

**Land Department
House Bill No. 1013**

	FTE Positions	General Fund	Other Funds	Total
2003-05 executive budget (bills as introduced)	17.75	\$0	\$7,735,836	\$7,735,836
2003-05 legislative appropriations	17.75		7,573,834	7,573,834
Legislative increase (decrease) to executive budget	0.00	\$0	(\$162,002)	(\$162,002)
Legislative increase (decrease) to 2001-03 appropriations	(0.75)	\$0	\$58,531	\$58,531

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 Senate Bill No. 2423, which allows agencies to provide salary increases of up to 1 percent on January 1, 2004, and up to 2 percent on January 1, 2005, to be funded in part from pooled savings accumulated from agency FTE position reductions.

	Major Items FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Removed funding recommended in the executive budget for state employee salary increases			(\$20,144)	(\$20,144)
Reduced funding recommended in the executive budget for state employee health insurance premiums from \$493 to \$488.70 per month per policy			(1,858)	(1,858)
Removed \$90,000 from the operating expenses line for weed control costs, since these expenses can be paid under the continuing appropriation authority in House Bill No. 1103			(90,000)	(90,000)
Reduced funding in the contingency line item by \$50,000, since unanticipated costs can be paid pursuant to the continuing appropriation authority in House Bill No. 1103			(50,000)	(50,000)
Total	0.00	\$0	(\$162,002)	(\$162,002)

FTE Changes

The Legislative Assembly did not change the executive recommendation to delete a .75 FTE administrative secretary III position. The number of FTE positions for the Land Department for the 2003-05 biennium is 17.75 FTE, .75 FTE less than the 18.5 FTE authorized for the 2001-03 biennium.

Other Sections in Bill

Oil and gas development impact grants - Section 2 provides that \$5 million of the special funds appropriation contained in the bill is from the oil and gas impact grant fund and may be used for the purpose of providing oil and gas development impact grants and for the administration of the oil and gas development impact grant program.

Carryover of appropriations for oil and gas impact grants - Section 3 provides that North Dakota Century Code (NDCC) Section 54-44.1-11 does not apply to appropriations for oil impact grants, and consequently, the 2003-05 appropriation authority may be continued into the 2005-07 biennium.

Contingencies line item appropriation transfers - Section 4 provides that upon approval of the Board of University and School Lands, the commissioner of the Board 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.

Trust fund distributions to state entities - Section 5 was added specifying the amounts to be distributed to various state entities from state trust funds managed by the Land Department and providing that NDCC Section 15-03-05.2 does not apply to distributions during the 2003-05 biennium. Section 15-03-05.2 provides the trust fund income may not be retained if distributions to a trust fund beneficiary will be reduced from the amount distributed during the preceding year.

Property claims by state agencies - Section 6 creates a new section to NDCC Chapter 47-30.1 to require the administrator to notify an agency by certified mail of unclaimed property within one year of receipt of the state agency property, requires the commissioner of the Board of University and School Lands to present a report to the Budget Section identifying every state agency that has not submitted a claim for property belonging to that agency within one year of the date of the certified mail receipt, and provides that the agency relinquishes its right to recover its property upon Budget Section approval.

Notice and publication of lists of abandoned property - Section 7 amends NDCC Section 47-30.1-18 to provide that one of the annual notices for abandoned property must be a display advertisement, that the administrator may not publish in the notice any property clearly identified as belonging to a state agency, and that property presumed to be state agency property which cannot be clearly identified as belonging to a specific agency is also exempt from public notice requirements.

Crediting of dividends or increments on stock to owner's account - Section 8 amends NDCC Section 47-30.1-21.1 to provide that the owner of unclaimed property is entitled to receive any dividends or other increments realized or accruing on the stock for as long as the stock is held by the administrator, provided the total amount of cash due the owner exceeds \$5.

Exemption from open records law - Section 9 amends NDCC Section 47-30.1-24 to provide that documentation and information submitted by a claimant for the purpose of proving ownership of the property is exempt from the open records law under Section 44-04-18.

Payment of compensation to recover or assist in recovery of property - Section 10 amends NDCC Section 47-30.1-35(1) to provide that all agreements to pay compensation to recover or assist in the recovery of property reported under Section 47-30.1-17, made within 24 months after the date payment or delivery is made to the administrator, are unenforceable.

Related Legislation

Continuing appropriations - House Bill No. 1103 provides continuing appropriations for the payment of certain expenses of the Board of University and School Lands relating to investments and repeals NDCC Section 15-03-01.3 relating to the apportionment of the Board of University and School Lands maintenance fund balances.

Indian cultural education trust - House Bill No. 1119 establishes the Indian cultural education trust for the purpose of generating income to benefit Indian culture and provides a continuing appropriation.

Securities held by the permanent funds - Senate Bill No. 2094 allows the Board of University and School Lands to lend securities held by permanent funds, including the authority to pledge a security interest in the securities in the possession of a custodian agent.