

HOUSE BILL NO. 1395

Introduced by

Representatives Delzer, Boschee, Pollert

Senators Heckaman, Holmberg, Wardner

1 A BILL for an Act to adjust state agency spending authority approved by the emergency
2 commission and budget section; to provide a statement of legislative intent; to provide an
3 appropriation; to provide an exemption; to provide for retroactive application; and to declare an
4 emergency.

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

6 **SECTION 1. EMERGENCY COMMISSION AUTHORIZATION ADJUSTMENTS -**

7 **APPROPRIATION.** The amounts identified in the emergency commission authorization column
8 below represent the federal coronavirus relief fund spending authority approved for each
9 agency or institution by the emergency commission and budget section under section
10 54-16-04.1 for the biennium ending June 30, 2021. The director of the office of management
11 and budget shall adjust the federal coronavirus relief fund spending authorization amount for
12 each agency and institution to the amounts shown in the appropriation column which are
13 appropriated from federal funds derived from the federal coronavirus relief fund to the agency or
14 institution listed for the purpose of defraying expenses relating to the COVID-19 pandemic for
15 the period beginning ~~June 18~~ May 15, 2020, and ending June 30, 2021.

16 Emergency Commission

| 17 <u>Agency or Institution</u> | <u>Authorization</u> | <u>Adjustment</u> | <u>Appropriation</u> |
|---|-----------------------|-------------------|-----------------------|
| 18 Governor | \$18,083 | 0 | \$18,083 |
| 19 Secretary of state | 49,216 | 0 | 49,216 |
| 20 Office of management and budget | 7,003,055 | 0 | 7,003,055 |
| 21 Information technology department | 62,368,226 | 0 | 62,368,226 |
| 22 <u>Office of management and budget</u> | <u>7,003,055</u> | <u>18,315</u> | <u>7,021,370</u> |
| 23 <u>Information technology department</u> | <u>61,868,226</u> | <u>0</u> | <u>61,868,226</u> |
| 24 State auditor | 10,866 | 0 | 10,866 |

Sixty-seventh
Legislative Assembly

| | | | | |
|----|---|------------------------|---------------------|------------------------|
| 1 | <u>State treasurer</u> | <u>122,757,062</u> | <u>523,194</u> | <u>123,280,256</u> |
| 2 | Tax commissioner | 28,601 | 0 | 28,601 |
| 3 | Office of administrative hearings | 522 | 0 | 522 |
| 4 | Legislative assembly | 3,100,000 | 0 | 3,100,000 |
| 5 | Legislative council | 100,000 | 0 | 100,000 |
| 6 | Judicial branch | 312,212 | 0 | 312,212 |
| 7 | Department of public instruction | 63,816,217 | 0 | 63,816,217 |
| 8 | Department of trust lands | 94,135 | 0 | 94,135 |
| 9 | <u>Judicial branch</u> | <u>312,212</u> | <u>360,000</u> | <u>672,212</u> |
| 10 | <u>Department of public instruction</u> | <u>64,316,217</u> | <u>0</u> | <u>64,316,217</u> |
| 11 | <u>Department of trust lands</u> | <u>94,135</u> | <u>1,505</u> | <u>95,640</u> |
| 12 | North Dakota university system office | 1,468,787 | 0 | 1,468,787 |
| 13 | Bismarck state college | 4,210,745 | 0 | 4,210,745 |
| 14 | Lake region state college | 880,813 | 0 | 880,813 |
| 15 | Williston state college | 1,712,364 | 0 | 1,712,364 |
| 16 | University of North Dakota | 20,984,766 | 0 | 20,984,766 |
| 17 | North Dakota state university | 18,671,414 | 0 | 18,671,414 |
| 18 | <u>North Dakota state university</u> | <u>18,671,414</u> | <u>(52,750)</u> | <u>18,618,664</u> |
| 19 | North Dakota state college of science | 5,107,897 | 0 | 5,107,897 |
| 20 | Dickinson state university | 2,346,239 | 0 | 2,346,239 |
| 21 | Mayville state university | 2,206,656 | 0 | 2,206,656 |
| 22 | Minot state university | 2,454,439 | 0 | 2,454,439 |
| 23 | Valley City state university | 740,353 | 0 | 740,353 |
| 24 | Dakota college at Bottineau | 804,631 | 0 | 804,631 |
| 25 | Department of career and technical | 470,980 | 0 | 470,980 |
| 26 | education | | | |
| 27 | State department of health | 174,115,929 | 0 | 174,115,929 |
| 28 | <u>State department of health</u> | <u>174,115,929</u> | <u>(72,542,160)</u> | <u>101,573,769</u> |
| 29 | Department of environmental quality | 745,000 | 0 | 745,000 |
| 30 | Veterans' home | 462,040 | 0 | 462,040 |
| 31 | Indian affairs commission | 20,915 | 0 | 20,915 |

