

Sixty-second  
Legislative Assembly  
of North Dakota

## ENGROSSED 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.

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

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

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
11			
12			
13	Salaries and wages	\$1,314,377	\$18,517,763
14	Operating expenses	402,201	13,765,254
15	Emergency commission contingency	700,000	700,000
16	fund		
17	Capital assets	6,969,845	9,390,143
18	Grants	(375,000)	55,000
19	Prairie public broadcasting	500,000	1,837,138
20	State student internship program	0	200,000
21	Statewide equity plan	(15,984,000)	0
22	Total all funds	(\$6,472,577)	\$44,465,298
23	Less estimated income	(3,774,318)	10,914,461
24	Total general fund	(\$2,698,259)	\$33,550,837

1 Full-time equivalent positions 132.50 (1.00) 131.50

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

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

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

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

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

10 Boys and girls clubwork	\$53,000
11 State memberships and related expenses	\$611,000
12 Unemployment insurance	\$1,500,000
13 Capitol grounds planning commission	\$25,000

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

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

19 **GUIDELINES.** It is the intent of the sixty-third legislative assembly that 2011-13 compensation  
20 adjustments for regular state employees are to vary based on documented performance and  
21 equity and are not necessarily to be the same percentage increase for each employee. General  
22 increases based on legislative appropriations are to be given beginning with the month of  
23 July 2011, to be paid in August 2011, and beginning with the month of July 2012, to be paid in  
24 August 2012. Each agency appropriation is increased by four percent for the first year of the  
25 2011-13 biennium and one percent for the second year of the 2011-13 biennium.

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

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