

Sixty-sixth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2001

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the office of the  
2 governor; to create and enact a new section to chapter 54-07 of the North Dakota Century  
3 Code, relating to the Theodore Roosevelt presidential library and museum endowment fund; to  
4 amend and reenact sections 54-07-04 and 54-08-03 of the North Dakota Century Code, relating  
5 to salary of the governor and lieutenant governor; to provide a continuing appropriation; to  
6 provide for a transfer; to authorize a loan; to provide an exemption; to provide for a report to the  
7 legislative assembly; ~~and~~ to provide for a budget section report; and to declare an emergency.

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

9 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
10 as may be necessary, are appropriated out of any moneys in the general fund in the state  
11 treasury, not otherwise appropriated, to the office of the governor for the purpose of defraying  
12 the expenses of the office of the governor, for the biennium beginning July 1, 2019, and ending  
13 June 30, 2021, as follows:

	Base Level	Adjustments or Enhancements	Appropriation
16 <del>Salaries and wages</del>	<del>\$3,422,574</del>	<del>\$201,285</del>	<del>\$3,623,859</del>
17 <u>Salaries and wages</u>	<u>\$3,422,574</u>	<u>\$201,372</u>	<u>\$3,623,946</u>
18 Operating expenses	298,456	209,792	508,248
19 Contingencies	10,000	0	10,000
20 Roughrider awards	10,800	0	10,800
21 <del>Governor's salary</del>	<del>265,928</del>	<del>9,387</del>	<del>275,315</del>
22 <u>Governor's salary</u>	<u>265,928</u>	<u>8,184</u>	<u>274,112</u>
23 Transition in	0	15,000	15,000
24 Transition out	0	<u>50,000</u>	<u>50,000</u>

1	<del>Total general fund</del>	<del>\$4,007,758</del>	<del>\$485,464</del>	<del>\$4,493,222</del>
2	Total general fund	\$4,007,758	\$484,348	\$4,492,106

3	Full-time equivalent positions	18.00	0.00	18.00
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4       **SECTION 2. GOVERNOR'S OFFICE ONE-TIME FUNDING - EFFECT ON BASE BUDGET**

5       **- REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the  
6 one-time funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium  
7 and the 2019-21 one-time funding items included in the appropriation in section 1 of this Act:

8	<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
9	Transition costs	\$0	\$65,000
10	Boards and commissions project	<u>0</u>	<u>139,808</u>
11	Total general fund	\$0	\$204,808

12       The 2019-21 one-time funding amounts are not a part of the entity's base budget for the  
13 2021-23 biennium. The governor's office shall report to the appropriations committees of the  
14 sixty-seventh legislative assembly on the use of this one-time funding for the biennium  
15 beginning July 1, 2019, and ending June 30, 2021.

16       **SECTION 3. ADDITIONAL INCOME - APPROPRIATION - GOVERNOR'S OFFICE -**

17 **BUDGET SECTION REPORT.** In addition to the amounts appropriated in section 1 of this Act,  
18 there is appropriated to the governor's office, any additional income from federal or other funds  
19 which may become available to the governor's office, for the biennium beginning July 1, 2019,  
20 and ending June 30, 2021. Any funds received under this section must be used for the specific  
21 purpose intended for the funds or transferred to the appropriate state agency or institution.  
22 Upon the receipt of funds under this section, the governor's office shall provide a report to the  
23 budget section regarding the source, amount, and purpose of the funds received.

24       **SECTION 4. AMENDMENT.** Section 54-07-04 of the North Dakota Century Code is  
25 amended and reenacted as follows:

26       **54-07-04. Salary of governor.**

27       The annual salary of the governor is ~~one hundred twenty-nine thousand ninety-one~~  
28 ~~hundred thirty-five thousand six hundred twenty-three~~ three hundred sixty-four dollars through  
29 June 30, 20162020, and ~~one hundred thirty-two thousand nine hundred sixty-four~~ one hundred  
30 ~~thirty-nine thousand six hundred ninety-two~~ thirty-eight thousand seven hundred forty-eight  
31 dollars thereafter.

