

**FIRST ENGROSSMENT  
with House Amendments  
ENGROSSED SENATE BILL NO. 2015**

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  
3 appropriations to the legislative council and office of the governor; to create and enact a new  
4 subsection to section 54-44-11 of the North Dakota Century Code, relating to a facility  
5 management operating fund; to amend and reenact sections 48-10-02, 54-21-19, and 54-52-03  
6 of the North Dakota Century Code, relating to the capitol grounds planning commission  
7 spending limit, capitol grounds rent collections, the retirement board, and the public employees  
8 retirement system retirement plan; to provide for a transfer; to provide an exemption; to provide  
9 for a legislative management study; to provide a report; to provide an effective date; and to  
10 declare an emergency.

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

12 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
13 as may be necessary, are appropriated out of any moneys in the general fund in the state  
14 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
15 other income, to the office of management and budget for the purpose of defraying the  
16 expenses of the office of management and budget, for the biennium beginning July 1, 2023,  
17 and ending June 30, 2025, as follows:

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
20 Salaries and wages	\$21,926,979	\$1,231,851	\$23,158,830
21 Operating expenses	15,663,214	3,729,579	19,392,793
22 Capital assets	764,515	8,417,640	9,182,155
23 Emergency commission contingency fund	400,000	0	400,000
24 Targeted market equity pool	0	75,000,000	75,000,000

Sixty-eighth  
Legislative Assembly

1	Guardianship grants	2,450,000	3,650,000	6,100,000
2	Prairie public broadcasting	1,200,000	1,792,450	2,992,450
3	Community service supervision grants	350,000	0	350,000
4	State student internship program	0	500,000	500,000
5	Governor's emergency education relief	0	3,659,555	3,659,555
6	Deferred maintenance funding pool	0	20,000,000	20,000,000
7	New and vacant FTE funding pool	<u>0</u>	<u>130,000,000</u>	<u>130,000,000</u>
8	Total all funds	\$42,754,708	\$247,981,075	\$290,735,783
9	Less estimated income	<u>8,828,309</u>	<u>138,550,645</u>	<u>147,378,954</u>
10	Total general fund	\$33,926,399	\$109,430,430	\$143,356,829
11	Full-time equivalent positions	108.00	0.00	108.00

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

**SIXTY-NINTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the 2023-25 biennium one-time funding items included in the appropriation in section 1 of this Act:

16	<u>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
17	Griggs County medical center grant	\$500,000	\$0
18	Facility consolidation study	350,000	0
19	Special assessments on capitol grounds	300,000	0
20	Interior and exterior signage projects	500,000	0
21	Statewide budget software	1,230,100	0
22	Capitol accessibility improvements	750,000	0
23	Legislative wing ventilation improvements	7,000,000	0
24	Pierce County medical center grant	1,000,000	0
25	Accrued leave retirement payouts	0	100,369
26	Inflationary increases	0	340,000
27	Capitol accessibility consulting	25,000	50,000
28	Accessibility improvements - legislative areas	0	150,000
29	State employee leave management system	0	335,000
30	Cash management study	0	450,000
31	Procurement software	2,021,204	400,000

Sixty-eighth  
Legislative Assembly

1	Building automation project	518,800	800,000
2	Extraordinary repairs	500,000	100,000
3	Capitol space utilization improvements	0	2,500,000
4	Central services software and equipment	0	573,800
5	Governor's residence exterior repairs	0	100,000
6	Brynhild Haugland room remodeling project	0	250,000
7	Capitol window replacement project	0	4,000,000
8	Deferred maintenance projects	10,000,000	20,000,000
9	Prairie public broadcasting grants	0	1,792,450
10	State student internship program	100,000	500,000
11	Governor's emergency education relief	<u>0</u>	<u>3,659,555</u>
12	Total all funds	\$24,795,104	\$36,101,174
13	Less estimated income	<u>24,695,104</u>	<u>29,784,355</u>
14	Total general fund	\$100,000	\$6,316,819

15 The 2023-25 biennium one-time funding amounts are not a part of the entity's base budget  
 16 for the 2025-27 biennium. The office of management and budget shall report to the  
 17 appropriations committees of the sixty-ninth legislative assembly on the use of this one-time  
 18 funding for the biennium beginning July 1, 2023, and ending June 30, 2025.

