

FISCAL NOTE
Requested by Legislative Council
04/09/2013

Amendment to: HB 1338

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2011-2013 Biennium		2013-2015 Biennium		2015-2017 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures				\$141,680		
Appropriations						

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2011-2013 Biennium	2013-2015 Biennium	2015-2017 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The Bill directs the Land Board to study management and possible acquisition of federal land adjacent to Lakes Sakakawea and Oahe. It must include coordination of landowners, sportsmen, tribes and other agencies.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Section 1 of the Bill is the entirety and it does not include an appropriation for the costs of the mandated review, task force administration and staff time, or the cost of formulating and documenting recommendations. The Board's budget is entirely special funds, and it is not able to divert these funds to other uses.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

NA

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The cost estimate assumes the hiring of a contractor to undertake the study and includes anticipated compensation and expenses related to travel, information gathering, research, information technology, public relations, legal and administrative support.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

There is no money appropriated or available within the Land Board's discretion to undertake the actions directed in the Bill.

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5) The financial and staff limitations would not allow the Department of Trust to complete this a study, thus a contractor would be secured.
 4) Timeline involves review of state and federal laws and regulations, stakeholder meetings in state and WDC, task force review and report preparation.
 5) Report likely to be presented by task force representation, with Land Board as the facilitator, not study author.

Suggested time line

2013	July-13	Funding available	Land Board/D
	July 1 - 31	Develop RFP outline and contract parameters	
	August 1 - 21	Advertise contract and accept proposals	
	Aug 22 - Sept 4	Interview applicants and award contract	
2014	Sept	Develop website to inform public of the issues, meetings and progress Website will also allow public to submit written comments and suggestions This project will require public involvement and transparency	Contactor
	Sept/Oct/Nov	Meet with the US Army Corps of Engineers, study Corp regulations and study divestiture process of Corps lands in other states	
	Dec/Jan	Meet with special interest groups and agencies to gather their input Meet with tribes and BIA	
	Feb/March	Hold public meetings in each of the 10 counties adjoining the reservoirs Advertising to provide public notice	
	April - June	Coordinate drafting of study with task force of interest groups and agencies.	
	July	Draft on web for public comment period - no public meetings	
	August	Complete final study document	
	September October	Present final study document to Land Board Land Board/Task Force forwards study to legislative management	

Budget

In-state stakeholder meetings	\$12,000	Travel from Williston to Linton and Keene to Fort Yates and all points and agencies in-between
Public meetings	\$6,500	10 Public meetings in-state two people travel and lodging at \$500 per meeting and meeting room rental
Meetings in D.C.	\$5,200	Assumes 2 people: airfare \$1,000, motel \$1,200, meals \$400
Computer Services	\$15,000	the website, data collection, and data analysis.
web site		
Interest Groups	\$22,500	Meetings with tribes, agencies and special interest groups.
Task Force		Organized groups need to have input other than the public meetings.
legal	\$15,000	Review legal questions: minerals, title, survey, management, access.
work product	\$32,000	Consideration of public input, laws and tribal rights and desires. Preparing of final study document.
Department of Trust La	\$15,000	Department costs of contact preparation, negotiation, oversight.
Support & overhead	\$18,480	15% overhead for support staff, office space, and supplies
Total Estimated Cost	<u>\$141,680</u>	