

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2015

Page 1, line 3, replace "and" with "to create and enact a new section to chapter 48-01.2 and a new section to chapter 54-27 of the North Dakota Century Code, and a new subdivision to subsection 6 of section 1 of House Bill No. 1438 as enacted by the sixty-second legislative assembly, relating to public improvement project bids, reports on federal grants, and an employer's prohibition on firearm possession; to amend and reenact sections 54-16-03.1 and 54-35-02.3 of the North Dakota Century Code, relating to petitions to the emergency commission and the legislative management employee benefits programs committee;"

Page 1, line 3, after "intent" insert "; to provide for a legislative management study; to provide for retroactive application; and to declare an emergency"

Page 1, replace line 17 with:

"Capital assets	2,420,298	6,069,845	8,490,143"
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Page 1, replace line 19 with:

"Prairie public broadcasting	1,337,138	(337,138)	1,000,000"
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Page 1, replace lines 22 through 24 with:

"Total all funds	\$50,937,875	(\$8,209,715)	\$42,728,160
Less estimated income	<u>14,688,779</u>	<u>(4,174,318)</u>	<u>10,514,461</u>
Total general fund	\$36,249,096	(\$4,035,397)	\$32,213,699"

Page 2, replace line 7 with:

"Prairie public broadcasting	\$2,016,200	\$0"
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Page 2, replace line 13 with:

"Capitol complex parking lot repairs	0	500,000"
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Page 2, replace line 15 with:

"Total all funds	\$6,681,735	\$3,350,000"
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Page 2, replace line 17 with:

"Total general fund	\$4,858,100	\$3,350,000"
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Page 2, after line 21, insert:

"SECTION 3. APPROPRIATION - TRANSFER - GENERAL FUND TO PUBLIC TRANSPORTATION FUND. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000, which the office of management and budget shall transfer to the public transportation fund during the biennium beginning July 1, 2011, and ending June 30, 2013."

Page 2, remove lines 30 and 31

Page 3, remove lines 1 and 2

Page 3, line 19, replace "sixty-third" with "sixty-second"

Page 3, line 21, replace "the same percentage increase" with "three percent annually"

Page 3, line 24, replace "four" with "three"

Page 3, line 25, replace "one" with "three"

Page 3, after line 30, insert:

"SECTION 10. INFORMATION TECHNOLOGY PROJECT PLANNING. Each executive branch state agency, excluding entities under the control of the state board of higher education, considering the development of an information technology project with an estimated cost of \$100,000 or more shall involve the information technology department in the planning and study of the project, for the biennium beginning July 1, 2011, and ending June 30, 2013. A state agency must receive a recommendation from the information technology department prior to proceeding with any study relating to the project.

SECTION 11. DRAFT APPROPRIATIONS ACTS - ALTERNATIVE FORMAT PILOT PROJECT - SIXTY-THIRD LEGISLATIVE ASSEMBLY - EXCEPTION. Notwithstanding subsection 7 of section 54-44.1-06, the draft of proposed appropriations acts submitted by the governor for introduction to the sixty-third legislative assembly for the highway patrol, protection and advocacy project, secretary of state, and public service commission must be at the same level of ongoing funding as provided by the sixty-second legislative assembly. The governor shall attach a proposed draft amendment to the draft appropriations acts for these agencies making the funding changes necessary to provide for the appropriations as recommended by the governor, for the biennium beginning July 1, 2013, and ending June 30, 2015.

SECTION 12. A new section to chapter 48-01.2 of the North Dakota Century Code is created and enacted as follows:

Bids less than authorized project amount - Additional expense approval - Budget section report.

Upon accepting a bid under this chapter, if the accepted bid is less than all funds dedicated to the public improvement, the governing body of an entity that has received an appropriation of moneys from the general fund of the state treasury for the public improvement shall immediately notify the office of management and budget. Any change order or expenses exceeding the bid amount must be submitted to the office of management and budget for approval. The office of management and budget shall report all approved change orders or additional expenses to the budget section of the legislative management.

SECTION 13. A new section to chapter 54-27 of the North Dakota Century Code is created and enacted as follows:

Report on federal grants by state agency.

Each state agency, excluding entities under the control of the state board of higher education, shall report to the office of management and budget before applying for a federal grant for which the agency may receive estimated funding of twenty-five

thousand dollars or more. The report must include the purpose of the grant; the potential amount of the grant; any additional employees that may be required because of the grant; the time period covered by the grant; and grant requirements, including state matching requirements or maintenance of effort. The state agency shall provide updates on the status of the grant application as required by the office of management and budget. At each meeting of the budget section of the legislative management, the office of management and budget shall report to the budget section on the reports received from state agencies under this section.

SECTION 14. A new subdivision to subsection 6 of section 1 of House Bill No. 1438, as enacted by the sixty-second legislative assembly, is created and enacted as follows:

The state hospital.

SECTION 15. AMENDMENT. Section 54-16-03.1 of the North Dakota Century Code is amended and reenacted as follows:

54-16-03.1. Submission of petition to emergency commission.

When an emergency exists, a state officer may present to the emergency commission an itemized petition requesting approval to transfer money and spending authority between funds or line items pursuant to section 54-16-04; accept and expend federal funds pursuant to section 54-16-04.1; accept and expend state contingency funds pursuant to section 54-16-09; accept and expend other funds pursuant to section 54-16-04.2; or recommend full-time equivalent positions pursuant to section 54-16-04.3. Any petition to the emergency commission by a state officer must be approved or recommended by the emergency commission prior to submission for consideration by the budget section.