19 **SECTION 3. APPROPRIATION - COMMUNITY SERVICE SUPERVISION FUND.** Any  
 20 moneys in the community service supervision fund under section 29-26-22 are appropriated to  
 21 the office of management and budget for distribution to community corrections association  
 22 regions on or before August first of each year for the biennium beginning July 1, 2023, and  
 23 ending June 30, 2025.

24 **SECTION 4. 2021-23 BIENNIUM - APPROPRIATION - OFFICE OF THE GOVERNOR.**  
 25 There is appropriated from special funds derived from federal funds or other income, not  
 26 otherwise appropriated, the sum of \$6,500, or so much of the sum as may be necessary, to the  
 27 office of the governor for the salaries and wages line item for the period beginning with the  
 28 effective date of this Act and ending June 30, 2023.

29 **SECTION 5. APPROPRIATION - LEGISLATIVE COUNCIL - FORENSIC AUDIT OF THE**  
 30 **STATE AUDITOR - LEGISLATIVE AUDIT AND FISCAL REVIEW COMMITTEE - ONE-TIME**  
 31 **FUNDING.** There is appropriated out of any moneys in the general fund in the state treasury,

1 not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary,  
2 to the legislative council for the purpose of contracting for a forensic audit of the state auditor,  
3 for the biennium beginning July 1, 2023, and ending June 30, 2025. The legislative audit and  
4 fiscal review committee shall arrange for the audit and receive the audit report. The funding  
5 provided in this section is considered a one-time funding item.

6 **SECTION 6. TRANSFER - TAX RELIEF FUND OR SOCIAL SERVICES FUND TO**  
7 **HUMAN SERVICE FINANCE FUND.** The office of management and budget shall transfer the  
8 sum of \$200,000,000 from the tax relief fund or the social services fund under section  
9 57-51.1-07.5 to the human service finance fund during the biennium beginning July 1, 2023,  
10 and ending June 30, 2025.

11 **SECTION 7. TRANSFER - STATE STUDENT INTERNSHIP PROGRAM FUNDS TO**  
12 **STATE AGENCIES.** The office of management and budget shall transfer funds from the state  
13 student internship program line item in section 1 of this Act to eligible state agencies for student  
14 internships during the biennium beginning July 1, 2023, and ending June 30, 2025.

15 **SECTION 8. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS**  
16 **FUND - DEFERRED MAINTENANCE FUNDING POOL - EXEMPTION - TRANSFER TO**  
17 **STATE AGENCIES.** The sum of \$20,000,000 included in the deferred maintenance funding pool  
18 line item in section 1 of this Act and identified as one-time funding in section 2 of this Act is from  
19 the strategic investment and improvements fund for a deferred maintenance funding pool. The  
20 office of management and budget may use up to \$12,700,000 from the deferred maintenance  
21 funding pool, including up to \$12,000,000 for a boiler replacement project in the capitol and up  
22 to \$700,000 for a water mitigation project at the liberty memorial building. Notwithstanding any  
23 other provision of law, the office of management and budget shall transfer funds from the  
24 deferred maintenance funding pool line item in section 1 of this Act to other eligible state  
25 agencies for deferred maintenance.

26 **SECTION 9. ESTIMATED INCOME - CAPITOL BUILDING FUND.** The sum of \$5,400,000  
27 included in the capital assets line item in section 1 of this Act and identified as one-time funding  
28 in section 2 of this Act is from the capitol building fund for the following:

- 29 1. \$150,000 for accessibility improvements in legislative areas of the capitol;
- 30 2. \$800,000 for a building automation project;
- 31 3. \$100,000 for electrical and mechanical repairs;

- 1        4.    \$100,000 for security improvements at the governor's residence;
- 2        5.    \$250,000 for a remodeling project in the Brynhild Haugland room in the capitol; and
- 3        6.    \$4,000,000 for a capitol window replacement project.

