $20,520,081 reduction from budget allotments ordered by Governor Sinner because of an anticipated reduction in general fund revenues.

[7]In addition, the Legislative Assembly in 1991 House Bill No. 1046, appropriated up to $9.5 million from the general fund for rural development if 1991-93 revenues were more than the 1991-93 revenue estimates made by the 1991 Legislative Assembly, excluding the effect of Sunday opening, by at least $11 million. This amount does not reflect budget allotments ordered by Governor Sinner during the 1991-93 biennium of $4,305,000.

[8]The special funds appropriation increase results primarily from the Legislative Assembly appropriating $476.3 million of higher education local funds for the 1999-2001 biennium.

[9]The special funds appropriation decrease from the prior biennium results primarily from the Legislative Assembly removing $755,859,048 of higher education tuition income and local funds by providing a continuing appropriation for higher education special funds, including tuition income and local funds. If higher education tuition income and local funds had been specifically appropriated, the 2001-03 legislative budget for special funds would have been approximately $3,778,556,031, a $513,284,687 increase from the 1999-2001 special funds legislative budget of $3,265,271,344.

[10]In addition to an adjustment for deficiency appropriations, Governor John Hoeven mandated a 1.05 percent general fund allotment reduction totaling $18,343,329 in July 2002.

MAJOR STATE APPROPRIATIONS AND REVENUE ALLOCATIONS FOR DIRECT ASSISTANCE TO POLITICAL SUBDIVISIONS FROM THE 2003-05 THROUGH 2011-13 BIENNIUMS

	2003-05	2005-07	2007-09	2009-11	2011-13
Assistance to political subdivisions (excluding school-related funding)					
General fund appropriations					
Grants to public libraries	$844,307	$1,000,000	$1,200,000	$1,300,000	$1,500,000
Library Vision 2014 grants				237,500	237,500
Homestead tax credit	4,000,000	4,500,000	8,104,000	7,313,000	8,792,788
Disabled veteran property tax credits				3,461,000	4,243,920
Aid to health districts	1,100,000	1,100,000	1,900,000	2,400,000	3,000,000
Weather-related transportation cost-sharing			52,400,000 [1]		
Local matching funds for federal disaster relief				250,000 [2]	
Emergency medical training grants to rural law enforcement				128,400	
Emergency medical services training			940,000	940,000	940,000
Emergency medical services operations					3,000,000
Regional public health network pilot project				275,000	
Public water system operator training					180,000
Funds to local public health units for immunization services				1,200,000 [3]	1,500,000 [3]
Grants to counties for portable personal computers for county veterans' service officers				20,000	20,000
Accreditation and emerging issues training for county veterans' service officers				20,000	30,000
Matching funds to counties and cities for senior citizen programs	2,382,945 [4]	720,000 [4]	1,000,000	1,091,200	1,174,668
Indian welfare assistance to counties	649,559	1,147,174	955,124	1,959,541	3,025,754
State administration of child support enforcement			7,490,245	2,315,025	[5]
Boys' and girls' clubwork	53,000	53,000	53,000	53,000	53,000
Soil conservation district grants	580,000	630,000	730,000	837,800	987,800
Noxious weed control	97,215	67,817	67,817	65,817	
Payments in lieu of taxes on carbon dioxide pipeline property	1,910,000	1,545,000	1,365,000	1,151,000	
Clerk of court	10,723,223	11,810,929	13,587,187	15,253,306	16,795,673
Grants to airports	522,500	550,187	550,000	550,000	550,000
Transportation funding distributions to counties, cities, and townships in non-oil-producing counties				35,000,000	25,000,000
Contingent transportation funding distributions to counties, cities, and townships in non-oil-producing counties					23,000,000 [6]
Infrastructure grants to flood-impacted political subdivisions					30,000,000 [7]
County and township roadway projects in areas affected by oil and gas development					142,000,000 [8]
Coal-producing county reimbursements for coal severance payments to non-coal-producing counties					252,800
Transfer to state disaster relief fund for disaster-related expenses, additional rebuilders loan funding and flood-impacted housing rehabilitation, and road grade raising grants					48,700,000 [9]
Energy development impact distributions for new oil-producing counties					5,000,000 [10]
Contingent energy development impact grants					30,000,000 [11]
Total general fund (excluding school-related funding)	$22,862,749	$23,124,107	$90,342,373	$75,821,589	$349,983,903
Percentage of total general fund appropriations	1.3%	1.2%	3.5%	2.3%	8.3%