SECTION 16. AMENDMENT. Section 54-35-02.3 of the North Dakota Century Code is amended and reenacted as follows:

54-35-02.3. Employee benefits programs committee - Appointment - Selection of chairman.

The legislative management, during each biennium, shall appoint an employee benefits programs committee in the same manner as the legislative management appoints other interim committees. The legislative management shall appoint ~~five~~seven members of the house of representatives and ~~four~~six members of the senate to the committee. The legislative management shall designate the chairman of the committee. The committee shall operate according to the statutes and procedure governing the operation of other legislative management interim committees.

SECTION 17. LEGISLATIVE MANAGEMENT STUDY - HOME RULE AMENDMENTS. During the 2011-12 interim, the legislative management shall consider studying procedures for proposing, adopting, and implementing changes to county and city home rule charters and ordinances and resolutions adopted under home rule powers. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly.

SECTION 18. RETROACTIVE APPLICATION. House Bill No. 1141, as approved by the sixty-second legislative assembly, is retroactive in application to January 1, 2011. Upon the effective date of this Act, the director of the office of

management and budget shall recalculate the maximum monthly lodging reimbursement for members of the sixty-second legislative assembly based upon section 1 of House Bill No. 1141 to be effective beginning January 1, 2011.

SECTION 19. EMERGENCY. Section 18 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2015 - Office of Management and Budget - House Action

	Executive Budget	Senate Version	House Changes	House Version
Salaries and wages	\$18,517,763	\$18,517,763		\$18,517,763
Operating expenses	13,765,254	13,765,254		13,765,254
Capital assets	8,390,143	9,390,143	(900,000)	8,490,143
Grants	55,000	55,000		55,000
Emergency Commission contingency fund	700,000	700,000		700,000
Prairie Public Broadcasting	1,337,138	1,837,138	(837,138)	1,000,000
State student internship program	200,000	200,000		200,000
Transfer to public transportation fund			100,000	100,000
Total all funds	\$42,965,298	\$44,465,298	(\$1,637,138)	\$42,828,160
Less estimated income	10,914,461	10,914,461	(400,000)	10,514,461
General fund	\$32,050,837	\$33,550,837	(\$1,237,138)	\$32,313,699
FTE	131.50	131.50	0.00	131.50

Department No. 110 - Office of Management and Budget - Detail of House Changes

	Reduces Funding for Prairie Public Broadcasting¹	Removes Funding for Capitol Grounds Signage Projects²	Reduces Funding for Parking Lot Repairs³	Adds Transfer to Public Transportation Fund⁴	Total House Changes
Salaries and wages					
Operating expenses					
Capital assets		(400,000)	(500,000)		(900,000)
Grants					
Emergency Commission contingency fund					
Prairie Public Broadcasting	(837,138)				(837,138)
State student internship program					
Transfer to public transportation fund				100,000	100,000
Total all funds	(\$837,138)	(\$400,000)	(\$500,000)	\$100,000	(\$1,637,138)
Less estimated income	0	(400,000)	0	0	(400,000)
General fund	(\$837,138)	\$0	(\$500,000)	\$100,000	(\$1,237,138)
FTE	0.00	0.00	0.00	0.00	0.00

¹ Funding from the general fund for Prairie Public Broadcasting is reduced by \$837,138 to provide total funding of \$1,000,000. The executive recommendation provided \$1,337,138 of funding for Prairie Public Broadcasting, and the Senate added an additional \$500,000 of one-time funding.

² Funding from the Capitol building fund for exterior signage at the Capitol complex is removed.

³ Funding for Capitol complex parking lot repairs is reduced by \$500,000. The Senate added a total of \$1,000,000 from the general fund for Capitol complex parking lot repairs.

⁴ A section is added to provide a transfer of \$100,000 from the general fund to the public transportation fund during the 2011-13 biennium.

This amendment also:

- Adjusts Section 2 to reflect the removal of one-time funding for Prairie Public Broadcasting and the reduction of funding for Capitol complex parking lot repairs.
- Removes Section 5 which transfers \$388,580,000 from the permanent oil tax trust fund to the property tax relief sustainability fund.
- Adjusts Section 9 to provide intent that funding is provided to each state agency equal to a 3 percent state employee salary increase each year of the 2011-13 biennium, the same as the executive recommendation. The Senate included intent that funding is provided equal to a salary increase of 4 percent the first year of the biennium and 1 percent the second year of the biennium.
- Adds a section regarding Information Technology Department review of proposed state agency information technology projects with an estimated cost of \$100,000 or more.
- Adds a section to require certain draft appropriations acts to be submitted to the 63rd Legislative Assembly in an alternative format.
- Enacts two new sections to the North Dakota Century Code relating to public improvement project bids and reports on federal grants.
- Amends Section 54-16-03.1 relating to the action of the Emergency Commission.
- Amends Section 54-35-02.3 relating to the membership of the Employee Benefits Programs Committee.
- Provides for a Legislative Management study of amending county and city home rule charters, ordinances, and resolutions.
- Adds a section to retroactively apply the provisions of House Bill No. 1141 relating to monthly lodging rates of members of the Legislative Assembly. The section is declared to be an emergency measure.
- Adds a section to create a new subdivision to subsection 6 of a new unnumbered section added to Chapter 52.1-02 in 2011 House Bill No. 1438 relating to an employer's prohibition of firearms.