4        **SECTION 10. OPERATING EXPENSES LINE ITEM - CASH MANAGEMENT STUDY -**

5        **REPORT TO LEGISLATIVE MANAGEMENT.** The operating expenses line item in section 1 of  
6 this Act includes the sum of \$450,000 from the general fund for the purpose of procuring  
7 consulting services to conduct a study and develop recommendations for improvement of the  
8 cash management practices of the state, for the biennium beginning July 1, 2023, and ending  
9 June 30, 2025. The study must include cash management practices employed by the Bank of  
10 North Dakota, state treasurer, retirement and investment office, board of university and school  
11 lands, and other agencies as determined by the office of management and budget. The office of  
12 management and budget shall report to the legislative management before September 30,  
13 2024, regarding the findings and recommendations resulting from its study.

14        **SECTION 11. GRANTS AND SPECIAL ITEMS.** Section 1 of this Act includes appropriation  
15 authority which may be used only for the following grants and special items:

16    Unemployment insurance	\$1,800,000
17    Capitol grounds planning commission	\$25,000
18    Statewide memberships and related expenses	\$685,657

19        **SECTION 12. TARGETED MARKET EQUITY COMPENSATION ADJUSTMENTS -**  
20 **GUIDELINES - EXEMPTION - TRANSFER OF APPROPRIATION AUTHORITY - BUDGET**  
21 **SECTION REPORT.**

- 22        1.    The targeted market equity pool line item in section 1 of this Act includes \$41,000,000  
23        from the general fund and \$34,000,000 from special funds derived from federal funds  
24        and other income for the purpose of providing compensation adjustments for executive  
25        branch state employees in accordance with provisions of this section for the period  
26        beginning with the effective date of this Act and ending June 30, 2025.
- 27        2.    The targeted market equity compensation adjustments must be prioritized based on a  
28        statewide plan prepared by the office of management and budget based on the  
29        funding available in the pool. The plan must address occupational market disparities,  
30        recruitment and retention challenges, and external pay inequities for employees who  
31        are critical to the mission of the agency. Employees whose documented performance

- 1 levels do not meet standards are not eligible for the market equity compensation  
2 adjustments.
- 3 3. All targeted market equity compensation adjustments must be provided by July 1,  
4 2023.
- 5 4. The funding allocated to each agency must be used for the cost to continue the  
6 compensation adjustments for the 2023-25 biennium, including the effect of the market  
7 equity adjustments on funding needed for the salary increases authorized by the  
8 legislative assembly in section 13 of this Act.
- 9 5. Notwithstanding any other provision of law, the office of management and budget shall  
10 transfer appropriation authority from the targeted market equity funding pool to eligible  
11 executive branch state agencies for approved targeted market equity salary  
12 adjustments.
- 13 6. The office of management and budget shall provide a report to the budget section  
14 regarding the statewide plan, any changes to the plan presented to the sixty-eighth  
15 legislative assembly, and the appropriation authority transferred from the pool.

16 **SECTION 13. STATE EMPLOYEE COMPENSATION ADJUSTMENTS - GUIDELINES.**

- 17 1. The 2023-25 biennium compensation adjustments for permanent state employees are  
18 to average 6 percent per eligible employee for the first fiscal year of the biennium and  
19 are to average 4 percent per eligible employee for the second year of the biennium.  
20 The increases for the first year of the biennium are to be given beginning with the  
21 month of July 2023, to be paid in August 2023, and for the second year of the  
22 biennium are to be given beginning with the month of July 2024, to be paid in  
23 August 2024. Increases for eligible state employees are to be based on documented  
24 performance and are not to be the same percentage increase for each employee.
- 25 2. The office of management and budget shall develop guidelines for use by state  
26 agencies for providing compensation adjustments for classified state employees. The  
27 guidelines must follow the compensation philosophy statement under section  
28 54-44.3-01.2.
- 29 3. Probationary employees are not entitled to the increases. However, at the discretion of  
30 the appointing authority, probationary employees may be given all or a portion of the  
31 increases effective in July, paid in August, or upon completion of probation. Employees

1           whose overall documented performance level does not meet standards are not eligible  
2           for any salary increase.

