

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; and 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>	Adjustments or <u>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	0	700,000	700,000
17 fund			
18 Capital assets	2,420,298	5,969,845	8,390,143
19 <u>Capital assets</u>	<u>2,420,298</u>	<u>6,969,845</u>	<u>9,390,143</u>
20 Grants	430,000	(375,000)	55,000
21 Prairie public broadcasting	1,337,138	0	1,337,138
22 <u>Prairie public broadcasting</u>	<u>1,337,138</u>	<u>500,000</u>	<u>1,837,138</u>
23 State student internship program	200,000	0	200,000
24 Statewide equity plan	<u>15,984,000</u>	<u>(15,984,000)</u>	<u>0</u>

Sixty-second
Legislative Assembly

1	Total all funds	\$50,937,875	(\$7,972,577)	\$42,965,298
2	Total all funds	\$50,937,875	(\$6,472,577)	\$44,465,298
3	Less estimated income	14,688,779	(3,774,318)	10,914,461
4	Total general fund	\$36,249,096	(\$4,198,259)	\$32,050,837
5	Total general fund	\$36,249,096	(\$2,698,259)	\$33,550,837
6	Full-time equivalent positions	132.50	(1.00)	131.50

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

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

11	<u>One-Time Funding Description</u>	<u>2009-11</u>	<u>2011-13</u>
12	Prairie public broadcasting	\$2,016,200	\$0
13	Prairie public broadcasting	\$2,016,200	\$500,000
14	ConnectND	1,000,000	0
15	Facility management repairs and equipment	2,850,000	0
16	Administration projects	126,041	0
17	Federal fiscal stimulus	689,494	0
18	Capital envelope	0	2,800,000
19	Capitol complex parking lot repairs	0	1,000,000
20	North Dakota 125 anniversary coordinator	0	50,000
21	Total all funds	\$6,681,735	\$2,850,000
22	Total all funds	\$6,681,735	\$4,350,000
23	Less estimated income	1,823,635	0
24	Total general fund	\$4,858,100	\$2,850,000
25	Total general fund	\$4,858,100	\$4,350,000

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

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

FUND. During the biennium beginning July 1, 2011, and ending June 30, 2013, the director of

1 the office of management and budget shall transfer \$239,000,000 from the lands and minerals
2 trust fund to the general fund.

3 **SECTION 4. TRANSFER TO GENERAL 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 \$232,000,000 from the permanent oil tax
6 trust fund to the general fund.

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

8 **PERMANENT OIL TAX TRUST FUND.** During the biennium beginning July 1, 2011, and ending
9 June 30, 2013, the director of the office of management and budget shall transfer \$388,580,000
10 from the permanent oil tax trust fund to the property tax relief sustainability fund.

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

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

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

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

21 **SECTION 6. EXEMPTION.** The amount appropriated for the fiscal management division, as
22 contained in section 1 of chapter 15 of the 2009 Session Laws is not subject to the provisions of
23 section 54-44.1-11. Any unexpected funds from this appropriation are available for continued
24 development and operating costs of the accounting, management, and payroll systems, during
25 the biennium beginning July 1, 2011, and ending June 30, 2013.

26 **SECTION 7. INTENT.** Within the authority included in section 1 of this Act are the following
27 grants and special items:

28 Boys and girls clubwork	\$53,000
29 State memberships and related expenses	\$611,000
30 Unemployment insurance	\$1,500,000
31 Capitol grounds planning commission	\$25,000

1 **SECTION 8. STATE STUDENT INTERNSHIP PROGRAM.** The human resources division
2 of the office of management and budget may transfer to each eligible agency appropriated
3 general fund spending authority from the state internship program line item contained in
4 section 1 of this Act.

5 **SECTION 9. INTENT - STATE EMPLOYEE COMPENSATION ADJUSTMENTS -**

6 **GUIDELINES.** It is the intent of the sixty-third legislative assembly that 2011-13 compensation
7 adjustments for regular state employees are to vary based on documented performance and
8 equity and are not necessarily to be ~~three percent annual increases~~the same percentage
9 increase for each employee. General increases based on legislative appropriations are to be
10 given beginning with the month of July 2011, to be paid in August 2011, and beginning with the
11 month of July 2012, to be paid in August 2012. Each agency appropriation is increased by
12 ~~three~~four percent for the first year of the 2011-13 biennium and ~~three~~one percent for the second
13 year of the 2011-13 biennium.

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

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

19 ~~**SECTION 12. EMERGENCY.** Section 6 of this Act is declared to be an emergency~~
20 ~~measure.~~