	2003-05	2005-07	2007-09	2009-11	2011-13
Special funds appropriations and revenue allocations					
Grants for local water projects and a feasibility study				$2,634,000 [12]	$750,000 [12]
Noxious weed control	$1,402,639	$1,646,408	$1,646,408	1,646,408	1,375,274
State aid distribution funds to cities and counties [13]	73,342,370	83,869,257	103,543,817	124,852,401	136,141,202
Public transportation services (public transportation fund) [14]	3,000,000	4,650,000	5,700,000	5,800,000	6,300,000
Insurance tax to fire departments					
Insurance tax distribution fund	5,200,000	6,200,000	6,200,000	6,200,000	6,200,000
Insurance tax to emergency medical services operations					
Insurance tax distribution fund			1,250,000	2,750,000	1,250,000
Gaming enforcement grants	617,000	617,000	617,000	510,000	510,000
Emergency medical services grants (community health trust fund)			300,000	300,000	
Community health grant program (community health trust fund)	4,700,000	4,700,000	4,700,000		
Tobacco education and cessation program grants (community health trust fund)	500,000	395,000	260,000	225,000	225,000
Tobacco education and cessation program grants (tobacco prevention and control trust fund)				7,653,965	8,822,511
Matching funds to counties and cities for senior citizen programs					
Senior citizen services and programs fund		2,057,109 [15]	2,379,226 [15]	2,682,853 [15]	3,300,000 [15]
Energy development impact grants (oil and gas impact grant fund)	4,888,100	4,888,100	5,888,100	7,888,100	94,428,269 [16]
Grants to airports (Aeronautics Commission special funds collections)	1,962,500	2,447,126	2,950,000	5,280,000	5,080,000
Indian welfare assistance to counties (Department of Human Services' "retained" funds)	1,964,607	1,964,607	1,964,607	1,964,607	1,964,607
Motor vehicle fuel tax and registration fee allocations [17]	109,000,000	121,600,000	141,200,000	153,700,000	142,400,000
Telecommunications tax allocations	16,800,000	16,800,000	16,800,000	16,800,000	16,800,000
Coal severance tax allocations [18]	15,888,758	15,579,110	14,655,229	13,982,582	15,750,000
Coal conversion tax allocations [18]	7,174,173	7,496,262	7,512,352	8,101,199	6,924,000
Oil and gas gross production tax allocations [19]	42,836,649	53,860,973	85,444,418	161,415,943	247,196,952
Financial institution tax allocations	13,944,221	16,835,844	25,489,446	14,475,353	21,220,280
Disaster relief funding				43,000,000 [20]	25,500,000 [21]
Emergency snow removal grants				9,000,000 [22]	
Cigarette tax allocations [23]	2,608,771	2,831,416	2,851,194	2,724,707	2,544,000
Total special funds (excluding school-related funding)	$305,829,788	$348,438,212	$431,351,797	$593,587,118	$744,682,095
Total major direct assistance to political subdivisions (excluding school-related funding)	$328,692,537	$371,562,319	$521,694,170	$669,408,707	$1,094,665,998
School-related assistance to political subdivisions					
General fund appropriations - School-related funding					
State school aid per student formula payments	$489,379,990	$484,053,759	$649,965,879	$636,425,958 [24]	$816,821,478 [25]
Supplemental operations grants				16,795,584	
Supplemental one-time grants				85,644,337	
Mill levy reduction grants				295,211,264 [26]	341,790,000 [26]
Teacher compensation payments to school districts	51,854,000	50,912,120			
Special education - Gifted and talented per student payments		37,000,000			
School district reorganization bonuses	500,000	759,000			
Educational Technology Council grants	512,822	578,590	800,000	604,750	604,750
Special education	49,898,695				

