

**SENATE BILL NO. 2379**

Introduced by

Senators Wardner, Holmberg

Representatives Carlson, Delzer

(Approved by the Delayed Bills Committee)

1 A BILL for an Act to provide for the reduction of general fund appropriation authority; to  
 2 authorize transfers from the budget stabilization fund and the Bank of North Dakota; to provide  
 3 appropriations for the department of human services ~~and~~, the department of corrections and  
 4 rehabilitation, and the state treasurer; to provide for reports; to provide legislative intent; and to  
 5 provide an effective date.

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

7 **SECTION 1. APPROPRIATION REDUCTIONS - EXECUTIVE BRANCH.** The amounts  
 8 identified for the agencies and institutions in this section reflect a reduction to the 2015-17  
 9 biennium general fund appropriation authority enacted by the sixty-fourth legislative assembly  
 10 for the respective agency or institution for the biennium ending June 30, 2017. The amounts  
 11 identified in this section are the legislative recognition of the 4.05 percent budget allotment  
 12 ordered by the governor in February 2016, and the 2.5 percent budget allotment ordered by the  
 13 governor in August 2016.

14	Original General	General Fund	Adjusted General
15 <u>Agency or Institution</u>	<u>Fund Authority</u>	<u>Reduction</u>	<u>Fund Authority</u>
16 Governor	\$4,499,475	(\$294,716)	\$4,204,759
17 Secretary of state	10,085,308	(660,588)	9,424,720
18 Office of management and budget, 19 including House Bill No. 1432 appropriations	43,988,258	(2,881,231)	41,107,027
20 Information technology department	27,905,987	(1,827,842)	26,078,145
21 State auditor	10,461,832	(685,250)	9,776,582
22 State treasurer	260,057,355	(17,033,757)	243,023,598
23 Attorney general	55,376,870	(3,627,185)	51,749,685
24 Tax commissioner	58,769,918	(3,849,430)	54,920,488

Sixty-fourth  
Legislative Assembly

1	Commission on legal counsel for indigents	18,304,103	(1,198,919)	17,105,184
2	Department of public instruction	1,820,982,952	(119,274,383)	1,701,708,569
3	North Dakota university system	154,629,019	(10,128,201)	144,500,818
4	Bismarck state college	38,155,826	(2,499,207)	35,656,619
5	Lake region state college	16,635,979	(1,089,657)	15,546,322
6	Williston state college	12,748,265	(835,011)	11,913,254
7	University of North Dakota	240,445,904	(15,749,207)	224,696,697
8	University of North Dakota school of	71,437,396	(4,679,149)	66,758,247
9	medicine and health sciences			
10	North Dakota state university	157,410,540	(10,310,390)	147,100,150
11	North Dakota state college of science	58,029,764	(3,800,950)	54,228,814
12	Dickinson state university	27,015,931	(1,769,543)	25,246,388
13	Mayville state university	16,739,145	(1,096,414)	15,642,731
14	Minot state university	48,758,181	(3,193,661)	45,564,520
15	Valley City state university	39,758,668	(2,604,193)	37,154,475
16	Dakota college at Bottineau	9,802,405	(642,058)	9,160,347
17	Forest service	5,007,844	(328,014)	4,679,830
18	State library	6,773,655	(443,674)	6,329,981
19	School for the deaf	9,140,590	(598,709)	8,541,881
20	North Dakota vision services - school	5,081,484	(332,837)	4,748,647
21	for the blind			
22	Department of career and technical	33,920,062	(2,221,764)	31,698,298
23	education			
24	State department of health	51,521,680	(3,374,670)	48,147,010
25	Veterans' home	8,697,725	(569,701)	8,128,024
26	Indian affairs commission	1,217,245	(79,730)	1,137,515
27	Department of veterans' affairs	1,612,495	(105,618)	1,506,877
28	Department of human services	1,332,202,833	(87,259,286)	1,244,943,547
29	Protection and advocacy project	3,034,111	(198,734)	2,835,377
30	Job service North Dakota	2,116,191	(138,611)	1,977,580
31	Industrial commission	34,966,173	(2,290,284)	32,675,889

Sixty-fourth  
Legislative Assembly

1	Department of labor and human rights	2,511,761	(164,520)	2,347,241
2	Public service commission	7,935,207	(519,756)	7,415,451
3	Aeronautics commission	1,000,000	(65,500)	934,500
4	Securities department	2,237,326	(146,545)	2,090,781
5	Highway patrol	46,656,563	(3,056,005)	43,600,558
6	Department of corrections and	215,387,242	(14,107,864)	201,279,378
7	rehabilitation			
8	Adjutant general	33,033,118	(2,163,669)	30,869,449
9	Department of commerce	56,203,701	(3,681,342)	52,522,359
10	Agriculture commissioner	11,581,056	(758,559)	10,822,497
11	Upper great plains transportation institute	4,847,099	(317,485)	4,529,614
12	Branch research centers	20,073,447	(1,314,811)	18,758,636
13	North Dakota state university extension	29,788,188	(1,951,126)	27,837,062
14	service			
15	Northern crops institute	2,102,158	(137,691)	1,964,467
16	Main research center	59,067,612	(3,868,929)	55,198,683
17	State fair association	1,070,000	(70,085)	999,915
18	Racing commission	415,004	(27,183)	387,821
19	State historical society	21,592,039	(1,414,279)	20,177,760
20	Council on the arts	1,744,723	(114,279)	1,630,444
21	Parks and recreation department	33,294,213	(2,180,771)	31,113,442
22	Department of transportation	<u>656,375,558</u>	<u>(42,992,599)</u>	<u>613,382,959</u>
23	Total	\$5,904,207,184	(\$386,725,572)	\$5,517,481,612

