Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015

HOUSE BILL NO. 1013
(Appropriations Committee)
(At the request of the Governor)

AN ACT to provide an appropriation for defraying the expenses of the commissioner of university and school lands; to provide for transfers; to provide for distributions from permanent funds; to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to the exempt records for the value of property paid to the state abandoned property office; to amend and reenact section 57-62-05 of the North Dakota Century Code, relating to the timing of grant recommendations; to provide for a legislative management study; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated from special funds derived from the state lands maintenance fund and the oil and gas impact grant fund in the state treasury, to the commissioner of university and school lands for the purpose of defraying the expenses of the commissioner of university and school lands, for the biennium beginning July 1, 2015, and ending June 30, 2017, as follows:

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	$5,157,015	$966,501	$6,123,516
Accrued leave payments	108,541	(108,541)	0
Operating expenses	1,925,863	93,774	2,019,637
Contingencies	200,000	(100,000)	100,000
Energy infrastructure and impact office	700,826	(826)	700,000
Total all funds	$8,092,245	$850,908	$8,943,153
Less estimated income	8,092,245	850,908	8,943,153
Total general fund	$0	$0	$0
Full-time equivalent positions	31.00	2.00	33.00

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIFTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-third legislative assembly for the 2013-15 biennium:

One-Time Funding Description	2013-15	2015-17
Capital assets	$65,550	$0
Private lands study	50,000	0
Oil and gas impact grant fund distributions	239,299,174	0
Total all funds	$239,414,724	$0
Less estimated income	239,414,724	0
Total general fund	$0	$0

SECTION 3. APPROPRIATION LINE ITEM TRANSFERS. Upon approval of the board of university and school lands, the commissioner of university and school lands may transfer between the various line items in section 1 of this Act, including transfers from the contingencies line item to all other line items. The commissioner shall notify the office of management and budget of each transfer made pursuant to this section.

SECTION 4. DISTRIBUTIONS TO STATE INSTITUTIONS. Pursuant to article IX of the Constitution of North Dakota, the board of university and school lands shall distribute during the biennium beginning

July 1, 2015, and ending June 30, 2017, the following amounts, from the permanent funds managed for the benefit of the following entities:

Common schools	$206,134,000
North Dakota state university	3,368,000
University of North Dakota	2,742,000
Youth correctional center	1,372,000
School for the deaf	1,180,000
State college of science	1,066,000
State hospital	1,078,000
Veterans' home	434,000
Valley City state university	570,000
North Dakota vision services - school for the blind	534,000
Mayville state university	382,000
Dakota college at Bottineau	78,000
Dickinson state university	78,000
Minot state university	78,000
Total	$219,094,000

SECTION 5. A new section to chapter 44-04 of the North Dakota Century Code is created and enacted as follows:

Value of property paid or delivered to the administrator of the state abandoned property office - Exempt record.

A record of the value of property paid or delivered to the administrator of the state abandoned property office under section 47-30.1-17 is an exempt record.

SECTION 6. AMENDMENT. Section 57-62-05 of the North Dakota Century Code is amended and reenacted as follows:

57-62-05. Powers and duties of energy infrastructure and impact office director.

The energy infrastructure and impact office director shall:

1. Develop a plan for the assistance, through financial grants for services and facilities, of counties, cities, school districts, and other political subdivisions in coal development and oil and gas development impact areas.

2. Establish procedures and provide proper forms to political subdivisions for use in making application for funds for impact assistance as provided in this chapter.

3. Make grants disbursements to counties, cities, school districts, and other taxing districts for grants awarded by the board of university and school lands pursuant to chapter 15-01, as provided in this chapter and within the appropriations made for such purposes. In determining the amount of impact grants for which political subdivisions are eligible, consideration must be given to the amount of revenue to which such political subdivisions will be entitled from taxes upon the real property of coal and oil and gas development plants and from other tax or fund distribution formulas provided by law.

4. Receive and review applications for impact assistance pursuant to this chapter.

5. Make recommendations~~, not less than once each calendar quarter,~~ to the board of university and school lands on grants to counties, cities, school districts, and other political subdivisions in oil and gas development impact areas based on identified needs, and other sources of revenue available to the political subdivision.

SECTION 7. LEGISLATIVE MANAGEMENT STUDY - FEDERAL LEGISLATION REGARDING OAHE DAM. During the 2015-16 interim, the legislative management shall consider studying progress on the passage of federal legislation to return excess lands to the operation of the Oahe Dam in Emmons and Morton Counties, and to the state of North Dakota pursuant to section 1 of House Bill No. 1456, as approved by the sixty-fourth legislative assembly. The legislative management shall seek the input and assistance of representatives of Morton and Emmons Counties, as well as the army corp of engineers, in advancing the study and developing recommendations to achieve the passage of federal legislation. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly.

SECTION 8. EMERGENCY. Section 5 of this Act is declared to be an emergency measure.

Wesley R Belter
Speaker of the House

Drew H Wrigley
President of the Senate

Burl J. Reich
Chief Clerk of the House

Jane Charlson
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1013 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 88 Nays 1 Absent 5

Wesley R Belter
Speaker of the House

Burl J. Reich
Chief Clerk of the House

This certifies that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 47 Nays 0 Absent 0

Drew H Wrigley
President of the Senate

Jane Charlson
Secretary of the Senate

Received by the Governor at 4:10 P.M. on April 28, 2015.

Approved at 2:52 P.M. on April 29, 2015.

Jack Dalrymple
Governor

Filed in this office this 30th day of April, 2015,

at 8:21 o'clock A M.

Alvin A Jaeger
Secretary of State