

**HOUSE BILL NO. 1020**

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 state water  
2 commission; to provide exemptions; to provide legislative intent; to amend and reenact section  
3 6-09.5-03 of the North Dakota Century Code, relating to the community water facility loan fund;  
4 and to declare an 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 state water commission for the purpose of defraying the expenses of the  
10 state water commission, for the biennium beginning July 1, 2013, and ending June 30, 2015, as  
11 follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
14 Administrative and support services	\$3,229,873	\$812,911	\$4,042,784
15 Water and atmospheric resources	<u>498,413,774</u>	<u>324,682,474</u>	<u>823,096,248</u>
16 Total all funds	\$501,643,647	\$325,495,385	\$827,139,032
17 Less estimated income	<u>486,648,448</u>	<u>322,710,940</u>	<u>809,359,388</u>
18 Total general fund	\$14,995,199	\$2,784,445	\$17,779,644
19 Full-time equivalent positions	87.00	3.00	90.00

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

21 **SIXTY-FOURTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time  
22 funding items approved by the sixty-second legislative assembly for the 2011-13 biennium and  
23 the 2013-15 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2011-13</u>	<u>2013-15</u>
Federal stimulus funds	\$7,271,773	\$0
Ray/Tioga, Burke/Divide/Williams, Wildrose and Stanley water projects	500,000	0
Excavator	0	243,200
Office space renovation	<u>0</u>	<u>45,000</u>
Total all funds	\$7,771,773	\$288,200
Total special funds	<u>7,771,773</u>	<u>0</u>
Total general fund	\$0	\$288,200

The 2013-15 one-time funding amounts are not part of the entity's base budget for the 2015-17 biennium. The state water commission shall report to the appropriations committees of the sixty-fourth legislative assembly on the use of the one-time funding for the biennium beginning July 1, 2013, and ending June 30, 2015.

**SECTION 3. SOVEREIGN LANDS ENFORCEMENT GRANT.** The administrative and support services line item in section 1 of this Act includes \$135,000 from the general fund that the state water commission shall provide as a grant to the game and fish department for law enforcement activities on sovereign lands in the state, for the biennium beginning July 1, 2013, and ending June 30, 2015.

**SECTION 4. ADDITIONAL INCOME - APPROPRIATION.** In addition to the amounts included in the estimated income line item in section 1 of this Act, any additional amounts in the resources trust fund and water development trust fund that become available are appropriated to the state water commission for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2013, and ending June 30, 2015.

**SECTION 5. GRANTS - WATER-RELATED PROJECTS - CARRYOVER AUTHORITY.** Section 54-44.1-11 does not apply to funding for grants or water-related projects included in the water and atmospheric resources line item in section 1 of this Act. However, this exclusion is only in effect for two years after June 30, 2015. Any unexpended funds appropriated from the resources trust fund after that period has expired must be transferred to the resources trust fund and any unexpended funds appropriated from the water development trust fund after that period has expired must be transferred to the water development trust fund.

1       **SECTION 6. LEGISLATIVE INTENT - BOND PAYMENTS.** Of the funds appropriated in  
2 section 1 of this Act, \$60,000,000 in the water and atmospheric resources line item is from the  
3 resources trust fund for the purposes of paying off or defeasing outstanding bond issues. The  
4 state water commission may expend funds for this purpose only if available funding from the  
5 resources trust fund for water projects for the biennium beginning July 1, 2013, and ending  
6 June 30, 2015, has exceeded \$515,000,000.

7       **SECTION 7. AMENDMENT.** Section 6-09.5-03 of the North Dakota Century Code is  
8 amended and reenacted as follows:

9       **6-09.5-03. Transfer of funds - Revolving fund.**

10       A community water facility loan fund with an authorized ceiling of ~~twenty-five~~ million  
11 dollars is hereby established from the future undivided profits of the Bank of North Dakota or  
12 other state funds. This is a revolving fund, and all moneys transferred into the fund, interest  
13 upon fund moneys, and collections of interest and principal on fund loans must be used for the  
14 purposes of this chapter.

15       **SECTION 8. EMERGENCY.** The water and atmospheric resources line item in section 1 of  
16 this Act is declared to be an emergency measure.