3           **SECTION 14. NEW AND VACANT FTE FUNDING POOL - GUIDELINES - EXEMPTION -**  
4           **TRANSFER OF APPROPRIATION AUTHORITY - BUDGET SECTION REPORT.**

- 5           1. The new and vacant FTE funding pool line item in section 1 of this Act includes  
6           \$60,000,000 from the general fund and \$70,000,000 from special funds derived from  
7           federal funds and other income for the purpose of providing funding for hiring new  
8           full-time equivalent positions and for agencies that do not realize sufficient savings  
9           from vacant full-time equivalent positions in accordance with provisions of this section  
10          for the biennium beginning July 1, 2023, and ending June 30, 2025.
- 11          2. An executive branch state agency that had funding removed by the sixty-eighth  
12          legislative assembly for purposes of the new and vacant full-time equivalent funding  
13          pool may submit a request to the office of management and budget for an allocation of  
14          funding from the pool:
- 15           a. To provide funding for the salaries and wages necessary for the 2023-25  
16           biennium for a new full-time equivalent position authorized by the 2023 legislative  
17           assembly from the date of hiring through the end of the biennium;
- 18           b. To provide funding for the salaries and wages necessary for the 2023-25  
19           biennium for filling a full-time equivalent position that was vacant on July 1, 2023,  
20           from the date of hiring through the end of the biennium; or
- 21           c. After March 1, 2025, for salaries and wages funding necessary for the 2023-25  
22           biennium if actual salaries and wages savings from vacant positions adjusted for  
23           other salaries and wages uses are less than the estimate used by the sixty-eighth  
24           legislative assembly in the development of the agency's appropriation.
- 25          3. The office of management and budget may transfer general fund appropriation  
26          authority from the pool to an agency only upon the agency certifying to the office of  
27          management and budget that special funds from federal or other sources are not  
28          available for the salaries and wages of the full-time equivalent position.
- 29          4. An agency may not receive more funding from the pool than the amount that was  
30          removed from the agency budget for new and vacant full-time equivalent positions as

1 contained in the statement of purpose of amendment of bills approved by the  
2 sixty-eighth legislative assembly as printed in the house and senate journals.

3 5. Notwithstanding any other provision of law, the office of management and budget shall  
4 transfer appropriation authority from the new and vacant full-time equivalent funding  
5 pool to eligible executive branch state agencies:

6 a. Within fifteen days of receiving an agency request for the hiring of a new full-time  
7 equivalent position authorized by the sixty-eighth legislative assembly, along with  
8 documentation of the salaries and wages necessary for the position for the  
9 remainder of the biennium, limited to the amount identified for the position in the  
10 statement of purpose of amendment;

11 b. Within fifteen days of receiving an agency request for filling a full-time equivalent  
12 position that was vacant on July 1, 2023, along with documentation verifying that  
13 funding available for salaries and wages within the agency's budget is insufficient  
14 to provide funding for the position for the remainder of the biennium; or

15 c. Within thirty days of receiving an agency request, along with documentation  
16 verifying that actual salaries and wages savings from vacant positions through  
17 February 2025 and estimates for the remainder of the biennium adjusted for  
18 other salaries and wages uses are less than the estimate used by the sixty-eighth  
19 legislative assembly in the development of the agency's appropriation.

20 6. For the purpose of determining salaries and wages amounts under section 54-27-10,  
21 the office of management and budget shall consider the amounts removed from the  
22 agency budget for new and vacant full-time equivalent positions as contained in the  
23 statement of purpose of amendment of bills approved by the sixty-eighth legislative  
24 assembly as part of the appropriation for salaries and wages.

25 7. If funding in the new and vacant full-time equivalent funding pool is insufficient to  
26 provide the necessary salaries and wages funding for the biennium, the office of  
27 management and budget shall request a deficiency appropriation from the sixty-ninth  
28 legislative assembly. Any funding remaining in the funding pool at the end of the  
29 biennium must be canceled in accordance with the provisions of section 54-44.1-11.



- 1           8.    The office of management of budget shall report to each meeting of the budget section  
2                    regarding salaries and wages and vacant position information and use of funding in  
3                    the pool including:
- 4            a.    The number of agency requests submitted, amounts transferred from the pool,  
5                    and information on:
- 6                    (1)   New full-time equivalent positions, including the date hired; and  
7                    (2)   Vacant full-time equivalent positions, including dates the positions were  
8                                vacated and filled;
- 9            b.    Salaries and wages savings to date resulting from vacant positions by agency;  
10                   and
- 11           c.    Each agency's use of salaries and wages funding, including amounts spent for  
12                    accrued leave payouts, salary increases in addition to general salary increases  
13                    provided by the sixty-eighth legislative assembly, bonuses, incentive or location  
14                    pay adjustments, reclassifications, funding used for temporary salaries or  
15                    overtime in excess of amounts provided by the sixty-eighth legislative assembly,  
16                    or other purposes.

