

SB 2207

Senate Government and Veterans Affairs Committee

Senator Judy Lee

SB 2207 would ensure that requests made by a state officer to the Emergency Commission would be passed along to the Budget Section for its consideration. If, for example, the Department of Transportation makes a request which goes to the Office of Management and Budget, there will be a decision made in the executive office about the worthiness of the request and it may not ever reach legislators.

Earlier on in the pandemic, there were at least 3 situations of which I am aware in which a department submitted requests for continued or additional funding of programs, and the requests were not passed along to the Budget Section. The requests were denied without requesting the reasons for them, the information never reached legislators, and that is where appropriations decisions are to be made.

The process which is described in NDCC 54-16-03.1 is fine, with the exception of this one area.

The legislature has the authority to appropriate money, and it is essential that the legislative Budget Section, which is part of this process, is informed about requests.

The Office of Management and Budget would continue to receive and process the applications for funding in an emergency, and would also make its recommendations about approval, denial, or amending the request, when forwarding the information to the Budget Section, which then could agree with the recommendation or amend the request.

The important change here is that the legislative Budget Section would be informed about the request and would make the final decision about whether or not additional funding would be approved. That is where funding decisions should be made, not by a member of the executive branch.

I encourage the Government and Veterans Affairs committee to approve the change to informing the Emergency Commission about all requests, and leaving in place the idea of OMB providing recommendations about the request to the Emergency Commission. The appropriators ought to be informed about all requests, and the final decisions should be made by them.