

**SENATE BILL NO. 2380**

Introduced by

Senator Thompson

1 A BILL for an Act to amend and reenact subsection 5 of section 4-05.1-19, sections 54-03-02,  
2 54-03-02.1, subsection 11 of section 54-07-01, sections 54-35-16, 54-44.1-04, 54-44.1-13, and  
3 55-44.2-10 of the North Dakota Century Code, relating to regular sessions of the legislative  
4 assembly in even-numbered years; to provide for budget section review of annual sessions; to  
5 provide for transition; and to provide an effective date.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1. AMENDMENT.** Subsection 5 of section 4-05.1-19 of the 1997  
8 Supplement to the North Dakota Century Code is amended and reenacted as follows:

9 5. Develop a biennial budget request and submit that request to the state board of  
10 higher education on or before March first of each ~~even-numbered~~ odd-numbered  
11 year;

12 **SECTION 2. AMENDMENT.** Section 54-03-02 of the 1997 Supplement to the North  
13 Dakota Century Code is amended and reenacted as follows:

14 **54-03-02. When legislative assembly meets.**

15 1. The legislative assembly shall meet at the seat of government in the month of  
16 December following the election of the members thereof for organizational and  
17 orientation purposes and shall thereafter recess until the time provided in  
18 subsection 2.

19 2. The legislative assembly shall reconvene at twelve noon on the first Tuesday after  
20 the third day in January of the year following the organizational session as  
21 provided in subsection 1 or at twelve noon on a date selected by the legislative  
22 council but not earlier than January second nor later than January eleventh of the  
23 year following the organizational session ~~and, following the close of business of the~~  
24 regular session only for the purpose of receiving the messages to the legislative

1           assembly by the governor and the chief justice of the North Dakota supreme court  
2           and, after receiving the messages, shall adjourn subject to recess until the time  
3           provided in subsection 3.

4           3. The legislative assembly shall reconvene at twelve noon on the first Tuesday after  
5           the third day in January of each even-numbered year or at twelve noon on a date  
6           selected by the legislative council but not earlier than January second nor later  
7           than January eleventh of the even-numbered year and, following the close of  
8           business of the regular session, shall adjourn subject to subsection 4.

9           4. Notwithstanding a motion to adjourn sine die, the legislative assembly shall  
10           reconvene as determined by the legislative council. The number of natural days  
11           used may not exceed the number of natural days available under the constitution  
12           which have not been previously used by that legislative assembly in regular  
13           session under subsection ~~2~~ 3.

14           **SECTION 3. AMENDMENT.** Section 54-03-02.1 of the 1997 Supplement to the North  
15           Dakota Century Code is amended and reenacted as follows:

16           **54-03-02.1. Definitions.** For the purposes of this chapter and chapter 54-03.1:

- 17           1. "Organizational session" means the meeting of the legislative assembly for  
18           organizational and orientation purposes held during the month of December in the  
19           even-numbered years.
- 20           2. "Regular session" means the legislative session commencing in January of the  
21           ~~odd-numbered~~ even-numbered years and includes any reconvened legislative  
22           session, as provided in section 54-03-02.

23           **SECTION 4. AMENDMENT.** Subsection 11 of section 54-07-01 of the 1997  
24           Supplement to the North Dakota Century Code is amended and reenacted as follows:

- 25           11. Shall produce and deliver to the legislative assembly by December tenth of each  
26           ~~even-numbered~~ odd-numbered year a report on the status of children and families  
27           and proposals for addressing the needs of children and families.

28           **SECTION 5. AMENDMENT.** Section 54-35-16 of the 1997 Supplement to the North  
29           Dakota Century Code is amended and reenacted as follows:

30           **54-35-16. Authority to determine if legislative assembly meets.** The council may  
31           issue a call for the legislative assembly to convene after it has adjourned under subsection ~~2~~ 3

1 of section 54-03-02. The length of a legislative session called under this section may not  
2 exceed the number of natural days available under the constitution which have not been used  
3 by that legislative assembly. The council may exercise this authority, and the legislative  
4 assembly shall meet, regardless of whether the motion to close the regular session of the  
5 legislative assembly was to recess to a time certain, adjourn to a time certain, or adjourn  
6 sine die.