17           **SECTION 15. AMENDMENT.** Section 48-10-02 of the North Dakota Century Code is  
18   amended and reenacted as follows:

19           **48-10-02. Capitol building fund to be administered by the capitol grounds planning**  
20   **commission - Continuing appropriation - Procedure for expenditure of certain funds.**

- 21           1.   The capitol grounds planning commission shall have general powers to superintend  
22                    the administration of the capitol building fund, its interest and income fund, and its  
23                    investments and properties. It may cause any lands now held in such funds to be sold  
24                    at market value, direct the conversion of any securities now held by such funds to  
25                    cash, approve expenditures from such funds subject to law and legislative  
26                    appropriations, and to do all other things necessary to carry out the intent and  
27                    purposes of this section. The board of university and school lands or its designee, on  
28                    the commission's behalf, shall see to the investment and management of the capitol  
29                    building fund and its interest and income fund and shall account to the commission  
30                    concerning these funds at the commission's request.

1       2. Provided further, all moneys and other property in the capitol building fund, except as  
2       otherwise appropriated, are hereby dedicated and reserved to the exclusive purpose  
3       of the construction of an addition to the legislative wing of the state capitol building,  
4       and the capitol grounds planning commission shall take necessary steps to  
5       accumulate and conserve the money and property in the capitol building fund for such  
6       purpose.

7       3. The commission may, during any biennium, expend from the interest and income fund  
8       of the capitol building fund a sum not to exceed fifty percent of the unencumbered  
9       balance on the first day of any biennium, and such amount is hereby appropriated to  
10      the capitol grounds planning commission. The expenditure may be made, after  
11      consideration of the capitol grounds master plan, for projects or planning related to  
12      remodeling expenses but may not exceed two hundred fifty thousand dollars per  
13      biennium. The expenditure may only be made upon approval by two-thirds of the total  
14      membership of the commission. The expenditure must be made upon a voucher, or  
15      vouchers, prepared by the office of management and budget at the direction of the  
16      commission.

17      **SECTION 16. AMENDMENT.** Section 54-21-19 of the North Dakota Century Code is  
18      amended and reenacted as follows:

19      **54-21-19. Director to furnish supplies and maintain capitol, state offices, and**  
20      **executive mansion - Authority to charge for services.**

21      The director of the office of management and budget shall provide all necessary fuel,  
22      electricity, insurance, janitorial, and other services necessary to maintain the state offices on the  
23      capitol grounds as well as all necessary furniture, fuel, electricity, express, freight, drayage, and  
24      all other necessary supplies for the executive mansion and the capitol grounds and shall make  
25      all necessary repairs. The purchases must be in accordance with chapter 54-44.4. The director  
26      shall charge an amount equal to the fair value of the office space and other services rendered  
27      to all departments that receive and expend moneys from other than the general fund executive  
28      branch agencies, except that for good cause the amounts charged may be waived by the  
29      director for a one-year period of time with the waiver subject to further annual renewals after  
30      proper application has been filed with the director.

1       **SECTION 17.** A new subsection to section 54-44-11 of the North Dakota Century Code is  
2 created and enacted as follows:

3           The office of management and budget shall establish a facility management operating  
4           fund to be used for the salary and operating expenses of the division of facility  
5           management. Rental fees collected pursuant to section 54-21-19 must be deposited in  
6           the fund. The director of the office of management and budget shall transfer any  
7           unobligated balance in the fund to the general fund at the end of each fiscal year.

8       **SECTION 18. AMENDMENT.** Section 54-52-03 of the North Dakota Century Code is  
9 amended and reenacted as follows:

10       **54-52-03. Governing authority.**

11       1. A state agency is hereby created to constitute the governing authority of the system to  
12 consist of a board of ~~nine~~eleven individuals known as the retirement board. No more  
13 than one elected member of the board may be in the employ of a single department,  
14 institution, or agency of the state or in the employ of a political subdivision. An  
15 employee of the public employees retirement system or the state retirement and  
16 investment office may not serve on the board.

