

**FIRST ENGROSSMENT  
with Conference Committee Amendments  
ENGROSSED HOUSE BILL NO. 1013**

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

**8 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

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

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>	
15				
16				
17	Salaries and wages	\$5,157,015	\$966,501	\$6,123,516
18	Accrued leave payments	108,541	(108,541)	0
19	Operating expenses	1,925,863	93,774	2,019,637
20	Contingencies	200,000	(100,000)	100,000
21	Energy infrastructure and impact office	<u>700,826</u>	<u>(826)</u>	<u>700,000</u>
22	Total all funds	\$8,092,245	\$850,908	\$8,943,153
23	Less estimated income	<u>8,092,245</u>	<u>850,908</u>	<u>8,943,153</u>

1	Total general fund	\$0	\$0	\$0
2	Full-time equivalent positions	31.00	2.00	33.00

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

4       **SIXTY-FIFTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding  
5 items approved by the sixty-third legislative assembly for the 2013-15 biennium:

6	<u>One-Time Funding Description</u>	<u>2013-15</u>	<u>2015-17</u>
7	Capital assets	\$65,550	\$0
8	Private lands study	50,000	0
9	Oil and gas impact grant fund distributions	<u>239,299,174</u>	<u>0</u>
10	Total all funds	\$239,414,724	\$0
11	Less estimated income	<u>239,414,724</u>	<u>0</u>
12	Total general fund	\$0	\$0

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

18       **SECTION 4. DISTRIBUTIONS TO STATE INSTITUTIONS.** Pursuant to article IX of the  
19 Constitution of North Dakota, the board of university and school lands shall distribute during the  
20 biennium beginning July 1, 2015, and ending June 30, 2017, the following amounts, from the  
21 permanent funds managed for the benefit of the following entities:

22	Common schools	\$206,134,000
23	North Dakota state university	3,368,000
24	University of North Dakota	2,742,000
25	Youth correctional center	1,372,000
26	School for the deaf	1,180,000
27	State college of science	1,066,000
28	State hospital	1,078,000
29	Veterans' home	434,000
30	Valley City state university	570,000
31	North Dakota vision services - school for the blind	534,000

1	Mayville state university	382,000
2	Dakota college at Bottineau	78,000
3	Dickinson state university	78,000
4	Minot state university	<u>78,000</u>
5	Total	\$219,094,000

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

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

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

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

14       **57-62-05. Powers and duties of energy infrastructure and impact office director.**

15       The energy infrastructure and impact office director shall:

- 16       1. Develop a plan for the assistance, through financial grants for services and facilities, of  
17       counties, cities, school districts, and other political subdivisions in coal development  
18       and oil and gas development impact areas.
- 19       2. Establish procedures and provide proper forms to political subdivisions for use in  
20       making application for funds for impact assistance as provided in this chapter.
- 21       3. Make grants disbursements to counties, cities, school districts, and other taxing  
22       districts for grants awarded by the board of university and school lands pursuant to  
23       chapter 15-01, as provided in this chapter and within the appropriations made for such  
24       purposes. In determining the amount of impact grants for which political subdivisions  
25       are eligible, consideration must be given to the amount of revenue to which such  
26       political subdivisions will be entitled from taxes upon the real property of coal and oil  
27       and gas development plants and from other tax or fund distribution formulas provided  
28       by law.
- 29       4. Receive and review applications for impact assistance pursuant to this chapter.
- 30       5. Make recommendations, ~~not less than once each calendar quarter,~~ to the board of  
31       university and school lands on grants to counties, cities, school districts, and other

1 political subdivisions in oil and gas development impact areas based on identified  
2 needs, and other sources of revenue available to the political subdivision.

3 **SECTION 7. LEGISLATIVE MANAGEMENT STUDY - FEDERAL LEGISLATION**

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

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