

**ANALYSIS OF THE STATE DISASTER RELIEF FUND FOR THE
2015-17, 2017-19, 2019-21, AND 2021-23 BIENNIUMS
(REFLECTING LEGISLATIVE ACTION THROUGH CROSSOVER)**

	2015-17 Biennium Actual		2017-19 Biennium Actual		2019-21 Biennium Estimated		2021-23 Biennium Estimated	
Beginning balance		\$75,867,942		\$36,687,549		\$21,987,295		\$14,866,320
Add revenues								
Interest income	\$50,723		\$73,130		\$65,000		\$65,000	
Miscellaneous reimbursements	2,716,118		698,534		75,000		75,000	
Oil and gas tax collections	3,482,364 ¹		0 ⁹		0 ¹²		17,544,852 ¹⁶	
Total revenues		6,249,205		771,664		140,000		17,684,852
Total available		\$82,117,147		\$37,459,213		\$22,127,295		\$32,551,172
Less estimated expenditures								
2009 flooding	\$247,214 ⁴		\$57,462 ¹⁰					
2010 flooding	269,007 ⁴		1,199,702 ¹⁰					
April 2010 ice storm	102,560 ⁴							
2011 flooding	6,366,153 ⁴		2,923,747 ¹⁰		\$2,417,926 ¹³			
2011 ice storm	925 ⁴							
Disaster response coordination contract	200,000 ²							
State disasters and flood mitigation efforts (road grade raising projects)	2,562 ⁴		18,620 ¹⁰					
Flood-impacted housing assistance grant program	1,088,468 ⁴							
Disaster recovery planning and technical services	34,810 ³							
Fargo interior flood protection	30,000,000 ⁵							
Chronic flooding relief	2,000,000 ⁶							
2013 Red River Valley flood	589,741 ⁴		912,450 ¹⁰					
2013 winter storm	59,539 ⁴		628,258 ¹⁰		113 ¹³			
2014 rain storms	84,122 ⁴		72,201 ¹⁰		100,126 ¹³			
2017 flooding					759,449 ¹³		\$99,163 ¹⁷	
Federal Emergency Management Agency (FEMA) mitigation programs					652,821 ¹³		847,411 ¹⁷	
Double Ditch Historic Site repairs	384,497 ⁷		1,694,478 ⁷					
Bismarck area flood protection	4,000,000 ⁸							
Dickey County FEMA repayment					200,000 ¹³			

Non-oil-producing township road maintenance and improvement		7,965,000 ¹¹			8,100,000 ¹¹	
Emergency township road repairs					500,000 ¹⁸	
2019 flooding			1,829,780 ¹⁴		2,132,578 ¹⁷	
2020 flooding			1,300,760 ¹⁴		872,020 ¹⁷	
Total estimated expenditures and transfers	45,429,598	15,471,918		7,260,975 ¹⁵		12,551,172
Estimated ending balance	<u>\$36,687,549</u>	<u>\$21,987,295</u>		<u>\$14,866,320</u>		<u>\$20,000,000</u>

¹This amount reflects actual oil tax revenue allocations for the 2015-17 biennium. House Bill No. 1377 (2015) amended North Dakota Century Code Section 57-51.1-07.5 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 \$700 million is deposited in the general fund, tax relief fund, and strategic investment and improvements fund;
- The next \$22 million is deposited in the state disaster relief fund, but not in an amount that would bring the unobligated balance in the fund to more than \$25 million; and
- Any additional revenues:
 - 70 percent into the strategic investment and improvements fund; and
 - 30 percent into the political subdivision allocation fund.

²Senate Bill No. 2016 (2015) provided a \$200,000 appropriation 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.

³Senate Bill No. 2016 (2015) appropriated \$1 million for contracted services to provide technical assistance and support to state and local government agencies with emergency management needs associated with preparedness, mitigation, and response and recovery.

⁴Section 1 of Senate Bill No. 2016 (2015) included spending authority of \$17.8 million from the state disaster relief fund for expenses related to unclosed state disasters in the 2015-17 biennium.

⁵Section 11 of Senate Bill No. 2020 (2015) appropriates \$30 million from the state disaster relief fund to the State Water Commission for flood protection projects within the city limits of Fargo.

⁶Section 3 of Senate Bill No. 2016 (2015) appropriates \$2 million from the state disaster relief fund to the Adjutant General to provide for repair and replacement of infrastructure and for removal of debris and other health hazards in organized service districts that are experiencing chronic flooding. The Adjutant General is required to consult with the Environmental Division of the State Department of Health regarding the process of environmental cleanup.

⁷Section 5 of Senate Bill No. 2018 (2015) appropriates \$2 million from the state disaster relief fund for Double Ditch Historic Site repairs. Section 6 of House Bill No. 1018 (2017) appropriates \$500,000 from the state disaster relief fund for Double Ditch Historic Site repairs.