	2003-05	2005-07	2007-09	2009-11	2011-13
Revenue supplement payments to school districts	5,000,000	5,000,000			
Transportation aid payments to school districts		33,500,000	33,500,000	43,500,000 [27]	48,500,000
Contingent supplemental transportation aid payments to school districts				5,000,000 [27]	
Special education contracts		15,500,000	17,500,000	15,500,000	16,000,000
Joint powers agreement incentives		1,000,000			
Vocational education	10,386,541	13,846,810	14,165,749	17,000,000	19,779,137
School food services	1,080,000	1,080,000	1,080,000	1,380,000	1,380,000
Adult education	920,000	1,055,000	1,055,000	1,850,000	3,110,411
Adult education contingent appropriation					500,000 [28]
Alternative education program grants					300,000
Prekindergarten space grants					125,000
EduTech services, including school district antivirus licenses and PowerSchool funding	2,540,348	2,652,348	2,722,348	5,104,699	3,044,096
School district information technology network costs	3,382,023 [29]	3,395,550 [29]	3,413,972 [29]	5,568,970 [29]	4,798,992 [29]
Flood-damaged school infrastructure grants					500,000
Total general fund - School-related funding	$615,454,419	$650,333,177	$724,202,948	$1,129,585,562	$1,257,253,864
Percentage of total general fund appropriations	33.9%	32.5%	28.1%	34.3%	29.7%
Special funds appropriations and revenue allocations - School-related funding					
State tuition fund distributions	$69,495,371	$71,600,000	$76,200,000	$86,300,000	$101,638,000
Grants for adult education programs (displaced homemaker fund)	240,000	240,000	240,000	250,000	250,000
Rapid enrollment grants (oil and gas impact grant fund)					5,000,000
Mill levy reduction grants to school districts (property tax relief sustainability fund)				4,233,000	
Total special funds - School-related funding	$69,735,371	$71,840,000	$76,440,000	$90,783,000	$106,888,000
Total major school-related assistance to political subdivisions	$685,189,790	$722,173,177	$800,642,948	$1,220,368,562	$1,364,141,864
Total general fund assistance to political subdivisions	$638,317,168	$673,457,284	$814,545,321	$1,205,407,151	$1,607,237,767
Total special funds assistance	$375,565,159	$420,278,212	$507,791,797	$684,370,118	$851,570,095
Total major direct assistance to political subdivisions	$1,013,882,327	$1,093,735,496	$1,322,337,118	$1,889,777,269	$2,458,807,862

[1] The Legislative Assembly in 2009 provided in Senate Bill No. 2012 weather-related transportation cost-sharing funds to counties and cities ($41.4 million), townships ($10 million), and the public transportation fund ($1 million).

[2] The Legislative Assembly in 2009 provided in Section 34 of House Bill No. 1015, $250,000 from the general fund to provide grants to cities that experienced tornado damage in the summer of 2007 for the purpose of matching federal emergency relief funds.

[3] The Legislative Assembly in 2009 provided in Senate Bill No. 2333 a $1.2 million contingent general fund appropriation for providing funds to local public health units for immunization services. The appropriation is contingent on total funds available to the state for immunization services under the American Recovery and Reinvestment Act of 2009. The State Department of Health reported the American Recovery and Reinvestment Act of 2009 funding could not be used for this purpose and the department would use the funding from the general fund. The Legislative Assembly in 2011 provided in Senate Bill No. 2276 a $1.5 million general fund appropriation for the purpose of funding a program through which the State Department of Health purchases vaccines though the federal vaccine purchasing contract.