Sixty-seventh
Legislative Assembly

| | | | | |
|----|--|------------------------|---------------------|------------------------|
| 1 | Department of veterans' affairs | 2,860 | 0 | 2,860 |
| 2 | Department of human services | 61,103,911 | 0 | 61,103,911 |
| 3 | Job service North Dakota | 372,381,213 | 0 | 372,381,213 |
| 4 | Industrial commission | 65,476,513 | 0 | 65,476,513 |
| 5 | Bank of North Dakota | 70,000,000 | 0 | 70,000,000 |
| 6 | <u>Department of human services</u> | <u>61,103,911</u> | <u>(548,937)</u> | <u>60,554,974</u> |
| 7 | <u>Job service North Dakota</u> | <u>372,381,213</u> | <u>(1,427,906)</u> | <u>370,953,307</u> |
| 8 | <u>Industrial commission</u> | <u>65,476,513</u> | <u>6,000,000</u> | <u>71,476,513</u> |
| 9 | <u>Bank of North Dakota</u> | <u>70,000,000</u> | <u>(1,322,817)</u> | <u>68,677,183</u> |
| 10 | Mill and elevator association | 116,690 | 0 | 116,690 |
| 11 | Workforce safety and insurance | 1,018,052 | 0 | 1,018,052 |
| 12 | Highway patrol | 13,919,094 | 0 | 13,919,094 |
| 13 | Department of corrections and | 11,170,709 | 0 | 11,170,709 |
| 14 | —rehabilitation | | | |
| 15 | Adjutant general | 16,148,260 | 0 | 16,148,260 |
| 16 | Department of commerce | 109,179,000 | 0 | 109,179,000 |
| 17 | Agriculture commissioner | 13,556,000 | 0 | 13,556,000 |
| 18 | <u>Highway patrol</u> | <u>13,919,094</u> | <u>(11,091)</u> | <u>13,908,003</u> |
| 19 | <u>Department of corrections and</u> | <u>11,170,709</u> | <u>(1,505)</u> | <u>11,169,204</u> |
| 20 | <u> rehabilitation</u> | | | |
| 21 | <u>Adjutant general</u> | <u>16,148,260</u> | <u>(4,951,480)</u> | <u>11,196,780</u> |
| 22 | <u>Department of commerce</u> | <u>109,179,000</u> | <u>(27,000,000)</u> | <u>82,179,000</u> |
| 23 | <u>Agriculture commissioner</u> | <u>13,556,000</u> | <u>(148,450)</u> | <u>13,407,550</u> |
| 24 | State seed department | 6,117 | 0 | 6,117 |
| 25 | Upper great plains transportation institute | 45,095 | 0 | 45,095 |
| 26 | <u>Upper great plains transportation institute</u> | <u>45,095</u> | <u>(3,477)</u> | <u>41,618</u> |
| 27 | Branch research centers | 831,007 | 0 | 831,007 |
| 28 | North Dakota state university extension | 855,400 | 0 | 855,400 |
| 29 | service | | | |
| 30 | Northern crops institute | 115,586 | 0 | 115,586 |

Sixty-seventh
Legislative Assembly

| | | | | |
|----|-------------------------------------|----------------------------|-----------------|----------------------------|
| 1 | North Dakota state university main | 1,164,967 | 0 | 1,164,967 |
| 2 | research center | | | |
| 3 | State fair association | 105,272 | 0 | 105,272 |
| 4 | Racing commission | 1,000 | 0 | 1,000 |
| 5 | State historical society | 20,000 | 0 | 20,000 |
| 6 | State historical society | 20,000 | (1,000) | 19,000 |
| 7 | Council on the arts | 800,000 | 0 | 800,000 |
| 8 | Parks and recreation department | 250,985 | 0 | 250,985 |
| 9 | Department of transportation | 14,670,106 | 0 | 14,670,106 |
| 10 | Total | \$1,127,242,938 | 0 | \$1,127,242,938 |
| 11 | Total | \$1,250,000,000 | (\$101,108,559) | \$1,148,891,441 |

SECTION 2. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated from federal funds to the state departments and institutions of the state of North Dakota listed below for the purpose of defraying COVID-19 and other expenses for the period beginning with the effective date of this Act, and ending June 30, 2023, as follows:

Subdivision 1.

