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## BUDGET SECTION

Wednesday, December 7, 2022  
Senate Chamber, State Capitol  
Bismarck, North Dakota

11:15 a.m.

Call to order  
Roll call  
Consideration of the [minutes of the September 28, 2022, meeting](#)

\*11:20 a.m.

Consideration of the following state agency requests pursuant to North Dakota Century Code Chapter 54-16 authorized by the [Emergency Commission](#) which require Budget Section approval:

- **Information Technology Department** ([Request #2083](#)) - The request is to increase federal funds spending authority in the operating expenses line item by \$516,000 for a state digital equity planning grant program made available as a result of the federal Infrastructure Investment and Jobs Act (IIJA).
- **Information Technology Department** ([Request #2084](#)) - The request is to increase special funds spending authority in the operating expenses line item by \$4.5 million from funding received from agencies requesting services from the department.
- **Information Technology Department** ([Request #2085](#)) - The request is to increase federal funds spending authority in the operating expenses line item by \$5 million for a broadband equity, access, and deployment (BEAD) planning grant program made available as a result of IIJA.
- **Department of Career and Technical Education** ([Request #2086](#)) - The request is to increase federal funds spending authority in the grants line item by \$640,000 from federal Carl D. Perkins grant funds.
- **Department of Public Instruction** ([Request #2087](#)) - The request is to increase special funds spending authority for the Department of Public Instruction (DPI) by \$1 million in the operating expenses line item to accept and expend food processing reimbursements from school districts.
- **Department of Public Instruction** ([Request #2088](#)) - The request is to transfer \$75 million of federal funds authority from the emergency education relief - schools line item to the grants - other grants line item for increases in the school nutrition and child care food programs funded by the United States Department of Agriculture and increases in other existing United States Department of Education programs.
- **Department of Public Instruction** ([Request #2089](#)) - The request is to accept \$1 million of federal Governor's Emergency Education Relief funds for reallocation to the para-to-teacher pathway program.
- **Adjutant General** ([Request #2090](#)) - The request is to increase federal funds spending authority by \$3,068,505 for various grant programs.

- **Department of Public Instruction** ([Request #2091](#)) - The request is to increase federal funds spending authority for DPI by \$4,833,025 in the grants - other grants line item to accept and expend a stronger connections grant, awarded as supplemental funds under Title IV of the Elementary and Secondary Education Act.
- **Attorney General** ([Request #2092](#)) - The request is to increase federal funds spending authority by \$2 million in the operating expenses line item (\$798,050) and capital assets line item (\$1,201,050) for the anti-methamphetamine program.
- **Department of Commerce** ([Request #2093](#)) - The request is to increase federal funds spending authority by \$572,143 from funding available from the Small Business Credit Initiative Act, as amended by the American Rescue Plan Act.
- **Department of Health and Human Services** ([Request #2094](#)) - The request is to transfer \$500,000 of federal funds authority from the COVID-19 line item to the grants line item to provide a federal Ebola preparedness grant to Sanford Health of Fargo.
- **Office of Management and Budget** ([Request #2095](#)) - The request is increase federal funds spending authority by \$1 million to transfer funding from the Governor to DPI.
- **State Library** ([Request #2096](#)) - The request is to transfer \$100,000 of general fund spending authority from the salaries and wages line item to the operating expenses line item to increase funding for online resources to meet current maintenance of effort requirements for federal funding.

11:40 a.m. [Presentation](#) by a representative of the Department of Transportation regarding:

- The status of bond proceeds appropriated to the department in House Bill No. 1431 (2021) to match federal funds
- The status of the loan authorized in Section 6 of Senate Bill No. 2012 (2021) for purposes of matching federal funds
- The status of the use of funds transferred from the general fund to the highway fund in Section 13 of House Bill No. 1015 (2021)

12:00 noon Recess

1:00 p.m. Presentation by a representative of the Office of Management and Budget (OMB) regarding:

- Status of the general fund
- Irregularities in the fiscal practices of the state pursuant to Section 54-14-03.1
- Reports from state agencies applying for federal grants estimated to be \$25,000 or more pursuant to Section 54-27-27
- Report on specified commodities and services exempted from the procurement requirements of Section 54-44.4-02.2

1:20 p.m. Presentation by a representative of OMB regarding the executive budget recommendations, including:

- Executive budget revenue forecast for the 2023-25 biennium
- Estimated general fund turnback for the 2021-23 biennium
- Anticipated deficiency appropriation requests for the 2021-23 biennium
- Ongoing revenues and appropriations
- One-time revenues and appropriations
- Proposed statutory changes to implement recommendations in the executive budget, including any recommended tax or fee changes, revenue distribution changes, or changes to duties and responsibilities of state agencies

- 1:40 p.m. Presentation by representatives of OMB on the 2023-25 biennium executive budget recommendations for:
- State employee compensation and benefits
  - Information Technology Department and information technology shared services
  - Information technology projects
  - Elementary, secondary, and career and technical education
  - Higher education institutions and the North Dakota University System office
  - Department of Health and Human Services and Department of Environmental Quality
  - Public safety agencies, including the Department of Corrections and Rehabilitation
  - Agricultural and economic development agencies, including the Department of Commerce, the North Dakota State University (NDSU) Extension Service, and the Agricultural Experiment Station
  - Natural resource agencies, including the State Water Commission and the Game and Fish Department
  - Department of Transportation
  - Other state agencies and institutions
  - Capital projects
  - Use of bonding for capital projects
- 2:40 p.m. Presentation of a [report](#) from the Legacy and Budget Stabilization Fund Advisory Board regarding the status of the legacy fund and budget stabilization fund pursuant to Section 21-10-11
- 2:55 p.m. Distribution of written reports from the University System regarding an annual report on FTE position adjustments made for the [NDSU Extension Service](#), [Northern Crops Institute](#), Upper Great Plains Transportation Institute, [NDSU Main Research Center](#), [branch research centers](#), and Agronomy Seed Farm pursuant to Sections 11-38-12 and 15-12.1-05 and Section 8 of Senate Bill No. 2020 (2021)
- 3:00 p.m. Committee discussion and staff directives
- 3:15 p.m. Adjourn

**\*This item includes a request for Budget Section action.**

**A livestream of the meeting will be available to the public at: <https://video.ndlegis.gov>.**

#### **Committee Members**

**Committee members will be announced during the legislative organizational session, December 5-7, 2022.**

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