17       ~~1.~~ Two

18       2. Four members of the legislative assembly must be appointed ~~by the chairman of the~~  
19 ~~legislative management~~ to serve on the board.

20       ~~a.~~ If the same political party has the greatest number of members in both the house  
21 and senate, one member must be from that majority party and one member from  
22 the political party with the next greatest number of members in the house and  
23 senate.

24       ~~b.~~ If the same political party does not have the greatest number of members in both  
25 the house and senate, one member must be from the majority party in the house  
26 and one member must be from the majority party in the senate.

27       ~~2.~~ One member The majority leader of the house of representatives shall appoint two  
28 members of the house of representatives and the majority leader of the senate shall  
29 appoint two members of the senate. The members appointed under this subsection  
30 shall serve a term of two years.

- 1        3. Four members of the board must be appointed by the governor to serve a term of five  
2            years. ~~The~~Each appointee under this subsection must be a North Dakota citizen who  
3            is not a state or political subdivision employee and who ~~by experience~~ is familiar with  
4            ~~money management retirement and employee benefit plans.~~ The governor shall  
5            appoint one citizen member ~~isto serve as~~ chairman of the board.
- 6        ~~3.~~ One member of the board must be appointed by the attorney general from the  
7            attorney general's legal staff and shall serve a term of five years.
- 8        ~~4.~~ The state health officer appointed under section 23-01-05 or the state health officer's  
9            designee is a member of the board.
- 10      ~~5.4.~~ Three board members must be elected by and from among the active participating  
11            members, members of the retirement plan established under chapter 54-52.6,  
12            members of the retirement plan established under chapter 39-03.1, and members of  
13            the job service North Dakota retirement plan. Employees who have terminated their  
14            employment for whatever reason are not eligible to serve as elected members of the  
15            board under this subsection. Board members must be elected to a five-year term  
16            pursuant to an election called by the board. Notice of board elections must be given to  
17            all active participating members. The time spent in performing duties as a board  
18            member may not be charged against any employee's accumulated annual or any  
19            other type of leave.
- 20      ~~6.~~ One board member must be elected by and from among those individuals who are  
21            receiving retirement benefits under this chapter. The board shall call the election and  
22            must give prior notice of the election to the individuals eligible to participate in the  
23            election pursuant to this subsection. The board member shall serve a term of five  
24            years.
- 25      ~~7.5.~~ The members of the board are entitled to receive one hundred forty-eight dollars per  
26            day compensation and necessary mileage and travel expenses as provided in  
27            sections 44-08-04 and 54-06-09. This is in addition to any other pay or allowance due  
28            the chairman or a member, plus an allowance for expenses they may incur through  
29            service on the board.
- 30      ~~8.6.~~ A board member shall serve a five-year term and until the board member's successor  
31            qualifies. Each board member is entitled to one vote, and ~~fivesix~~ of the nineeleven

1 board members constitute a quorum. ~~Five~~Six votes are necessary for resolution or  
2 action by the board at any meeting.

3 **SECTION 19. PUBLIC EMPLOYEES RETIREMENT SYSTEM - MAIN SYSTEM DEFINED**

4 **BENEFIT PLAN INVESTMENTS.** During the biennium beginning July 1, 2023, and ending  
5 June 30, 2025, the retirement board and the state investment board shall continue to invest the  
6 public employees retirement system main system defined benefit plan based on an actuarial  
7 rate of return assumption of at least six and one-half percent, and the retirement board and the  
8 state investment board may not make any investment decision with the goal of derisking the  
9 investments for this plan during the biennium.

10 **SECTION 20. EXEMPTION - INFRASTRUCTURE REVOLVING LOAN FUND.**

11 Notwithstanding any other provision of law, a park district may apply for a loan from the  
12 infrastructure revolving loan fund under section 6-09-49, during the biennium beginning July 1,  
13 2023, and ending June 30, 2025, to refinance an outstanding loan for a project completed after  
14 March 31, 2022, and to pay the outstanding balance of any special assessments associated  
15 with the project.

