

HOUSE BILL NO. 1015

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 various divisions
2 under the supervision of the director of the office of management and budget; to provide an
3 exemption from the provisions of section 54-44.1-11 of the North Dakota Century Code; to
4 provide a statement of legislative intent relating to state employee compensation adjustments;
5 to authorize transfer of various special funds to the general fund; to provide for mobile data
6 terminals; to amend and reenact section 54-27.2-02 of the North Dakota Century Code, relating
7 to the budget stabilization fund; to provide an expiration date; and to declare 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
10 funds as may be necessary, are hereby appropriated out of any moneys in the general fund in
11 the state treasury, not otherwise appropriated, and from special funds derived from federal
12 funds and other income, to the various divisions under the supervision of the director of the
13 office of management and budget for the purpose of defraying their expenses, for the biennium
14 beginning July 1, 1997, and ending June 30, 1999, as follows:

15 Subdivision 1.

16 OFFICE OF MANAGEMENT AND BUDGET

17 Administration	\$ 3,405,558
18 Fiscal management	4,066,236
19 Facility management	8,268,512
20 Central personnel	1,126,728
21 Intergovernmental assistance	39,503,256
22 Risk management	<u>843,818</u>
23 Total all funds	\$ 57,214,108

Fifty-fifth
Legislative Assembly

1	Less estimated income	<u>41,996,220</u>
2	Total general fund appropriation	\$ 15,217,888
3	Subdivision 2.	
4	INFORMATION SERVICES DIVISION	
5	Information resource management	<u>\$ 45,370,940</u>
6	Total special funds appropriation	\$ 45,370,940
7	Subdivision 3.	
8	CENTRAL SERVICES	
9	Central services	<u>\$ 4,646,858</u>
10	Total all funds	\$ 4,646,858
11	Less estimated income	<u>4,247,641</u>
12	Total general fund appropriation	\$ 399,217
13	Subdivision 4.	
14	STATE RADIO COMMUNICATIONS	
15	Salaries and wages	\$ 2,347,426
16	Operating expenses	1,750,927
17	Equipment	<u>613,201</u>
18	Total all funds	\$ 4,711,554
19	Less estimated income	<u>586,610</u>
20	Total general fund appropriation	\$ 4,124,944
21	Grand total general fund appropriation H.B. 1015	\$ 19,742,049
22	Grand total special funds appropriation H.B. 1015	\$ 92,201,411
23	Grand total all funds appropriation H.B. 1015	\$ 111,943,460

24 **SECTION 2. ADDITIONAL INFORMATION.** Included in the program-based
25 performance budget appropriation in section 1 of this Act is anticipated funding for the following:
26 \$9,094,855 for salaries and wages, \$8,243,188 for operating expenses, \$181,000 for
27 equipment, \$38,259,215 for grants, and \$1,435,850 for capital improvements for subdivision 1;
28 \$13,963,492 for salaries and wages, \$27,522,448 for operating expenses, and \$3,885,000 for
29 equipment for subdivision 2; and \$1,790,989 for salaries and wages, \$2,780,869 for operating
30 expenses, and \$75,000 for equipment for subdivision 3. These amounts are provided for
31 informational purposes only.

1 **SECTION 3. ADDITIONAL INCOME.** All income in excess of estimated income in the
2 budget appropriated by the legislative assembly to the office of management and budget for the
3 biennium beginning July 1, 1997, and ending June 30, 1999, must be deposited in the
4 appropriate operating funds in the state treasury and may only be expended with the
5 authorization of the emergency commission. Income exceeding \$50,000 must be approved by
6 the budget section.

7 **SECTION 4. LINE ITEM TRANSFERS.** Upon approval of the emergency commission,
8 the director of the office of management and budget may transfer between various line items in
9 subdivisions 1, 2, and 3 of section 1 of this Act appropriation authority of up to ten percent of a
10 given line item to adjust for changing circumstances in meeting established performance
11 measures. Any further transfers must be approved by the budget section.

12 **SECTION 5. CAPITOL BUILDING FUND.** The amount of \$605,850, or so much of the
13 sum as is necessary, included in the estimated income line item in subdivision 1 of section 1 of
14 this Act, is to be spent by the facility management division from the capitol building fund during
15 the biennium beginning July 1, 1997, and ending June 30, 1999.