1       **SECTION 5.** A new section to chapter 54-07 of the North Dakota Century Code is created  
2 and enacted as follows:

3       **Theodore Roosevelt presidential library and museum endowment fund - Continuing**  
4 **appropriation - Budget section report.**

5       There is created in the state treasury the Theodore Roosevelt presidential library and  
6 museum endowment fund. The governor may provide for the fund to be invested under the  
7 supervision of the board of university and school lands. The interest and earnings of the fund  
8 are appropriated to the governor on a continuing basis to pay interest expenses on a loan from  
9 the Bank of North Dakota and to provide grants pursuant to this section. The governor may  
10 provide grants to a private entity subject to the following:

11       1.   The private entity has certified to the governor the entity has received the sum of one  
12       hundred million dollars in cash donations and binding pledged donations for the  
13       construction of a presidential library and museum in North Dakota and for grants to  
14       affected entities:

15       2.   The governor has entered an agreement with the private entity in subsection 1 which  
16       includes the following provisions:

17       a.   The grant funds will be spent only for operating and maintenance costs of the  
18       presidential library located in North Dakota;

19       b.   Any unused grant funds will be returned to the state and deposited in the general  
20       fund if the presidential library has not been constructed within the period of time  
21       specified in the agreement or if the library ceases operations;

22       c.   The private entity agrees to donate ten million dollars from the one hundred  
23       million dollars identified in subsection 1 to a higher education institution  
24       foundation in North Dakota for the purpose of creating an endowment to digitize  
25       documents relating to Theodore Roosevelt and for the creation of a Theodore  
26       Roosevelt conservation scholars program and related academic mission at a  
27       North Dakota higher education institution in collaboration with the private entity;  
28       and

29       d.   The private entity agrees to donate three hundred thousand dollars to a city in  
30       North Dakota for prior costs incurred related to planning for a presidential library;

1     3. The governor provides a report to the budget section which includes copies of the  
2     documentation received for the certification provided in subsection 1; and

3     4. The governor provides a report to the budget section within thirty days of applying for  
4     the loan authorized in section 8 of this Act which includes all completed loan  
5     application documents.

6     **SECTION 6. AMENDMENT.** Section 54-08-03 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8     **54-08-03. Salary of lieutenant governor.**

9     The annual salary of the lieutenant governor is ~~one hundred thousand two hundred~~  
10 ~~fifteen~~ one hundred five thousand two hundred eighty-five dollars through June 30, ~~2016~~2020,  
11 and ~~one hundred three thousand two hundred twenty-one~~ one hundred **eight thousand four**  
12 ~~hundred forty-four~~ seven thousand nine hundred **seventeen** dollars thereafter.

13     ~~— **SECTION 7. GOVERNOR'S SALARY - EXEMPTION.** It is the intent of the sixty-sixth~~  
14 ~~legislative assembly that the governor accept the governor's salary under section 54-07-04 for~~  
15 ~~the biennium beginning July 1, 2019, and ending June 30, 2021. If the governor chooses to not~~  
16 ~~accept the salary or any portion of the salary for the governor pursuant to section 54-07-04,~~  
17 ~~section 54-07-04 does not apply and the related funding included in the governor's salary line~~  
18 ~~item in section 1 of this Act may not be spent and must be canceled pursuant to section~~  
19 ~~54-44.1-11 at the end of the biennium beginning July 1, 2019, and ending June 30, 2021.~~

20     **SECTION 7. APPROPRIATION - TRANSFER.** There is appropriated out of any moneys in  
21 the general fund in the state treasury, not otherwise appropriated, the sum of \$15,000,000, or  
22 so much of the sum as may be necessary, which the director of the office of management and  
23 budget shall transfer to the Theodore Roosevelt presidential library and museum endowment  
24 fund during the period beginning with the effective date of this Act, and ending June 30, 2019.  
25 Of the funds appropriated in this section, \$9,800,000 is from unexpended funds previously  
26 appropriated by the legislative assembly for grants related to the Theodore Roosevelt  
27 presidential library.

28     **SECTION 8. LOAN AUTHORIZATION.** The governor may obtain a loan from the Bank of  
29 North Dakota in an amount not to exceed \$35,000,000. The term of the loan may not exceed six  
30 years and the interest rate must be set at the prevailing interest rate charged by the Bank of  
31 North Dakota to governmental entities. The governor shall repay the loan authorized in this

1 section from funds appropriated by the legislative assembly. The governor shall deposit the  
2 proceeds of the loan in the Theodore Roosevelt presidential library and museum endowment  
3 fund.

4 **SECTION 9. EMERGENCY.** Sections 5, 7, and 8 of this Act are declared to be an  
5 emergency measure.