

Sixty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1015

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions
2 under the supervision of the director of the office of management and budget; to provide for
3 transfers; to amend and reenact section 54-06-04.3 of the North Dakota Century Code, relating
4 to state agency publication fees; to provide an exemption; to provide statements of legislative
5 intent; to provide for a budget section report; and to declare an emergency.

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 office of management and budget for the purpose of defraying the
11 expenses of the office of management and budget, for the biennium beginning July 1, 2017,
12 and ending June 30, 2019, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>	
13				
14				
15	Salaries and wages	\$19,798,254	\$1,379,254	\$21,177,508
16	Operating expenses	13,855,260	(945,272)	12,909,988
17	Emergency commission contingency fund	500,000	(150,000)	350,000
18	Capital assets	200,000	773,477	973,477
19	Grants	555,000	(501,000)	54,000
20	Guardianship grants	1,328,600	0	1,328,600
21	Prairie public broadcasting	1,600,000	(800,000)	800,000
22	State student internship program	200,000	(200,000)	0
23	Cybersecurity remediation pool	<u>0</u>	<u>1,000,000</u>	<u>1,000,000</u>
24	Total all funds	\$38,037,114	\$556,459	\$38,593,573

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1	Less estimated income	<u>7,210,390</u>	<u>3,228,087</u>	<u>10,438,477</u>
2	Total general fund	\$30,826,724	(\$2,671,628)	\$28,155,096
3	Full-time equivalent positions	122.50	(7.50)	115.00

4 **SECTION 2. HEALTH INSURANCE INCREASE.** The salaries and wages line item in
5 section 1 of this Act includes the sum of \$340,576, of which \$279,990 is from the general fund,
6 for increases in employee health insurance premiums from \$1,130 to \$1,249 per month.

7 **SECTION 3. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**
8 **SIXTY-SIXTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
9 items approved by the sixty-fourth legislative assembly for the 2015-17 biennium and the
10 2017-19 biennium one-time funding items included in the appropriation in section 1 of this Act:

11	<u>One-Time Funding Description</u>	<u>2015-17</u>	<u>2017-19</u>
12	Student internship	\$50,000	\$0
13	Facilities projects	205,000	0
14	Signage on the capitol grounds	1,400,000	0
15	West parking lot repair	50,000	0
16	Affordable Care Act health insurance pool	3,350,000	0
17	Facilities projects	1,475,303	0
18	Legislative electrical	310,000	0
19	Energy pool	7,965,000	0
20	Environmental impact committee - HB 1432	1,500,000	0
21	Cybersecurity remediation pool	<u>0</u>	<u>1,000,000</u>
22	Total all funds	\$16,305,303	\$1,000,000
23	Less estimated income	<u>9,775,000</u>	<u>1,000,000</u>
24	Total general fund	\$6,530,303	\$0

25 The 2017-19 biennium one-time funding amounts are not a part of the entity's base budget for
26 the 2019-21 biennium. The office of management and budget shall report to the appropriations
27 committees of the sixty-sixth legislative assembly on the use of this one-time funding for the
28 biennium beginning July 1, 2017, and ending June 30, 2019.

29 **SECTION 4. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO**
30 **GENERAL FUND.** The office of management and budget shall transfer the sum of

1 \$100,000,000 from the strategic investment and improvements fund to the general fund during
2 the period beginning with the effective date of this Act, and ending June 30, 2017.

3 **SECTION 5. TRANSFER - CYBERSECURITY REMEDIATION POOL.** The office of
4 management and budget may transfer appropriation authority from the cybersecurity
5 remediation pool line item in section 1 of this Act to each eligible agency during the biennium
6 beginning July 1, 2017, and ending June 30, 2019. Transfers may be made for the purpose of
7 providing remediation services resulting from an information technology security breach. The
8 office of management and budget shall notify the legislative council of any transfers made from
9 the cybersecurity remediation pool.

10 **SECTION 6. EXEMPTION.** The amount appropriated for the fiscal management division, as
11 contained in section 1 of chapter 49 of the 2015 Session Laws is not subject to the provisions of
12 section 54-44.1-11. Any unexpended funds from this appropriation are available for continued
13 development and operating costs of the statewide systems, including accounting, management,
14 and payroll, during the biennium beginning July 1, 2017, and ending June 30, 2019.

15 **SECTION 7. SURPLUS PROPERTY BUILDING - PROHIBITION.** The office of
16 management and budget may not purchase or construct a new building for surplus property
17 during the biennium beginning July 1, 2017, and ending June 30, 2019.

18 **SECTION 8. INTENT.** Within the authority included in section 1 of this Act are the following
19 grants and special items:

20 Boys and girls club work	\$53,000
21 Unemployment insurance	\$2,000,000
22 Capitol grounds planning commission	\$25,000

23 **SECTION 9. AMENDMENT.** Section 54-06-04.3 of the North Dakota Century Code is
24 amended and reenacted as follows:

25 **54-06-04.3. Joint publication and distribution of information by state agencies - Fees.**

26 Any state agency may cooperate with any other state agency to jointly publish and
27 distribute information and may arrange to have the joint publication or distribution, or both,
28 coordinated by a private entity. Any state agency may provide information it has collected or
29 developed, including mailing lists, to each other or to any private entity for the purpose of
30 distributing jointly or individually issued publications or other information. If a state agency
31 publication is available on the agency's website or otherwise available in an electronic format

1 and a person requests a paper copy of the publication, the state agency may charge a
2 reasonable fee for providing the paper copy and for mailing the paper copy of the publication.

3 **SECTION 10. SALARIES AND WAGES SAVINGS FROM VACANT POSITIONS AND**
4 **EMPLOYEE TURNOVER - PROHIBITION - BUDGET SECTION REPORT.** Any salaries and
5 wages savings resulting from vacant positions and employee turnover within 2017-19 biennium
6 appropriations for executive branch state agencies and institutions may not be spent but must
7 be retained and included as part of the agency or institution's unspent appropriation authority
8 under section 54-44.1-11 for the biennium beginning July 1, 2017, and ending June 30, 2019.
9 Each agency and institution, including institutions under the control of the state board of higher
10 education, shall report its savings and supporting information to the office of management and
11 budget. The office of management and budget shall report to each meeting of the budget
12 section during the 2017-18 interim and to the appropriations committees of the sixty-sixth
13 legislative assembly upon request regarding the number of vacant positions by agency and
14 institution, the duration of each vacancy, and related salaries and wages savings by funding
15 source for each agency and institution.

16 **SECTION 11. EMERGENCY.** Section 4 of this Act is declared to be an emergency
17 measure.