[4] The 2003-05 appropriation consists of $720,000 of state funding to providers for matching federal Title III funds and $1,662,945 for senior citizen mill levy match. The 2005-07 appropriation consists of $720,000 of state funding to providers for matching federal Title III funds in the Department of Human Services.

[5] The Department of Human Services is unable to determine the amount of general fund support in the department's 2011-13 legislative appropriation for state administration of child support.

[6] The Legislative Assembly during its November 2011 special legislative session provided a contingent one-time general fund appropriation to the State Treasurer for providing transportation funding distributions to non-oil-producing counties, cities, and townships. Funding is contingent on oil and gas tax revenue collections for the period July 1, 2011, through February 29, 2012, exceeding oil and gas tax revenue collection forecasts for that period by at least $48 million. The State Treasurer must distribute $6.8 million to non-oil-producing counties and cities pursuant to subsection 4 of North Dakota Century Code Section 54-27-19, $1.7 million to counties and townships in non-oil-producing counties pursuant to Section 54-27-19.1, and $14.5 million to counties and townships in non-oil-producing counties through a distribution of $10,000 to each organized township and a distribution of $10,000 for each unorganized township to the county in which the unorganized township is located.

[7] The Legislative Assembly during its November 2011 special legislative session provided a $30 million one-time general fund appropriation to the Land Department for providing infrastructure development grants to flood-impacted political subdivisions.

[8] The Legislative Assembly in 2011 provided for a transfer of $142 million from the general fund to the highway fund for county and township roadway projects in areas affected by oil and gas development.

[9] The Legislative Assembly during its November 2011 special legislative session provided a one-time transfer of $48.7 million from the general fund to the state disaster relief fund for disaster-related expenses ($32.7 million) to provide adequate funding for the state share of 2011 disaster expenditures ($29.5 million) and 50 percent of the local share of potential 2012 disaster expenditures ($5 million), additional rebuilders loan funding and flood-impacted housing rehabilitation ($10 million), and road grade raising grants ($6 million).

[10] The Legislative Assembly during its November 2011 special legislative session provided a one-time transfer of $5 million from the general fund to the oil and gas impact grant fund for distributions of $1.25 million for each new major oil and gas-producing county after November 2011 to address the impact from new oil and gas development. A major new oil-producing county is one that produced less than 100,000 barrels of oil in November 2011 and subsequently has more than four rigs in the county.

[11] The Legislative Assembly during its November 2011 special legislative session provided a contingent one-time transfer of $30 million from the general fund to the oil and gas impact grant fund for providing oil and gas impact grants in accordance with Sections 57-62-03.1 and 57-62-05. For these funds, the Land Department is to give priority to approving grants related to emergency services. The transfer is contingent upon total oil and gas tax revenue collections for the period July 1, 2011, through February 29, 2012, exceeding oil and gas tax revenue collection projections for that period by at least $48 million.

[12] The Legislative Assembly in 2009 provided in House Bill No. 1305, $2.792 million from the permanent oil tax trust fund for grants to local water supply projects in Burke, Divide, Mountrail, and Williams Counties and in Senate Bill No. 2305, $342,000 from the resources trust fund to conduct a Beaver Bay embankment feasibility study during the 2009-11 biennium. The projects will not be completed during the 2009-11 biennium; therefore, the Legislative Assembly in 2011 authorized $500,000 of the funding to continue during the 2011-13 biennium. In addition, the Legislative Assembly in 2011 provided $250,000 for flood-related water projects in the Nelson County Water Resource District.

[13] The Legislative Assembly in 1987 House Bill No. 1590 provided that .6 of an equivalent of 1 percent of the sales, use, and motor vehicle excise tax shall be deposited into the state aid distribution fund to be used beginning July 1, 1989.