STATE TREASURER

| | | |
|----|--------------------------------------|--------------|
| 19 | Local fiscal relief fund allocations | \$50,160,000 |
| 20 | Total federal funds | \$50,160,000 |

Subdivision 2.

DEPARTMENT OF PUBLIC INSTRUCTION

| | | |
|----|--|---------------|
| 23 | Elementary and secondary school emergency education relief | \$305,266,879 |
| 24 | Emergency education relief homeless children and youth program | 1,999,661 |
| 25 | Assistance to nonpublic schools | 4,151,371 |
| 26 | Individuals with disabilities education act grant | 8,632,569 |
| 27 | Total federal funds | \$320,050,480 |

STATE LIBRARY

| | | |
|----|-----------------------------|-----------|
| 29 | COVID-19 salaries and wages | \$86,669 |
| 30 | COVID-19 operating expenses | 1,580,057 |

| | | |
|----|------------------------------|---------------------|
| 1 | COVID-19 grants | <u>500,000</u> |
| 2 | Total federal funds | \$2,166,726 |
| 3 | Subdivision 4. | |
| 4 | STATE DEPARTMENT OF HEALTH | |
| 5 | COVID-19 response | <u>\$87,290,597</u> |
| 6 | Total federal funds | \$87,290,597 |
| 7 | Subdivision 5. | |
| 8 | VETERANS' HOME | |
| 9 | COVID-19 response | <u>\$1,300,000</u> |
| 10 | Total federal funds | \$1,300,000 |
| 11 | Subdivision 6. | |
| 12 | DEPARTMENT OF HUMAN SERVICES | |
| 13 | COVID-19 operating expenses | \$16,863,309 |
| 14 | COVID-19 grants | <u>224,826,531</u> |
| 15 | Total federal funds | \$241,689,840 |
| 16 | Subdivision 7. | |
| 17 | ADJUTANT GENERAL | |
| 18 | COVID-19 response | <u>\$887,873</u> |
| 19 | Total federal funds | \$887,873 |
| 20 | Subdivision 8. | |
| 21 | DEPARTMENT OF COMMERCE | |
| 22 | COVID-19 response | <u>\$56,234,176</u> |
| 23 | Total federal funds | \$56,234,176 |
| 24 | Subdivision 9. | |
| 25 | COUNCIL ON THE ARTS | |
| 26 | COVID-19 funding | <u>\$759,060</u> |
| 27 | Total federal funds | \$759,060 |
| 28 | Subdivision 10. | |
| 29 | DEPARTMENT OF TRANSPORTATION | |

| | | |
|---|-------------------------|--------------------|
| 1 | COVID-19 grants | \$1,609,357 |
| 2 | COVID-19 capital assets | <u>317,000,000</u> |
| 3 | Total federal funds | \$318,609,357 |

4 Subdivision 11.

5 TOTAL - SECTION 2

6 Grand total federal funds \$1,079,148,109

7 **SECTION 3. LEGISLATIVE INTENT - STATE FISCAL RECOVERY FUND AND**

8 **CORONAVIRUS CAPITAL PROJECTS FUND.** It is the intent of the sixty-seventh legislative
9 assembly that state fiscal recovery funds and any unexpended federal coronavirus capital
10 projects funds received through H.R. 1319 of the 117th Congress, also known as the federal
11 American Rescue Plan Act, be appropriated by the legislative assembly during future regular
12 and special legislative sessions and that funding for one-time initiatives and projects that
13 improve the well-being of the state's citizens be given consideration for use of this funding.

14 **SECTION 4. EXEMPTION.** The funding appropriated in section 1 of this Act is not subject to
15 the provisions of section 54-44.1-11 and may be continued into the biennium beginning July 1,
16 2021, and ending June 30, 2023.

17 **SECTION 5. RETROACTIVE APPLICATION.** Section 1 of this Act applies retroactively to
18 ~~June 18~~ May 15, 2020.

19 **SECTION 6. EMERGENCY.** This Act is declared to be an emergency measure.