⁸Section 15 of Senate Bill No. 2020 (2015) appropriates \$4 million from the state disaster relief fund to the State Water Commission for levee projects for the Missouri River Correctional Center (\$1.2 million) and for Lincoln Township's Fox Island area (\$2.8 million).

⁹This amount reflects actual oil tax revenue allocations for the 2017-19 biennium. House Bill No. 1152 (2017) amended Section 57-51.1-07.5 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 \$775 million is deposited in the general fund, tax relief fund, budget stabilization fund, strategic investment and improvements fund, and lignite research fund;

- The next \$20 million is deposited in the state disaster relief fund, but not in an amount that would bring the unobligated balance in the fund to more than \$20 million; and
- Any additional revenues are deposited in the strategic investment and improvements fund.

¹⁰Section 1 of House Bill No. 1016 (2017) includes spending authority of \$8.5 million from the state disaster relief fund for expenses related to unclosed state disasters in the 2017-19 biennium. Section 13 of House Bill No. 1016 (2017) includes carryover authority for amounts related to disaster costs for road grade raising projects. The amount of carryover was estimated to be approximately \$100,000.

¹¹Section 4 of Senate Bill No. 2016 (2019) provides a 2017-19 biennium appropriation of \$8.1 million from the state disaster relief fund to the State Treasurer for the purpose of providing distributions to townships in non-oil-producing counties for maintenance and improvement of township roads and bridges. Section 4 of House Bill No. 1015 (2021) provides a 2021-23 biennium appropriation of \$8.1 million from the state disaster relief fund to the State Treasurer for the purpose of providing distributions to townships in non-oil-producing counties for maintenance and improvement of township roads and bridges.

¹²This amount reflects estimated oil tax revenue allocations for the 2019-21 biennium based on the 2021 legislative revenue forecast. House Bill No. 1066 (2019) and Senate Bill No. 2016 (2019) amend Section 57-51.1-07.5 to provide for the allocation of the state's share of oil and gas tax revenues under Chapters 57-51 and 57-51.1. As amended, the allocation provides that after \$685 million is deposited in the general fund, tax relief fund, budget stabilization fund, and lignite research fund, then the next \$15 million is deposited in the state disaster relief fund, but not in an amount that would bring the unobligated balance in the fund to more than \$15 million.

¹³Section 1 of Senate Bill No. 2016 (2019) includes spending authority of \$7.1 million from the state disaster relief fund for expenses related to unclosed state disasters in the 2019-21 biennium.

¹⁴Section 1 of House Bill No. 1025 (2021) includes a deficiency appropriation of \$3,130,540 from the state disaster relief fund for expenses related to flooding in the spring of 2019, fall of 2019, and spring of 2020.

¹⁵This amount is an estimate based on actual expenditures through December 31, 2020, and agency estimated expenditures through June 30, 2021.

¹⁶This amount reflects estimated oil tax revenue allocations for the 2021-23 biennium based on the 2021 legislative revenue forecast. House Bill No. 1015 (2021) and Senate Bill No. 2249 (2021) amend Section 57-51.1-07.5 to provide for the allocation of the state's share of oil and gas tax revenues under Chapters 57-51 and 57-51.1. As amended, the allocation provides that after \$685 million is deposited in the general fund, tax relief fund, budget stabilization fund, and lignite research fund, then the next \$20 million is deposited in the state disaster relief fund, but not in an amount that would bring the unobligated balance in the fund to more than \$20 million.

¹⁷Section 1 of House Bill No. 1016 (2021) includes spending authority of \$4 million from the state disaster relief fund for expenses related to unclosed state disasters in the 2021-23 biennium.

¹⁸Section 4 of Senate Bill No. 2012 (2021) provides a 2021-23 biennium appropriation of \$500,000 from the state disaster relief fund to the Department of Transportation to provide grants to townships for emergency township road repairs.

FUND HISTORY

Section 37-17.1-27 (Section 4 of Senate Bill No. 2012 (2009)) establishes a state disaster relief fund. Any interest or other fund earnings must be deposited in the fund. In Senate Bill No. 2369 (2011), 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. In Senate Bill No. 2292 (2013), the Legislative Assembly further amended the section to allow money in the fund to be used for wide area search and rescue activities. Section 6 of Senate Bill No. 2055 (2019) further amends Section 37-17.1-27 to allow the fund to be used for the state share of FEMA disaster response, recovery, and mitigation grants, to remove the requirement for Emergency Commission and Budget Section approval of the use of money that has been appropriated by the Legislative Assembly, and to provide for the Adjutant General to report to the Budget Section on fund expenditures.