16 **SECTION 6. EXEMPTION.** The fiscal management appropriation contained in
17 subdivision 1 of section 1 of chapter 37 of the 1995 Session Laws is not subject to the
18 provisions of section 54-44.1-11 for up to an amount of \$800,000 and any unexpended funds
19 from this appropriation are available for continued development and operating costs of the
20 accounting, management, and payroll systems during the biennium beginning July 1, 1997, and
21 ending June 30, 1999.

22 **SECTION 7. INTENT - STATE EMPLOYEE COMPENSATION ADJUSTMENTS -**
23 **GUIDELINES.** It is the intent of the fifty-fifth legislative assembly that 1997-99 compensation
24 adjustments for permanent state employees are to be increases of 1.5 percent beginning with
25 the month of July 1997, to be paid in August 1997, and another 1.5 percent beginning with the
26 month of July 1998, to be paid in August 1998.

27 In addition, the fifty-fifth legislative assembly has appropriated an additional 1.5 percent
28 employee pay increase each year of the biennium to be used by agency and institution
29 directors to address compression problems and provide merit increases. The additional
30 increases are to be paid in August 1997 for the first year of the biennium and in August 1998 for
31 the second year of the biennium.

Probationary employees and employees whose documented performance levels do not meet standards are not eligible for the general or additional increases.

During the biennium, no general salary increase other than the 1.5 percent in July 1997 and the 1.5 percent in July 1998 may be given to an employee whose salary exceeds or would exceed the salary range maximum.

It is the intent of the fifty-fifth legislative assembly that the workers compensation bureau receive its 1997-99 employee compensation adjustment in a lump sum amount of \$508,406 to provide pay raises based on merit and performance throughout the 1997-99 biennium.

SECTION 8. INTENT. Within the authority included in subdivision 1 of section 1 of this Act, are the following grants and special items:

Boys and girls clubworks	\$ 53,000
State contingencies	500,000
State memberships and related expenses	307,500
Firemen's association	63,000
Unemployment insurance	2,000,000
Capitol grounds planning commission	25,000

SECTION 9. TRANSFER. During the biennium beginning July 1, 1997, and ending June 30, 1999, the director of the office of management and budget is authorized to transfer special funds to the general fund as follows:

Lands and minerals trust fund	\$ 5,500,000
State aid distribution fund	39,372,706

SECTION 10. FIRE AND TORNADO FUND. The amount of \$63,000, or so much of the amount as is necessary, included in the estimated income line item in subdivision 1 of section 1 of this Act, is from the fire and tornado fund.

SECTION 11. MOBILE DATA TERMINALS. Of the amounts included in the operating and equipment line items in subdivision 4 of section 1 of this Act, \$266,180 and \$573,201, respectively, provide for radio tower upgrades for mobile data terminals. These funds may not be expended prior to the completion of a comprehensive public communication plan provided for in the highway patrol appropriation.

SECTION 12. AMENDMENT. Section 54-27.2-02 of the North Dakota Century Code is amended and reenacted as follows:

1 **54-27.2-02. ~~(Effective until June 30, 1997)~~ Certain general fund revenues to be**
2 **deposited in the budget stabilization fund.** Notwithstanding any other provision of law
3 except section 54-27.2-01, any amount in the state general fund in excess of ~~seventy~~ sixty-five
4 million dollars at the end of any biennium must be transferred by the state treasurer to the
5 budget stabilization fund. For purposes of this section, "at the end of any biennium" means
6 after cancellation of unexpended appropriations under section 54-44.1-11.

7 ~~**(Effective June 30, 1997) Certain general fund revenues to be deposited in the**~~
8 ~~**budget stabilization fund.**~~ Notwithstanding any other provision of law except section
9 ~~54-27.2-01, any amount in the state general fund in excess of forty million dollars at the end of~~
10 ~~any biennium must be transferred by the state treasurer to the budget stabilization fund. For~~
11 ~~purposes of this section, "at the end of any biennium" means after cancellation of unexpended~~
12 ~~appropriations under section 54-44.1-11.~~

13 **SECTION 13. EXPIRATION DATE.** Section 12 of this Act is effective through June 30,
14 1999, and after that date is ineffective.

15 **SECTION 14. EMERGENCY.** Section 12 of this Act is declared to be an emergency
16 measure.