7 **SECTION 6. AMENDMENT.** Section 54-44.1-04 of the North Dakota Century Code is  
8 amended and reenacted as follows:

9 **54-44.1-04. Budget estimates of budget units filed with the office of the budget -**  
10 **Deadline.** The head of each budget unit, not later than July fifteenth of each odd-numbered  
11 year ~~next preceding the session of the legislative assembly~~, shall submit to the office of the  
12 budget, estimates of financial requirements of ~~his~~ the budget unit for the next two fiscal years,  
13 on the forms and in the manner prescribed by the office of the budget, with such explanatory  
14 data as is required by the office of the budget and such additional data as the head of the  
15 budget unit wishes to submit. The estimates so submitted must bear the approval of the board  
16 or commission of each budget unit for which a board or commission is constituted. The director  
17 of the budget ~~in his discretion~~ may extend the filing date for any budget unit if ~~he~~ the director  
18 finds there is some circumstance ~~which~~ that makes it advantageous to authorize the extension.  
19 If a budget unit has not submitted its estimate of financial requirements by the required date or  
20 within a period of extension set by the director of the budget, the director of the budget shall  
21 prepare such budget unit's estimate of financial requirements except such estimate may not  
22 exceed ninety percent of such budget unit's previous biennial appropriation. The director of the  
23 budget or such subordinate officer as ~~he~~ the director shall designate shall examine the  
24 estimates and shall afford to the heads of budget units reasonable opportunity for explanation in  
25 regard thereto and, when requested, shall grant to the heads of budget units a hearing thereon  
26 which must be open to the public.

27 **SECTION 7. AMENDMENT.** Section 54-44.1-13 of the 1997 Supplement to the North  
28 Dakota Century Code is amended and reenacted as follows:

29 **54-44.1-13. Budget requests for legislative and judicial branches.** The budget  
30 requests and expenditures for the legislative and judicial branches of this state are not subject  
31 to the provisions of this chapter and such budget requests must be submitted directly to the

1 legislative assembly with informational copies of ~~such the~~ budgets provided to the director of  
2 the budget not later than November fifteenth in each ~~even-numbered~~ odd-numbered year  
3 preceding a session of the legislative assembly.

4 **SECTION 8. AMENDMENT.** Section 54-44.2-10 of the 1997 Supplement to the North  
5 Dakota Century Code is amended and reenacted as follows:

6 **54-44.2-10. Information technology planning.** Each executive branch state agency,  
7 institution, or department, including the institutions under the control of the board of higher  
8 education, shall prepare an information technology strategic plan, subject to approval by the  
9 information services division. The plan must be submitted to the information services division  
10 and the legislative council by January fifteenth of each ~~even-numbered~~ odd-numbered year.  
11 The plan must be prepared based on guidelines developed by the information services division  
12 in consultation with the legislative council; must provide the information technology goals,  
13 objectives, and activities of the organization for the next five years; and must include a detailed  
14 list of information technology assets owned, leased, or employed by the agency, institution, or  
15 department. Each agency, institution, or department shall provide interim updates to its plan if  
16 major information technology changes occur which affect its plan. The information services  
17 division shall review each agency's, institution's, or department's strategic plan for compliance  
18 with statewide information technology policies and standards and may require an agency,  
19 institution, or department to change its strategic plan to comply with statewide policies or  
20 standards or to resolve conflicting directions among plans. Agencies of the judicial and  
21 legislative branches shall file their information technology strategic plans with the information  
22 services division and the legislative council by January fifteenth of each even-numbered year.  
23 Each agency, institution, or department shall prepare its budget request for the next biennium  
24 based on its information technology strategic plan. Based on the plans prepared by agencies,  
25 institutions, and departments, the information services division shall prepare a statewide  
26 information technology strategic plan and distribute copies of that plan to members of the  
27 legislative assembly as requested by the legislative council or its designee.

28 **SECTION 9. BUDGET SECTION REVIEW OF IMPACT OF TRANSITION TO**  
29 **EVEN-NUMBERED YEAR SESSIONS.** During the 1999-2000 interim, the budget section shall  
30 review the impact of the transition to even-numbered year legislative sessions. The budget

1 section review must include an examination of statutory provisions to determine if additional  
2 changes are necessary to make the transition to even-numbered year legislative sessions.

3 **SECTION 10. TRANSITION - 2001-02 BUDGET.** The fifty-seventh legislative  
4 assembly shall adopt an annual budget for the period beginning July 1, 2001, and ending  
5 June 30, 2002. For the purposes of preparation and adoption of an annual budget for 2001-02,  
6 all statutory requirements relating to the preparation and adoption of biennial budgets must be  
7 interpreted to refer to the preparation and adoption of an annual budget. When the legislative  
8 assembly convenes in January 2002, the legislative assembly shall make the transition back to  
9 biennial budgets by adopting a budget for the biennium beginning July 1, 2002, and ending  
10 June 30, 2004.

11 **SECTION 11. EFFECTIVE DATE.** Section 1 of this Act becomes effective on  
12 February 1, 2001, and sections 2 through 8 of this Act become effective July 1, 2001.