

**Sixty-sixth Legislative Assembly of North Dakota
In Regular Session Commencing Thursday, January 3, 2019**

SENATE BILL NO. 2001
(Appropriations Committee)

AN ACT to provide an appropriation for defraying the expenses of the office of the governor; to create and enact a new section to chapter 54-07 of the North Dakota Century Code, relating to the Theodore Roosevelt presidential library and museum endowment fund; to amend and reenact sections 54-07-04 and 54-08-03 of the North Dakota Century Code, relating to salary of the governor and lieutenant governor; to provide a continuing appropriation; to provide for a transfer; to authorize a loan; to provide an exemption; to provide for a report to the legislative assembly; to provide for a budget section report; 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 out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the office of the governor for the purpose of defraying the expenses of the office of the governor, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$3,422,574	\$201,372	\$3,623,946
Operating expenses	298,456	209,792	508,248
Contingencies	10,000	0	10,000
Roughrider awards	10,800	0	10,800
Governor's salary	265,928	8,184	274,112
Transition in	0	15,000	15,000
Transition out	<u>0</u>	<u>50,000</u>	<u>50,000</u>
Total general fund	\$4,007,758	\$484,348	\$4,492,106
Full-time equivalent positions	18.00	0.00	18.00

SECTION 2. GOVERNOR'S OFFICE ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium and the 2019-21 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Transition costs	\$0	\$65,000
Boards and commissions project	<u>0</u>	<u>139,808</u>
Total general fund	\$0	\$204,808

The 2019-21 one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The governor's office shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 3. ADDITIONAL INCOME - APPROPRIATION - GOVERNOR'S OFFICE - BUDGET SECTION REPORT. In addition to the amounts appropriated in section 1 of this Act, there is appropriated to the governor's office, any additional income from federal or other funds which may become available to the governor's office, for the biennium beginning July 1, 2019, and ending June 30, 2021. Any funds received under this section must be used for the specific purpose intended for the funds or transferred to the appropriate state agency or institution. Upon the receipt of funds under this section, the governor's office shall provide a report to the budget section regarding the source, amount, and purpose of the funds received.

SECTION 4. AMENDMENT. Section 54-07-04 of the North Dakota Century Code is amended and reenacted as follows:

54-07-04. Salary of governor.

The annual salary of the governor is ~~one hundred twenty-nine thousand ninety-one~~ one hundred thirty-five thousand three hundred sixty-four dollars through June 30, ~~2016~~2020, and ~~one hundred thirty-two thousand nine hundred sixty-four~~ one hundred thirty-eight thousand seven hundred forty-eight dollars thereafter.

SECTION 5. A new section to chapter 54-07 of the North Dakota Century Code is created and enacted as follows:

Theodore Roosevelt presidential library and museum endowment fund - Continuing appropriation - Budget section report.

There is created in the state treasury the Theodore Roosevelt presidential library and museum endowment fund. The governor may provide for the fund to be invested under the supervision of the board of university and school lands. The interest and earnings of the fund are appropriated to the governor on a continuing basis to pay interest expenses on a loan from the Bank of North Dakota and to provide grants pursuant to this section. The governor may provide grants to a private entity subject to the following:

1. The private entity has certified to the governor the entity has received the sum of one hundred million dollars in cash donations and binding pledged donations for the construction of a presidential library and museum in North Dakota and for grants to affected entities;
2. The governor has entered an agreement with the private entity in subsection 1 which includes the following provisions:
 - a. The grant funds will be spent only for operating and maintenance costs of the presidential library located in North Dakota;
 - b. Any unused grant funds will be returned to the state and deposited in the general fund if the presidential library has not been constructed within the period of time specified in the agreement or if the library ceases operations;
 - c. The private entity agrees to donate ten million dollars from the one hundred million dollars identified in subsection 1 to a higher education institution foundation in North Dakota for the purpose of creating an endowment to digitize documents relating to Theodore Roosevelt and for the creation of a Theodore Roosevelt conservation scholars program and related academic mission at a North Dakota higher education institution in collaboration with the private entity; and
 - d. The private entity agrees to donate three hundred thousand dollars to a city in North Dakota for prior costs incurred related to planning for a presidential library;
3. The governor provides a report to the budget section which includes copies of the documentation received for the certification provided in subsection 1; and
4. The governor provides a report to the budget section within thirty days of applying for the loan authorized in section 8 of this Act which includes all completed loan application documents.

SECTION 6. AMENDMENT. Section 54-08-03 of the North Dakota Century Code is amended and reenacted as follows:

54-08-03. Salary of lieutenant governor.

The annual salary of the lieutenant governor is ~~one hundred thousand two hundred fifteen~~one hundred five thousand two hundred eighty-five dollars through June 30, ~~2016~~2020, and ~~one hundred three thousand two hundred twenty-one~~one hundred seven thousand nine hundred seventeen dollars thereafter.

SECTION 7. APPROPRIATION - TRANSFER. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$15,000,000, or so much of the sum as may be necessary, which the director of the office of management and budget shall transfer to the Theodore Roosevelt presidential library and museum endowment fund during the period beginning with the effective date of this Act, and ending June 30, 2019. Of the funds appropriated in this section, \$9,800,000 is from unexpended funds previously appropriated by the legislative assembly for grants related to the Theodore Roosevelt presidential library.

SECTION 8. LOAN AUTHORIZATION. The governor may obtain a loan from the Bank of North Dakota in an amount not to exceed \$35,000,000. The term of the loan may not exceed six years and the interest rate must be set at the prevailing interest rate charged by the Bank of North Dakota to governmental entities. The governor shall repay the loan authorized in this section from funds appropriated by the legislative assembly. The governor shall deposit the proceeds of the loan in the Theodore Roosevelt presidential library and museum endowment fund.

SECTION 9. EMERGENCY. Sections 5, 7, and 8 of this Act are declared to be an emergency measure.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2001 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 34 Nays 13 Absent 0

President of the Senate

Secretary of the Senate

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

Vote: Yeas 76 Nays 16 Absent 2

Speaker of the House

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2019.

Approved at _____ M. on _____, 2019.

Governor

Filed in this office this _____ day of _____, 2019,

at _____ o'clock _____ M.

Secretary of State