

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

HOUSE BILL NO. 1001
(Appropriations Committee)
(At the request of the Governor)

AN ACT to provide an appropriation for defraying the expenses of the office of the governor; to amend and reenact sections 54-07-04 and 54-08-03 of the North Dakota Century Code, relating to the salaries of the governor and lieutenant governor; 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, and from special funds derived from federal funds and other income, 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, 2009, and ending June 30, 2011, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$2,589,735	\$410,036	\$2,999,771
Operating expenses	426,787	0	426,787
Contingencies	10,000	0	10,000
Roughrider awards	10,800	0	10,800
Presidential electors	500	(500)	0
Transition in	15,000	(15,000)	0
Transition out	50,000	(50,000)	0
Prevention and advisory council	<u>100,000</u>	<u>(100,000)</u>	<u>0</u>
Total all funds	\$3,202,822	\$244,536	\$3,447,358
Less estimated income	<u>100,000</u>	<u>(100,000)</u>	<u>0</u>
Total general fund	\$3,102,822	\$344,536	\$3,447,358
Full-time equivalent positions	18.00	0.00	18.00

SECTION 2. APPROPRIATION - FEDERAL FISCAL STIMULUS FUNDS - ADDITIONAL FUNDING APPROVAL. The funds provided in this section, or so much of the funds as may be necessary, are appropriated from federal funds made available to the state under the federal American Recovery and Reinvestment Act of 2009, not otherwise appropriated, to the governor for transfer to other agencies or funds for programs and purposes designated by the sixty-first legislative assembly, for the period beginning with the effective date of this Act and ending June 30, 2011, as follows:

Fiscal stabilization - Education	\$85,644,337
Fiscal stabilization - Other government services	<u>19,055,342</u>
Total federal funds	\$104,699,679

The governor may seek emergency commission and budget section approval under chapter 54-16 for authority to spend any additional federal funds received under the federal American Recovery and Reinvestment Act of 2009 in excess of the amounts appropriated in this section, for the period beginning with the effective date of this Act and ending June 30, 2011.

Any federal funds appropriated under this section are not a part of the agency's 2011-13 base budget. Any program expenditures made with these funds will not be replaced with state funds after the federal American Recovery and Reinvestment Act funds are no longer available.

SECTION 3. APPROPRIATION - AUTHORIZATION - LIMITATION - GOVERNOR'S OFFICE.

In addition to the amounts appropriated to the governor's office in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2009, and ending June 30, 2011. Any federal funds made available to the governor's office under the federal American Recovery and Reinvestment Act of 2009 may be accepted under this section but may not be spent until appropriated by the legislative assembly or approved by the emergency commission and budget section under chapter 54-16.

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 ~~ninety-six~~ one hundred ~~five thousand one hundred eighty-three~~ and thirty-four dollars through June 30, ~~2008~~ 2010, and one hundred ~~ten thousand thirty-one~~ two hundred eighty-five dollars thereafter.

SECTION 5. 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 ~~seventy-four~~ eighty-one thousand ~~six~~ five hundred ~~sixty-eight~~ thirty-eight dollars through June 30, ~~2008~~ 2010, and ~~seventy-seven~~ eighty-five thousand ~~six~~ hundred ~~fifty-five~~ fifteen dollars thereafter.

SECTION 6. EMERGENCY. Section 2 of this Act is declared to be an emergency measure.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1001 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 91 Nays 1 Absent 2

Speaker of the House

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 46 Nays 0 Absent 1

President of the Senate

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2009.

Approved at _____ M. on _____, 2009.

Governor

Filed in this office this _____ day of _____, 2009,

at _____ o'clock _____ M.

Secretary of State