The Legislative Assembly in 1997 House Bill No. 1019 reduced the .6 to .4 of an equivalent of 1 percent of the sales, use, and motor vehicle excise tax to be deposited into the state aid distribution fund beginning January 1, 1999. The Legislative Assembly also added a continuing appropriation so all revenues deposited into the state aid distribution fund are appropriated for payments to political subdivisions. The change also eliminated the 50 percent for personal property tax replacement and 50 percent for revenue sharing and instead provided that 53.7 percent of the revenues in the fund be distributed to counties and 46.3 percent of the revenues be distributed to cities.

[14] Prior to the 2009-11 biennium, $3 of each motor vehicle registration fee was deposited in the public transportation fund. Beginning with the 2009-11 biennium, the $3 fee is deposited in the highway tax distribution fund, and the public transportation fund receives 1.5 percent of distributions from the highway tax distribution fund. The 2011-13 amounts include a $100,000 transfer from the general fund to the public transportation fund.

[15] The Legislative Assembly in 2005 removed the senior citizen mill levy matching grant program from the Department of Human Services and provided in Senate Bill No. 2267 that the State Treasurer distribute senior citizen mill levy matching grants pursuant to a continuing appropriation from the senior citizen services and programs fund. The fund consists of sales, use, and motor vehicle excise tax collections equivalent to two-thirds of one mill levied statewide each year. The Legislative Assembly in 2011 Senate Bill No. 2242 increased the amount of collections allocated to the fund to three-fourths of one mill levied statewide each year.

[16] House Bill No. 1013 (2011) provides $99,778,269 for energy infrastructure and impact grants from money deposited in the oil and gas impact grant fund. Of this amount, Senate Bill No. 2150 (2011) provides $5 million to the Superintendent of Public Instruction for the purpose of providing a grant to any school district that can demonstrate rapid enrollment growth and Senate Bill No. 2325 (2011) provides $350,000 to the Upper Great Plains Transportation Institute for a transportation study.

[17] Prior to the 2009-11 biennium, 37 percent of the funds in the highway tax distribution fund were allocated to counties and cities, and one cent per gallon of motor fuels taxes was deposited in the township highway aid fund. Beginning with the 2009-11 biennium, counties and cities receive 34.5 percent of distributions from the highway tax distribution fund, the one cent per gallon of motor fuels taxes originally deposited in the township highway aid fund is deposited in the highway tax distribution fund, and townships receive 2.7 percent of distributions from the highway tax distribution fund.

[18] Beginning in the 2001-03 biennium, the coal severance tax allocation is based on the provision that 70 percent of the tax revenue is allocated among coal-producing counties. Previously, 35 percent had been allocated to coal-producing counties.

Beginning in the 2001-03 biennium, the coal conversion tax allocation is based on the provision that 15 percent of the tax revenue is allocated to the county in which the plant is located. Previously, 35 percent had been allocated to the county in which the plant is located.

[19] The oil and gas gross production tax allocation is based on a formula which provides for a varying percentage of revenue to go to the producing county based on the total amount of production tax revenue generated by the county. Prior to the 2009-11 biennium, the total a county may receive is capped based on the population of the county. The 2009-11 amount is based on a formula which provides for a varying percentage of revenue to go to the producing county based on the total amount of production tax revenue generated by the county but is not restricted by the population of the county.

[20] The Legislative Assembly in 2009 provided in Senate Bill No. 2012, $43 million from the state disaster relief fund for emergency snow removal grants ($20 million) and funding for the local match needed to receive federal disaster relief funding ($23 million).

