

HOUSE BILL NO. 1021

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 information
2 technology department; to provide for various transfers; to provide legislative intent; and to
3 amend and reenact section 7 of chapter 49 and section 8 of chapter 519 of the 2009 Session
4 Laws, relating to statewide longitudinal data system expenditures and health information
5 technology.

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

7 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
8 as may be necessary, are appropriated out of any moneys in the general fund in the state
9 treasury, not otherwise appropriated, and from special funds derived from federal funds and
10 other income, to the information technology department for the purpose of defraying the
11 expenses of that agency, for the biennium beginning July 1, 2011, and ending June 30, 2013, as
12 follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
15 Salaries and wages	\$42,564,943	\$3,038,443	\$45,603,386
16 Operating expenses	55,208,550	(2,056,359)	53,152,191
17 Capital assets	11,970,746	3,064,920	15,035,666
18 Center for distance education	6,187,917	688,289	6,876,206
19 <u>Center for distance education</u>	<u>6,187,917</u>	<u>461,321</u>	<u>6,649,238</u>
20 Deferred maintenance	60,000	(60,000)	0
21 Statewide longitudinal data system	202,442	3,424,425	3,626,867
22 Educational technology council	974,986	100,417	1,075,403
23 EduTech	7,400,002	526,445	7,926,447
24 K-12 wide area network	4,776,970	299,022	5,075,992

Sixty-second
Legislative Assembly

1	Geographic information system	789,678	322,387	1,112,065
2	Health information technology office	8,350,000	5,609,238	13,959,238
3	Criminal justice information sharing	3,339,491	(358,097)	2,981,394
4	Federal stimulus funds	<u>80,000,000</u>	<u>(72,000,000)</u>	<u>8,000,000</u>
5	Total all funds	\$221,825,725	(\$57,400,870)	\$164,424,855
6	Less estimated income	206,907,171	(61,603,520)	145,303,651
7	<u>Total all funds</u>	<u>\$221,825,725</u>	<u>(\$57,627,838)</u>	<u>\$164,197,887</u>
8	<u>Less estimated income</u>	<u>206,907,171</u>	<u>(61,830,488)</u>	<u>145,076,683</u>
9	Total general fund	\$14,918,554	\$4,202,650	\$19,121,204
10	Full-time equivalent positions	328.20	0.00	328.20
11	<u>Full-time equivalent positions</u>	<u>328.20</u>	<u>(1.90)</u>	<u>326.30</u>

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO

SIXTY-THIRD LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13 one-time funding items included in the appropriation in section 1 of this Act:

16	<u>One-Time Funding Description</u>	<u>2009-11</u>	<u>2011-13</u>
17	Criminal justice information sharing projects	\$269,748	\$200,000
18	K-12 wide area network	1,200,000	0
19	K-12 PowerSchool	353,600	0
20	Center for distance education	100,000	0
21	Statewide longitudinal database system	2,263,883	1,757,624
22	Federal fiscal stimulus	<u>2,263,883</u>	<u>8,000,000</u>
23	Total all funds	\$6,451,114	\$9,957,624
24	Less estimated income	<u>2,263,883</u>	<u>8,000,000</u>
25	Total general fund	\$4,187,231	\$1,957,624

The 2011-13 one-time funding amounts are not a part of the entity's base budget for the 2013-15 biennium. The information technology department shall report to the appropriations committees of the sixty-third legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2011, and ending June 30, 2013.

SECTION 3. TRANSFERS. Notwithstanding section 54-16-04, the director of the office of management and budget shall make transfers of funds between the salaries and wages,

1 operating expenses, and capital assets line items in section 1 of this Act for the information
2 technology department as may be requested by the chief information officer as determined
3 necessary for the development and implementation of information projects.

4 ~~**SECTION 4. BANK OF NORTH DAKOTA TRANSFER.** The industrial commission shall
5 transfer, as requested by the health information technology office director, up to \$5,000,000
6 from the current earnings and accumulated undivided profits of the Bank of North Dakota to the
7 health information technology planning loan fund or to the health information technology loan
8 fund, for the biennium beginning July 1, 2011, and ending June 30, 2013. The health
9 information technology office director shall request transfers from the Bank only as necessary to
10 meet cashflow needs of the fund and only upon certification by the health information
11 technology office director of a demonstrated need for health information technology planning
12 loans.~~

13 **SECTION 4. LEGISLATIVE INTENT - BANK OF NORTH DAKOTA PACE PROGRAM.** It is
14 the intent of the sixty-second legislative assembly that the Bank of North Dakota PACE program
15 be used to provide low-interest loans to finance projects of up to a total of \$5,000,000
16 consistent with the mission of the health information technology planning loan fund and the
17 health information technology loan fund.

18 **SECTION 5. AMENDMENT.** Section 7 of chapter 49 of the 2009 Session Laws is amended
19 and reenacted as follows:

20 **SECTION 7. DEPARTMENT OF PUBLIC INSTRUCTION - STATEWIDE**
21 **LONGITUDINAL DATA SYSTEM EXPENDITURES - APPROVAL.** The department of
22 public instruction may spend only the federal funds appropriated in House Bill
23 No. 1013 for costs associated with the statewide longitudinal data system upon
24 approval of the expenditures by the information technology department, for the
25 biennium beginning July 1, ~~2009~~2011, and ending June 30, ~~2011~~2013.

26 **SECTION 6. AMENDMENT.** Section 8 of chapter 519 of the 2009 Session Laws is
27 amended and reenacted as follows:

28 **SECTION 8. BANK OF NORTH DAKOTA TRANSFERS.** The industrial
29 commission shall transfer, during the period beginning with the effective date of this
30 Act and ending June 30, ~~2011~~2013, as requested by the health information technology
31 office director, up to \$8,000,000 from the current earnings and the accumulated

1 undivided profits of the Bank of North Dakota to the health information technology loan
2 fund to meet any required match for federal funds or to the electronic health
3 information exchange fund to meet any required match for federal funds or for ongoing
4 operating expenditures of the health information exchange or as directed, a portion to
5 both funds to meet any required match for federal funds. ~~The health information-~~
6 ~~technology office director shall request fund transfers from the Bank only as necessary-~~
7 ~~to comply with federal requirements and to meet cash flow needs of the funds.~~