

SENATE BILL NO. 2015

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 various divisions
2 under the supervision of the director of the office of management and budget; to provide an
3 exemption; to provide for various transfers; to provide legislative intent; and to declare an
4 emergency.

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

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
7 as may be necessary, are appropriated out of any moneys in the general fund in the state
8 treasury, not otherwise appropriated, and from special funds derived from federal funds and
9 other income, to the office of management and budget for the purpose of defraying the
10 expenses of that agency, for the biennium beginning July 1, 2011, and ending June 30, 2013, as
11 follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
14 Salaries and wages	\$17,203,386	\$1,314,377	\$18,517,763
15 Operating expenses	13,363,053	402,201	13,765,254
16 Emergency commission contingency 17 fund	0	700,000	700,000
18 Capital assets	2,420,298	5,969,845	8,390,143
19 Grants	430,000	(375,000)	55,000
20 Prairie public broadcasting	1,337,138	0	1,337,138
21 State student internship program	200,000	0	200,000
22 Statewide equity plan	<u>15,984,000</u>	<u>(15,984,000)</u>	<u>0</u>
23 Total all funds	\$50,937,875	(\$7,972,577)	\$42,965,298
24 Less estimated income	<u>14,688,779</u>	<u>(3,774,318)</u>	<u>10,914,461</u>

1	Total general fund	\$36,249,096	(\$4,198,259)	\$32,050,837
2	Full-time equivalent positions	132.50	(1.00)	131.50

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

4 **SIXTY-THIRD LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
5 items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13
6 one-time funding items included in the appropriation in section 1 of this Act:

7	<u>One-Time Funding Description</u>	<u>2009-11</u>	<u>2011-13</u>
8	Prairie public broadcasting	\$2,016,200	\$0
9	ConnectND	1,000,000	0
10	Facility management repairs and equipment	2,850,000	0
11	Administration projects	126,041	0
12	Federal fiscal stimulus	689,494	0
13	Capital envelope	0	2,800,000
14	North Dakota 125 anniversary coordinator	<u>0</u>	<u>50,000</u>
15	Total all funds	\$6,681,735	\$2,850,000
16	Less estimated income	<u>1,823,635</u>	<u>0</u>
17	Total general fund	\$4,858,100	\$2,850,000

18 The 2011-13 one-time funding amounts are not a part of the entity's base budget for the
19 2013-15 biennium. The office of management and budget shall report to the appropriations
20 committees of the sixty-third legislative assembly on the use of this one-time funding for the
21 biennium beginning July 1, 2011, and ending June 30, 2013.

22 **SECTION 3. TRANSFER TO GENERAL FUND FROM LANDS AND MINERALS TRUST**

23 **FUND.** During the biennium beginning July 1, 2011, and ending June 30, 2013, the director of
24 the office of management and budget shall transfer \$239,000,000 from the lands and minerals
25 trust fund to the general fund.

26 **SECTION 4. TRANSFER TO GENERAL FUND FROM PERMANENT OIL TAX TRUST**

27 **FUND.** During the biennium beginning July 1, 2011, and ending June 30, 2013, the director of
28 the office of management and budget shall transfer \$232,000,000 from the permanent oil tax
29 trust fund to the general fund.

30 **SECTION 5. TRANSFER TO PROPERTY TAX RELIEF SUSTAINABILITY FUND FROM**

31 **PERMANENT OIL TAX TRUST FUND.** During the biennium beginning July 1, 2011, and ending

1 June 30, 2013, the director of the office of management and budget shall transfer \$388,580,000
2 from the permanent oil tax trust fund to the property tax relief sustainability fund.

3 **SECTION 6. TRANSFER TO HIGHWAY FUND FROM PERMANENT OIL TAX TRUST**

4 **FUND.** During the biennium beginning July 1, 2011, and ending June 30, 2013, the director of
5 the office of management and budget shall transfer \$370,600,000 from the permanent oil tax
6 trust fund to the highway fund.

7 **SECTION 7. TRANSFER TO GENERAL FUND FROM BANK OF NORTH DAKOTA.**

8 During the biennium beginning July 1, 2011, and ending June 30, 2013, the industrial
9 commission shall transfer to the state general fund \$60,000,000 from the current earnings and
10 the accumulated undivided profits of the Bank of North Dakota. The moneys must be
11 transferred in the amounts and at the times requested by the director of the office of
12 management and budget.

13 **SECTION 8. EXEMPTION.** The amount appropriated for the fiscal management division, as
14 contained in section 1 of chapter 15 of the 2009 Session Laws is not subject to the provisions of
15 section 54-44.1-11. Any unexpected funds from this appropriation are available for continued
16 development and operating costs of the accounting, management, and payroll systems, during
17 the biennium beginning July 1, 2011, and ending June 30, 2013.

18 **SECTION 9. INTENT.** Within the authority included in section 1 of this Act are the following
19 grants and special items:

20 Boys and girls clubwork	\$53,000
21 State memberships and related expenses	\$611,000
22 Unemployment insurance	\$1,500,000
23 Capitol grounds planning commission	\$25,000

24 **SECTION 10. STATE STUDENT INTERNSHIP PROGRAM.** The human resources division
25 of the office of management and budget may transfer to each eligible agency appropriated
26 general fund spending authority from the state internship program line item contained in
27 section 1 of this Act.

28 **SECTION 11. INTENT - STATE EMPLOYEE COMPENSATION ADJUSTMENTS -**

29 **GUIDELINES.** It is the intent of the sixty-third legislative assembly that 2011-13 compensation
30 adjustments for regular state employees are to vary based on documented performance and
31 equity and are not necessarily to be three percent annual increases for each employee. General

1 increases based on legislative appropriations are to be given beginning with the month of
2 July 2011, to be paid in August 2011, and beginning with the month of July 2012, to be paid in
3 August 2012. Each agency appropriation is increased by three percent for the first year of the
4 2011-13 biennium and three percent for the second year of the 2011-13 biennium.

5 Employees whose overall documented performance level does not meet standards are not
6 eligible for any salary increase.

7 Probationary employees are not entitled to the general increases. However, probationary
8 employees may be given all or a portion of the increases effective in July, paid in August, or
9 upon completion of probation, at the discretion of the appointing authority.

10 **SECTION 12. EMERGENCY.** Section 6 of this Act is declared to be an emergency
11 measure.