

**Land Department
Budget No. 226
Senate Bill No. 2013**

	FTE Positions	General Fund	Other Funds	Total
2009-11 executive budget (bills as introduced)	21.75	\$0	\$23,806,148	\$23,806,148
2009-11 legislative appropriations	21.75	0	13,792,561	13,792,561
Legislative increase (decrease) to executive budget	0.00	\$0	(\$10,013,587)	(\$10,013,587)
Legislative increase (decrease) to 2007-09 appropriations	3.00	\$0	\$4,658,553	\$4,658,553

SUMMARY OF LEGISLATIVE CHANGES TO THE EXECUTIVE BUDGET AND MAJOR FUNDING ITEMS

Salaries and Wages

The legislative action affecting the recommended appropriation for the Land Department is in accordance with legislative salary and fringe benefits guidelines as contained in House Bill No. 1015.

	Major Items			
	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Removed funding added in the executive budget for state employee salary equity adjustments			(\$13,587)	(\$13,587)
Reduced funding from \$20 million included in the executive budget for oil and gas impact grants from the oil and gas impact grant fund to \$10 million. Although \$10 million is appropriated from the fund, based on provisions of House Bill No. 1304, it is anticipated that only \$8 million will be available for distribution during the 2009-11 biennium.			(10,000,000)	(10,000,000)
Total	0.00	\$0	(\$10,013,587)	(\$10,013,587)

FTE Changes

The 2009-11 biennium appropriation includes funding for 21.75 FTE positions, an increase of 3 FTE positions from the 2007-09 biennium authorized level of 18.75 FTE positions. The Legislative Assembly did not change the executive recommendation to add 1 FTE audit technician position, 1 FTE auditor II position, and 1 FTE position pending classification.

Other Sections in Bill

Carryover of appropriations for oil and gas impact grants - Section 2 provides that North Dakota Century Code (NDCC) Section 54-44.1-11 does not apply to 2007-09 appropriations for oil and gas impact grants and, therefore, the 2007-09 appropriation authority may be continued into the 2009-11 biennium.

Contingencies line item/appropriation transfers - Section 3 provides that upon approval of the Board of University and School Lands, the commissioner of University and School Lands may transfer appropriation authority from the contingencies line item to all other line items, except the capital assets line item. The commissioner shall notify the Office of Management and Budget of each transfer made pursuant to this section.

Trust fund distributions to state entities - Section 4 provides the amounts to be distributed to various state entities from state trust funds managed by the Land Department and provides that NDCC Section 15-03-05.2 does not apply to distributions during the 2009-11 biennium. Section 15-03-05.2 provides the trust fund income may not be retained for future distributions to a trust fund beneficiary or added to a permanent fund if it would result in a decrease in distributions to the fund beneficiary from the amount distributed during the preceding fiscal year.

Transfer to general fund - Section 5 provides for a transfer of \$35 million to the general fund from the lands and minerals trust fund during the 2009-11 biennium. This is an increase of \$20 million from the transfer of \$15 million anticipated for the 2007-09 biennium and \$8.5 million less than the transfer of \$43.5 million recommended in the executive budget.

FTE position - Budget Section approval - Section 6 provides that 1 FTE position relating to minerals management included in Section 1 of the bill may be filled only upon Budget Section approval.

Oil and gas impact grant fund - Additional appropriation authority - Section 7 provides that in addition to the funds appropriated in the grants line item in Section 1 of the bill, there is appropriated any additional funds that may be authorized by the 61st Legislative Assembly for deposit in the oil and gas impact grant fund to the Land Department for providing oil and gas impact grants for the 2009-11 biennium.

Related Legislation

Oil and gas impact grant fund - House Bill No. 1304 increases the maximum amount of oil and gas tax revenues that may be deposited in the oil and gas impact grant fund by \$2 million per biennium, from \$6 million to \$8 million.