

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 3, after "reenact" insert "subdivision s of subsection 3 of section 32-12.2-02 and"

Page 1, line 4, after "to" insert "liability of the state and"

Page 1, line 5, replace "to provide an appropriation for a statewide critical salary funding pool and a" with "to amend and reenact sections 1 and 2 of House Bill No. 1350, as approved by the sixty-first legislative assembly, relating to the great plains applied energy technology center and an independent comprehensive commercialization study"

Page 1, remove lines 6 and 7

Page 1, line 8, remove "section approval", remove "and", and after "study" insert "; and to declare an emergency"

Page 1, line 18, replace "1,433,263" with "2,227,673" and replace "16,647,029" with "17,441,439"

Page 1, line 19, replace "2,296,958" with "2,796,958" and replace "13,989,094" with "14,489,094"

Page 1, line 20, replace "775,279" with "3,625,279" and replace "2,420,298" with "5,270,298"

Page 1, line 22, replace "0" with "2,016,200" and replace "1,337,138" with "3,353,338"

Page 2, line 7, replace "(\$51,501,957)" with "(\$45,341,347)" and replace "43,390,102" with "49,550,712"

Page 2, line 8, replace "(12,053,004)" with "(11,575,596)" and replace "13,176,111" with "13,653,519"

Page 2, line 9, replace "(\$39,448,953)" with "(\$33,765,751)" and replace "30,213,991" with "35,897,193"

Page 2, line 10, replace "(1.00)" with "0.00" and replace "131.50" with "132.50"

Page 2, after line 10, insert:

**"SECTION 2. APPROPRIATION - FEDERAL FISCAL STABILIZATION - OTHER GOVERNMENT SERVICES FUNDS - ADDITIONAL FUNDING APPROVAL.**

The funds provided in this section, or so much of the funds as may be necessary, are appropriated from federal fiscal stabilization - other government services funds made available to the governor under the federal American Recovery and Reinvestment Act of 2009, not otherwise appropriated, to the office of management and budget, for the period beginning with the effective date of this Act and ending June 30, 2011, as follows:

Information technology, accounting, and verification	\$400,000
Total federal funds	\$400,000

The office of management and budget 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 under 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 of 2009 funds are no longer available.

**SECTION 3. APPROPRIATION - PERMANENT OIL TAX TRUST FUND - WEATHER-RELATED ASSISTANCE.** There is appropriated out of any moneys in the permanent oil tax trust fund in the state treasury, not otherwise appropriated, the sum of \$250,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of matching federal United States department of agriculture funds to assist North Dakota ranchers affected by severe winter weather and flooding, for the period beginning with the effective date of this Act and ending June 30, 2009."

Page 2, line 17, replace "0" with "2,016,200"

Page 2, line 20, replace "1,220,000" with "2,850,000"

Page 2, line 22, replace "2,346,041" with "5,992,241"

Page 2, line 23, replace "0" with "1,008,100"

Page 2, line 24, replace "2,346,041" with "4,984,141"

Page 2, line 30, replace "\$4,745,432" with "\$5,753,532" and remove "2007-09"

Page 3, line 1, replace "centers of excellence" with "the following" and remove "that have been awarded but have not yet received funding"

Page 3, line 2, replace the period with a colon

Page 3, after line 2, insert:

"2007-09 centers of excellence projects that have been awarded but not distributed	\$4,745,432
Prairie public broadcasting digital conversion	<u>1,008,100</u>
Total funding from permanent oil tax trust fund	\$5,753,532"

Page 3, replace lines 15 through 18 with:

**"SECTION 8. INTENT - STATE EMPLOYEE EQUITY ADJUSTMENTS - GUIDELINES.** Equity funding amounts included in agencies' budgets must be used for market equity compensation adjustments for state employees. The market equity adjustments are to begin with the month of July 2009, to be paid in August 2009. The market equity adjustments are to be independent of any general salary increase provided by the legislative assembly. Agencies shall document their plan and distribution of the market equity funds.

Probationary employees are eligible for market equity increases. Employees whose documented performance levels do not meet standards are not eligible for market equity increases."

Page 3, line 21, replace "9" with "8"

Page 4, replace lines 14 through 31 with:

**"SECTION 12. AMENDMENT.** Subdivision s of subsection 3 of section 32-12.2-02 of the North Dakota Century Code is amended and reenacted as follows:

- s. A claim for liability assumed under contract, except this exclusion does not apply to liability arising from a state employee's operation of a rental vehicle if the ~~vehicle is rented for a period of thirty days or less and the~~ loss is not covered by the state employee's personal insurance or by the vehicle rental company."

Page 5, remove lines 1 through 29

Page 6, remove lines 1 through 7

Page 7, after line 19, insert:

**"SECTION 16. ELECTRONIC BUDGET PRESENTATION - PILOT PROJECT.**

The office of management and budget shall select two agencies to present their proposed 2011-13 budgets and related information electronically to the appropriations committees of the sixty-second legislative assembly. Each state agency selected shall use an electronic format to present and distribute any information regarding its budget, including testimony, supporting documentation, and related materials.

**SECTION 17. AMENDMENT.** Section 1 of House Bill No. 1350, as approved by the sixty-first legislative assembly, is amended and reenacted as follows:

**SECTION 1. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of providing a grant for construction of a great plains applied energy ~~research~~ technology center on the Bismarck state college campus, for the biennium beginning July 1, 2009, and ending June 30, 2011. The department of commerce may spend the general fund appropriation only when the department certifies to the office of management and budget that:

1. The center has completed a detailed business plan demonstrating positive outcomes relating to the development of end-use products and the public policy required to support the products; the use of technology developed at regional research universities; and the testing, development, and application of products and technology to address problems relating to the transmission and storage of electricity;
2. Other nonstate matching funds of three dollars for each one dollar of grant funds are available for all costs of the center, a portion of which must be from the private sector;
- ~~2-~~ 3. The state will be a proportionate owner in the center based on the state's contribution percentage of all costs of the center;
- ~~3-~~ 4. The state will not be responsible for any future operational costs, including property tax, of the center; ~~and~~

4. 5. The center will be subject to local property tax assessments at the discretion of the local taxing authority;
6. The grant recipient is a state entity or private nonprofit entity; and
7. The department has completed an independent comprehensive commercialization study, developed a business and operational plan for the center with a clearly defined mission and objectives, and received budget section approval.

**SECTION 18. AMENDMENT.** Section 2 of House Bill No. 1350, as approved by the sixty-first legislative assembly, is amended and reenacted as follows:

**SECTION 2. REPORT REPORTS TO THE BUDGET SECTION.** The department of commerce shall present the independent comprehensive commercialization study and related business and operational plan for the center to the budget section for approval. The department shall also provide a report to the budget section at its first meeting after September 1, 2009, and at its first meeting after March 1, 2010, regarding the status of the construction of a great ~~plans~~ plains applied energy ~~research~~ technology center, including the extent to which nonstate matching funds have been made available for the project.

**SECTION 19. EMERGENCY.** Sections 2 and 3 of this Act are declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT - LC 98048.0211 FN 2**

**A copy of the statement of purpose of amendment is attached.**