**SECTION 2. APPROPRIATION REDUCTIONS - LEGISLATIVE AND JUDICIAL**

**BRANCHES.** The amounts identified for the agencies in this section reflect a reduction to the 2015-17 biennium general fund appropriation authority enacted by the sixty-fourth legislative assembly for the respective branch and agency for the biennium ending June 30, 2017.

		Adjustments or		
	<u>Original Appropriation</u>	<u>Enhancements</u>	<u>Appropriation</u>	
29	<u>Agency or Branch</u>			
30	Legislative assembly	\$15,885,367	(\$1,040,492)	\$14,844,875
31	Legislative council	13,439,133	(880,263)	12,558,870

1	Judicial branch	<u>112,630,994</u>	<u>(7,377,330)</u>	<u>105,253,664</u>
2	Total	\$141,955,494	(\$9,298,085)	\$132,657,409

3       **SECTION 3. TRANSFER - BUDGET STABILIZATION FUND TO GENERAL FUND.** During  
4 the period beginning with the effective date of this Act and ending June 30, 2017, the director of  
5 the office of management and budget shall transfer the sum of \$572,485,452, or so much of the  
6 sum as may be necessary, from the budget stabilization fund to the general fund to provide for a  
7 positive balance in the general fund on June 30, 2017.

8       **SECTION 4. CONTINGENT BANK OF NORTH DAKOTA TRANSFERS TO STATE**

9 **GENERAL FUND.** If, during the period beginning with the effective date of this Act and ending  
10 June 30, 2017, the director of the office of management and budget determines the state  
11 general fund will not have a projected positive June 30, 2017, balance, the industrial  
12 commission shall transfer ~~\$100,000,000~~\$109,375,000, or so much of the sum as may be  
13 necessary, from the earnings and accumulated and undivided profits of the Bank of North  
14 Dakota to the state general fund. The moneys must be transferred in amounts and at such  
15 times as requested by the director of the office of management and budget. The sum of the  
16 amounts transferred may not exceed the lesser of ~~\$100,000,000~~\$109,375,000 or the amount  
17 necessary to provide for a positive June 30, 2017, general fund balance.

18       **SECTION 5. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES.** There is  
19 appropriated out of any moneys in the general fund in the state treasury, not otherwise  
20 appropriated, the sum of \$33,305,071, or so much of the sum as may be necessary, to the  
21 department of human services for the purpose of offsetting a portion of the general fund  
22 reductions for the department of human services made in section 1 of this Act, for the period  
23 beginning with the effective date of this Act, and ending June 30, 2017.

24       **SECTION 6. APPROPRIATION - DEPARTMENT OF CORRECTIONS AND**

25 **REHABILITATION.** There is appropriated out of any moneys in the general fund in the state  
26 treasury, not otherwise appropriated, the sum of \$3,230,809, or so much of the sum as may be  
27 necessary, to the department of corrections and rehabilitation for the purpose of offsetting a  
28 portion of the general fund reductions for the department of corrections and rehabilitation made  
29 in section 1 of this Act, for the period beginning with the effective date of this Act, and ending  
30 June 30, 2017.

1 | **SECTION 7. APPROPRIATION - STATE TREASURER - PROPERTY TAX RELIEF**

2 **CREDIT PROGRAM.** There is appropriated out of any moneys in the general fund in the state  
3 treasury, not otherwise appropriated, the sum of \$9,375,000, or so much of the sum as may be  
4 necessary, to the state treasurer for the purpose of offsetting a portion of the general fund  
5 reductions for the state treasurer in section 1 of this Act relating to the state-paid property tax  
6 relief credit program, for the period beginning with the effective date of this Act, and ending  
7 June 30, 2017.

8 **SECTION 8. REPORT - AGENCY BUDGET REDUCTIONS.** Before October 1, 2016, each  
9 branch, agency, or institution with a general fund appropriation reduction identified in section 1  
10 or 2 of this Act shall provide a report to the office of management and budget and the legislative  
11 council regarding its plan for specific budget reductions made as a result of this Act. The report  
12 must include detail regarding the reductions made by line item, one-time appropriation item, and  
13 program. The report must identify for each line item, one-time appropriation item, and program:

- 14 1. The original funding amount based on 2015-17 biennium general fund appropriations,  
15 the reduction amount, and the funding amount remaining; and  
16 2. Any changes to federal or special funding as a result of the reductions.

17 **SECTION 9. LEGISLATIVE INTENT.** It is the intent of the sixty-fourth legislative assembly  
18 that if additional revenues become available before the convening of the sixty-fifth legislative  
19 assembly, the sixty-fifth legislative assembly consider, early in the regular session, restoration of  
20 funding for behavioral health, autism, and long-term care services.

21 **SECTION 10. EFFECTIVE DATE.** This Act becomes effective upon its filing with the  
22 secretary of state.