[21] Section 4 of Senate Bill No. 2369 (2011) provides an appropriation of $22 million from the permanent oil tax trust fund to the state disaster relief fund and provides authority for the Adjutant General to use the funding for disaster relief relating to 2011 spring flooding, flood disasters in incorporated cities, road grade raising projects, 50 percent of the local match for disasters occurring from January 2011 through June 2011, and state expenses associated with presidential-declared disasters in the state. Senate Bill No. 2016 (2011) provides authority to the Adjutant General to use up to $3.5 million from the state disaster relief fund for the purpose of providing the required state share of funding for defraying the expenses associated with presidential-declared state disasters pursuant to Section 37-17.1-27. In addition, the Legislative Assembly during its November 2011 special legislative session appropriated $29.5 million from the state disaster relief fund for additional disaster-related costs and $5 million from the state disaster relief fund for paying 50 percent of the local share for potential major 2012 disasters. These $34.5 million appropriations are not reflected in the amount shown because funding ($32.7 million) for these is included as part of the $48.7 million transfer from the general fund to the state disaster relief fund reflected under the general fund section of this schedule.

[22] Senate Bill No. 2369 (2011) provided that the Adjutant General may use $9 million from the state disaster relief fund for emergency snow removal grants to be awarded by June 30, 2011. Any unawarded amount of the $9 million may be utilized in the 2011-13 biennium for disaster relief initiatives as outlined in Section 4 of Senate Bill No. 2369.

[23] The cigarette tax allocation is based on the provision that 3 cents per regular package and 3.75 cents per larger package are distributed to cities based on population.

[24] The Legislative Assembly in 2009 reduced 2009-11 state school aid per student formula payments provided from the general fund by $13.5 million, from $649.9 million provided in the 2007-09 biennium to $636.4 million for the 2009-11 biennium. In addition, the Legislative Assembly in 2009 provided $85.6 million of one-time federal funds made available to the state under the American Recovery and Reinvestment Act of 2009 and $86.3 million of state tuition fund distributions for state school aid per student formula payments.

[25] In addition, the Legislative Assembly in 2011 provided $101.638 million of state tuition fund distributions for state school aid per student formula payments and approved amendments to the 2009 Session Laws to provide that the Department of Public Instruction carry over $9 million of estimated excess funding for state school aid ($8 million from state school aid and $1 million from transportation aid) from the 2009-11 biennium to the 2011-13 biennium for state school aid per student payments. Any additional excess funds remaining at the end of the 2009-11 biennium are to be distributed according to House Bill No. 1400 (2009). The Legislative Assembly in 2011 also provided $21.2 million of one-time federal education jobs funding made available to the state under federal H.R.1586 signed into law in August 2010 and $5 million from the oil and gas impact grant fund for rapid enrollment grants.

[26] This is funding provided to school districts as mill levy reduction grants (property tax relief); however, school districts are required to lower property tax mill levies resulting in a reduction of property tax revenue equal to the amount of the mill levy reduction grants.

[27] The Legislative Assembly in 2009 provided in Section 16 of House Bill No. 1013 a $5 million contingent general fund appropriation for transportation aid payments to school districts. The appropriation is contingent on the June 30, 2011, estimated ending general fund balance exceeding the amount predicted by the Office of Management and Budget at the conclusion of the 2009 legislative session by more than $30 million. The February 2011 legislative revenue forecast estimates the conditions will be met and the contingent supplemental funding will be made available.

[28] The Legislative Assembly in 2011 approved amendments to the 2009 Session Laws to provide that the Department of Public Instruction reserve $9 million of estimated excess funding for state school aid ($8 million from state school aid and $1 million from transportation aid) from the 2009-11 biennium and carry over the funding to the 2011-13 biennium for state school aid per student payments. The Legislative Assembly in 2011 provided that after reserving the $9 million for state school aid per student payments in the 2011-13 biennium, the next $500,000 of 2009–11 excess state school aid funding be reserved for adult education learning center grants to be disbursed if federal funding for adult education received by the department is less than $900,000 in any year of the 2011-13 biennium.

[29] The Legislative Assembly provides funding from the general fund for the statewide information technology network connections for kindergarten through grade 12 and public libraries, net of an e-rate credit.