

**SENATE BILL NO. 2028**

Introduced by

Legislative Council

(Budget Section)

1 A BILL for an Act to amend and reenact sections 4-19-01.2, 15.1-02-14, 49-21-31, 54-59-19,  
2 54-60-10, and 65-02-05.1 of the North Dakota Century Code, relating to budget section  
3 approval of state forester reserve account spending and remove required reports to the budget  
4 section and the legislative audit and fiscal review committee.

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

6 **SECTION 1. AMENDMENT.** Section 4-19-01.2 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **4-19-01.2. State forester reserve account.** The state forester reserve account is  
9 established as a special account in the state treasury. All moneys received for charges in  
10 excess of the cost of production of seedlings from the state nursery must be deposited in the  
11 reserve account. The state forester may use the reserve account ~~after receiving approval from~~  
12 ~~the legislative council's budget section~~ and within limits of legislative appropriations for  
13 expenses relating to nursery seedling losses or other unanticipated events requiring additional  
14 funding as determined necessary by the state forester. If the balance of the state forester  
15 reserve account exceeds five hundred thousand dollars, charges for state nursery seedlings  
16 must not exceed estimated production costs until the account balance is less than two hundred  
17 thousand dollars, at which time the state forester may charge one hundred ten percent of  
18 production costs.

19 **SECTION 2. AMENDMENT.** Section 15.1-02-14 of the North Dakota Century Code is  
20 amended and reenacted as follows:

21 **15.1-02-14. Duplicative payments - Transfer - Distribution - ~~Report to budget~~**  
22 **section.** If the superintendent of public instruction receives any federal or other moneys to pay  
23 programmatic administrative expenses for which the superintendent received a state general  
24 fund appropriation, the superintendent shall transfer the moneys to the state tuition fund. This

1 section does not apply if the superintendent is required by federal law or by the terms of a grant  
2 to employ additional personnel. ~~The superintendent shall report annually to the budget section  
3 of the legislative council regarding any transfers under this section.~~

4 **SECTION 3. AMENDMENT.** Section 49-21-31 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **49-21-31. Performance assurance fund - Continuing appropriation ~~–Report to~~**  
7 **~~budget section.~~** The performance assurance fund is a special fund in the state treasury. The  
8 commission shall deposit payments received by the commission under the performance  
9 assurance plan in the performance assurance fund until the balance of the fund equals one  
10 hundred thousand dollars. Up to one hundred thousand dollars per biennium of moneys in the  
11 fund are appropriated on a continuing basis to the commission to monitor the operation and  
12 effect of the performance assurance plan. All the payments received by the commission in  
13 excess of the one hundred thousand dollars balance in the performance assurance fund must  
14 be deposited in the general fund. ~~The commission shall report annually to the budget section of  
15 the legislative council with respect to the payments received under the plan and the  
16 expenditures from the performance assurance fund.~~

17 **SECTION 4. AMENDMENT.** Section 54-59-19 of the North Dakota Century Code is  
18 amended and reenacted as follows:

19 **54-59-19. Information technology department annual report.** The department shall  
20 prepare and present an annual report to the information technology committee. In addition to  
21 the presentation of the annual report to the information technology committee, the department  
22 shall present a summary of the annual report to the budget section ~~and to the legislative audit  
23 and fiscal review committee.~~ The report must contain:

- 24 1. A list of major projects started, ongoing, and completed during the year including  
25 related budgeted and actual costs and the estimated implementation date for each  
26 project as well as the actual implementation date for completed projects.
- 27 2. A list of all projects for which financing agreements have been executed.
- 28 3. Information regarding evaluations of cost-benefit analyses for completed projects.
- 29 4. A comparison of the department's rates charged for services compared to rates  
30 charged for comparable services in other states and in the private sector.

1           5. Information regarding the information technology plans including the department's  
2           plan review process, the number of plans reviewed, and the number of plans  
3           approved.

4           6. A description of the benefits to the state resulting from its investment in information  
5           technology.

6           **SECTION 5. AMENDMENT.** Section 54-60-10 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8           **54-60-10. Career guidance and job opportunities - Internet web site - Fees -**

9 **Continuing appropriation.** The department may provide career guidance and job opportunity  
10 services through an internet web site. If the department contracts with a third party for the  
11 provision of internet web site services under this section, upon the expiration of that contract the  
12 department shall request bids for the maintenance of this internet web site and shall give  
13 consideration to bids of North Dakota businesses. The department shall deposit in the  
14 department's operating fund any moneys received by the department as subscriptions,  
15 commissions, fees, or other revenue from the internet web site. Moneys deposited in the  
16 operating fund under this section of up to one hundred thirty thousand dollars per biennium are  
17 appropriated to the department on a continuing basis for payment of expenses related to  
18 administration of the internet web site. Any additional amounts deposited in the operating fund  
19 during a biennium under this section may be spent pursuant to legislative appropriations or with  
20 budget section approval. ~~The department shall report annually to the budget section of the~~  
21 ~~legislative council regarding moneys spent under this section.~~

22           **SECTION 6. AMENDMENT.** Section 65-02-05.1 of the North Dakota Century Code is  
23 amended and reenacted as follows:

24           **65-02-05.1. Building maintenance account - Continuing appropriation.** There is a  
25 building maintenance account within the workforce safety and insurance fund, to which the  
26 organization shall deposit all building rental proceeds if the organization builds a building that  
27 includes rental space for other state entities. The moneys in the account are appropriated on a  
28 continuing basis to the organization to pay bond principal and interest payments, operating,  
29 maintenance, repair, and payments in lieu of taxes expenses of the building and grounds. This  
30 account may be used only for the purposes identified in this section. The organization may  
31 either hire or contract for building maintenance and repair services anticipated by this section.

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Legislative Assembly

- 1 ~~The organization shall report to the budget section of the legislative council on a biennial basis~~
- 2 ~~on all revenues deposited into this account and expenditures made from the account.~~