SECOND ENGROSSMENT

Sixty-third
Legislative Assembly
of North Dakota

REENGROSSED HOUSE BILL NO. 1005

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the state treasurer;

2 to amend and reenact subsection 18 of section 54-11-01 ~~and~~, section 54-11-13, and

3 subsection 5 of section 57-51.2-02 of the North Dakota Century Code, relating to the duties and

4 salary of the state treasurer and a tribal oil and gas agreement; ~~and~~ to provide legislative intent;

5 and to declare an emergency.

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

7   **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds

8 as may be necessary, are appropriated out of any moneys in the general fund in the state

9 treasury not otherwise appropriated, to the state treasurer for the purpose of defraying the

10 expenses of that agency, for the biennium beginning July 1, 2013, and ending June 30, 2015,

11 as follows:

12

	Base Level	Adjustments or Enhancements	Appropriation
14 ~~Salaries and wages~~	~~$1,054,524~~	~~$321,160~~	~~$1,375,684~~
15 ~~Accrued leave payments~~	~~0~~	~~13,038~~	~~13,038~~
16 ~~Operating expenses~~	~~163,066~~	~~337,110~~	~~500,176~~
17 ~~Coal severance payments~~	~~252,800~~	~~0~~	~~252,800~~
18 ~~Total general fund~~	~~$1,470,390~~	~~$671,308~~	~~$2,141,698~~
19 Salaries and wages	$1,054,524	$374,264	$1,428,788
20 Operating expenses	163,066	337,110	500,176
21 Coal severance payments	252,800	0	252,800
22 Total general fund	$1,470,390	$711,374	$2,181,764
23 Full-time equivalent positions	7.00	1.00	8.00

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

2   **SIXTY-FOURTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time

3   funding items approved by the sixty-second legislative assembly for the 2011-13 biennium and

4   the 2013-15 one-time funding items included in the appropriation in section 1 of this Act:

One-Time Funding Description	2011-13	2013-15
IT development costs	$266,588	$364,820
Transportation funding distributions	25,000,000	0
Transportation funding - Special session	23,000,000	0
Total general fund	$48,266,588	$364,820

10   The 2013-15 one-time funding amounts are not a part of the entity's base budget for the

11   2015-17 biennium. The state treasurer shall report to the appropriations committees of the

12   sixty-fourth legislative assembly on the use of this one-time funding for the biennium beginning

13   July 1, 2013, and ending June 30, 2015.

14   **SECTION 3. APPROPRIATION.** There is appropriated out of any moneys in the general

15   fund in the state treasury, not otherwise appropriated, the sum of $12,771, or so much of the

16   sum as may be necessary, to the state treasurer for the purpose of defraying information

17   technology expenses relating to changes in oil revenue distributions and other changes, for the

18   biennium beginning July 1, 2013, and ending June 30, 2015.

19   **SECTION 4. AMENDMENT.** Subsection 18 of section 54-11-01 of the North Dakota Century

20   Code is amended and reenacted as follows:

21   18.   Shall correct any underpayment, overpayment, or erroneous payment of tax

22   distribution funds, resulting from an error made by the state treasurer in a timely

23   manner. Unless otherwise provided by law, adjustments may be made from the

24   general fund. This authority is limited to one hundred dollars per biennium, unless

25   approved by the emergency commission. An adjustment of an insignificant amount

26   need not be made at the discretion of the state treasurer. The state treasurer shall

27   adopt a written policy identifying what is considered insignificant.

28   **SECTION 5. AMENDMENT.** Section 54-11-13 of the North Dakota Century Code is

29   amended and reenacted as follows:

54-11-13. Salary of state treasurer.

The annual salary of the state treasurer is eighty-five~~ninety~~ninety-one thousand ~~three~~fivefour hundred thirty~~twenty-seven~~six dollars through June 30, ~~2012~~2014, and eighty-seven~~ninety-three~~ninety-five thousand eight hundred ninety~~two hundred forty-three~~sixty-two dollars thereafter.

SECTION 6. AMENDMENT. Subsection 5 of section 57-51.2-02 of the North Dakota Century Code is amended and reenacted as follows:

5. The allocation of revenue from oil and gas gross production and oil extraction taxes on the Fort Berthold Reservation must be as follows:

    a. Production attributable to trust lands. All revenues and exemptions from all oil and gas gross production and oil extraction taxes attributable to production from trust lands on the Fort Berthold Reservation must be evenly divided between the tribe and the state.

    b. All other production. The tribe must receive twenty percent of the total oil and gas gross production taxes collected from all production attributable to nontrust lands on the Fort Berthold Reservation in lieu of the application of the Three Affiliated Tribes' fees and taxes related to production on such lands. The state must receive the remainder.

    c. The state's share of the oil and gas gross production tax revenue as divided in subdivisions a and b is subject to distribution among political subdivisions as provided in ~~chapters~~chapter 57-51~~ and 57-51.1~~.

SECTION 7. LEGISLATIVE INTENT - STATE TREASURER'S SALARY. It is the intent of the sixty-third legislative assembly that the salary of the state treasurer be increased to the salary of the next lowest-paid elected official effective July 1, 2017.

SECTION 8. EMERGENCY. The sum of $195,223 and one full-time equivalent position included in section 1 of this Act are declared to be an emergency measure.