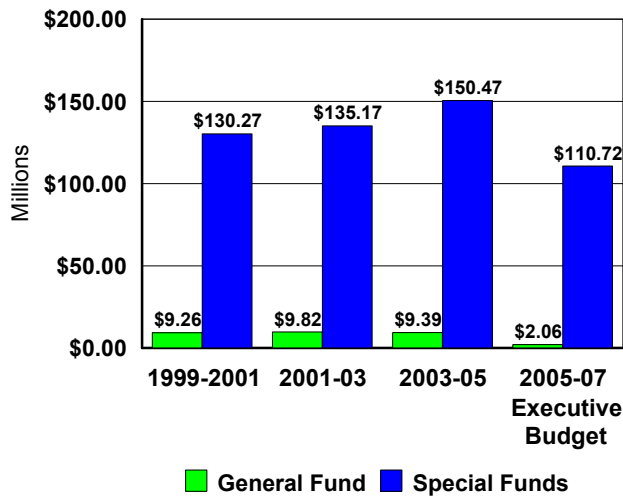


**Department 770 - State Water Commission
 House Bill No. 1021**

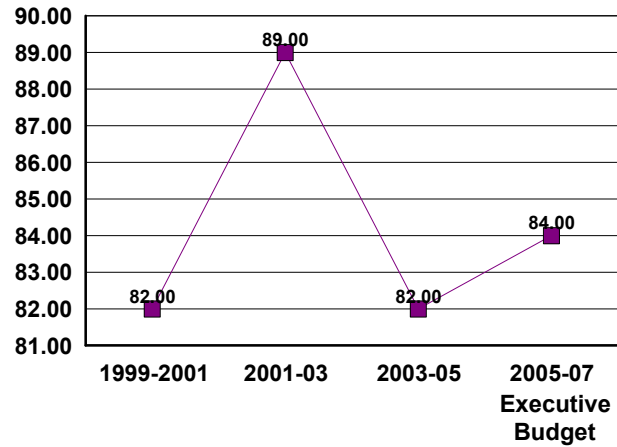
	FTE Positions	General Fund	Other Funds	Total
2005-07 Executive Budget	84.00	\$2,063,357	\$110,724,477	\$112,787,834
2003-05 Legislative Appropriations	82.00	9,385,395	150,473,459 ¹	159,858,854
Increase (Decrease)	2.00	(\$7,322,038)	(\$39,748,982)	(\$47,071,020)

¹The 2003-05 appropriation amounts do not include \$3,000,000 of additional special funds authority resulting from Emergency Commission action during the 2003-05 biennium.

Agency Funding



FTE Positions



First House Action

Attached is a summary of the first house changes.

**Executive Budget Highlights
 (With First House Changes Noted)**

	General Fund	Other Funds	Total
Administrative and Support Services			
1. Decreases funding for travel and insurance costs	(\$17,388)	(\$30,844)	(\$48,232)
Water and Atmospheric Resources			
2. Decreases funding for professional services and other operating costs primarily due to a reduction in available federal and special funding	(\$98,875)	(\$3,904,573)	(\$4,003,448)
3. Continues special funds spending authority for the State Water Commission to construct a new shop. The State Water Commission has authority to sell its existing shop building and land, then use the proceeds to purchase land and construct a replacement facility. The authorization is the same as the 2003-05 biennium.		\$977,100	\$977,100
4. Adds one-time funding for other capital payments related to state water projects (\$28.4 million) and estimated bond payments (\$14.3 million) based on available federal and special funding sources		\$42,699,560	\$42,699,560
5. Adds federal funds spending authority for equipment over \$5,000 for survey equipment		\$20,000	\$20,000

6. Decreases funding for water project grants to \$51.6 million based on anticipated available federal and special funding sources	(\$50,871,636)	(\$50,871,636)
7. Adds 2 FTE positions and increases special funds spending authority and the salaries and wages (\$160,924), temporary salaries (\$26,400), and operating line items (\$1,904,400) for Devils Lake Outlet operations. The outlet is anticipated to be completed during the 2003-05 biennium and will require funding for staffing and operating costs during the 2005-07 biennium.	\$2,091,724	\$2,091,724
8. Adds funding for temporary wages of 10 seasonal intern pilot positions employed during the North Dakota cloud modification project	\$69,388	\$69,388
9. Adjusts the general fund appropriation to the State Water Commission to provide that only the Administrative and Support Services Division is funded from the general fund. Approximately \$7.9 million of administrative expenses are included in the 2005-07 biennium request for the Water and Atmospheric Resources Division. The 2003 Legislative Assembly authorized \$9.4 million from the general fund for the total administrative expenses of the State Water Commission and a corresponding transfer of \$10 million from the water development trust fund to the general fund. The House changed the funding source for administrative expenses included in the water and atmospheric resources line item from special funds to the general fund. The House also authorized a transfer of \$9,819,473, which is the total administrative expenses of the State Water Commission, from the water development trust fund to the general fund.	(\$7,353,832)	\$7,353,832
		\$0

Other Sections in Bill

Section 4 of House Bill No. 1021 authorizes \$52,863,116 from the resources trust fund. Any additional amount in the resources trust fund that becomes available is appropriated to the State Water Commission for the purpose of defraying the expenses of the State Water Commission for the 2005-07 biennium.

Section 5 of House Bill No. 1021 authorizes \$24,863,873 from the water development trust fund. Any additional amount in the water development trust fund that becomes available is appropriated to the State Water Commission for the purpose of defraying the expenses of the State Water Commission for the 2005-07 biennium. The House authorized a transfer of \$9,819,473 from the water development trust fund to the general fund, which represents the total administrative expenses of the State Water Commission. This transfer decreases the State Water Commission's authorization from the water development trust fund to \$15,044,400.

Section 6 of House Bill No. 1021 provides a continuing appropriation for the sale of land and the existing shop building at the corner of 26th Street and Broadway Avenue in Bismarck.

Section 7 of House Bill No. 1021 authorizes the State Water Commission to use the land and building sale proceeds to purchase land and build a new maintenance shop. A total of \$977,100 is authorized from the sale of land to purchase land and construct the maintenance building.

Section 8 of House Bill No. 1021 provides that funding appropriated for grants or water-related projects included in the water and atmospheric resources line item may be carried over to the 2007-09 biennium.

Section 9 of House Bill No. 1021 authorizes a Bank of North Dakota line of credit of up to \$25 million to the State Water Commission for the 2005-07 biennium.

Section 10 of House Bill No. 1021 provides a contingent appropriation of \$25 million, or so much of the sum as may be necessary, from the water development trust fund, resources trust fund, bond proceeds, or other sources to the State Water Commission for repaying the line of credit.

Section 11 of House Bill No. 1021 authorizes the State Water Commission to employ full-time personnel and other such personnel as necessary for operation and maintenance of the Devils Lake Outlet. It also allows funding from the contract fund be appropriated and disbursed for salaries, equipment, operations, and maintenance costs relating to the Devils Lake Outlet.

Major Related Legislation

House Bill No. 1069 authorizes a special fund appropriation of \$2,512 to the State Water Commission for the cost of paying military service retirement credit.

House Bill No. 1153 makes the statutory changes necessary for the State Water Commission to sell by July 1, 2005, up to \$60 million of bonds previously authorized. The bond proceeds will be used to reimburse the water development and resources trust funds and other sources for water project expenses incurred during the 2003-05 biennium.

Senate Bill No. 2115 authorizes the State Engineer to negotiate reserved water rights of the United States and federally recognized Indian tribes.

ATTACH:1