16 **SECTION 21. EXEMPTION - FISCAL MANAGEMENT.** The amount appropriated for the  
17 fiscal management division, as contained in section 1 of chapter 15 of the 2021 Session Laws is  
18 not subject to the provisions of section 54-44.1-11. Any unexpended funds from this  
19 appropriation are available for continued development and operating costs of the statewide  
20 systems, including accounting, management, and payroll, during the biennium beginning July 1,  
21 2023, and ending June 30, 2025.

22 **SECTION 22. EXEMPTION - UNEXPENDED APPROPRIATIONS.** The following  
23 appropriations are not subject to the provisions of section 54-44.1-11 and may be continued into  
24 the biennium beginning July 1, 2023, and ending June 30, 2025:

- 25 1. The sum of \$500,000 appropriated from the strategic investment and improvements  
26 fund in section 1 and identified in section 2 of chapter 40 of the 2019 Session Laws  
27 and continued into the 2021-23 biennium pursuant to section 42 of chapter 15 of the  
28 2021 Session Laws for an assessment of state lands and facilities.
- 29 2. The sum of \$350,000 appropriated from the capitol building fund in section 1 and  
30 identified in section 2 of chapter 15 of the 2021 Session Laws for a facility  
31 consolidation study.

1       **SECTION 23. LEGISLATIVE MANAGEMENT STUDY - STATE FIRE AND TORNADO**

2 **FUND AND STATE BONDING FUND ADMINISTRATION.** During the 2023-24 interim, the  
3 legislative management shall consider studying, in collaboration with the insurance  
4 commissioner and the director of the office of management and budget, the feasibility and  
5 desirability of changing administration of the state fire and tornado fund and state bonding fund  
6 from the insurance commissioner to the director of the office of management and budget. The  
7 study must include an analysis of the statutory changes necessary to accomplish the change in  
8 administration and other statutory changes necessary to facilitate the office of management and  
9 budget's administration of these funds. The legislative management shall report its findings and  
10 recommendations, together with any legislation required to implement the recommendations, to  
11 the sixty-ninth legislative assembly.

12       **SECTION 24. LEGISLATIVE MANAGEMENT STUDY - MANAGEMENT AND**  
13 **MAINTENANCE OF STATE FACILITIES.**

- 14       1. During the 2023-24 interim, the legislative management shall consider studying the  
15 policies and procedures of state agencies, excluding institutions under the control of  
16 the state board of higher education, for managing, maintaining, and leasing state  
17 facilities.
- 18       2. The study must include consideration of:
- 19           a. The most efficient and cost-effective organizational structure for managing,  
20 maintaining, and leasing state facilities, including a comparison of allocating  
21 funding and full-time equivalent positions to various agencies and centralizing  
22 funding and full-time equivalent positions under one agency.
- 23           b. The costs and benefits of leasing or owning state facilities.
- 24           c. The appropriate use of contracts for service and full-time equivalent positions for  
25 custodial services, mechanical services, snow removal, lawn care, and  
26 maintenance.
- 27       3. The legislative management shall report its findings and recommendations, together  
28 with any legislation required to implement the recommendations, to the sixty-ninth  
29 legislative assembly.

30       **SECTION 25. LEGISLATIVE MANAGEMENT STUDY - GUARDIANSHIP PROGRAMS.**

31 During the 2023-24 interim, the legislative management shall study the state's guardianship

1 programs. The study must include consideration of the existing structure for the programs under  
2 the office of management and budget, judicial branch, and department of health and human  
3 services; the feasibility of consolidating the programs under one agency; and an appropriate  
4 level of funding for the programs. The legislative management shall report its findings and  
5 recommendations, together with any legislation required to implement the recommendations, to  
6 the sixty-ninth legislative assembly.

7 **SECTION 26. EFFECTIVE DATE.** Section 18 of this Act becomes effective June 1, 2023.

8 **SECTION 27. EMERGENCY.** The following are declared to be an emergency measure:

- 9 1. The targeted market equity pool line item in section 1 of this Act and identified in  
10 section 12 of this Act;
- 11 2. The deferred maintenance funding pool line item in section 1 of this Act and identified  
12 in section 8 of this Act; and
- 13 3. Sections 4 and 18 of this Act.