

**HOUSE BILL NO. 1021**

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the information  
2 technology department; ~~and to provide a transfer;~~ to provide an exemption; and to provide for a  
3 report.

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

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
6 as may be necessary, are appropriated out of any moneys in the general fund in the state  
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
8 other income, to the information technology department for the purpose of defraying the  
9 expenses of the information technology department, for the biennium beginning July 1, 2023,  
10 and ending June 30, 2025, as follows:

	<u>Governor's</u>		
	<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
13 <del>Salaries and wages</del>	<del>\$101,734,629</del>	<del>\$120,200,318</del>	<del>\$101,734,629</del>
14 <del>Operating expenses</del>	<del>114,588,112</del>	<del>181,582,233</del>	<del>114,588,112</del>
15 <del>Capital assets</del>	<del>3,443,909</del>	<del>3,910,571</del>	<del>3,443,909</del>
16 <del>ARPA broadband</del>	<del>0</del>	<del>45,000,000</del>	<del>0</del>
17 <del>HJA broadband BEAD program</del>	<del>0</del>	<del>148,250,000</del>	<del>0</del>
18 <del>Statewide longitudinal data system</del>	<del>4,486,278</del>	<del>8,715,381</del>	<del>4,486,278</del>
19 <del>Edutech</del>	<del>9,691,939</del>	<del>11,784,825</del>	<del>9,691,939</del>
20 <del>K-12 wide area network</del>	<del>4,679,718</del>	<del>7,208,178</del>	<del>4,679,718</del>
21 <del>Geographic information system</del>	<del>1,101,806</del>	<del>1,230,596</del>	<del>1,101,806</del>
22 <del>Health information technology office</del>	<del>8,725,871</del>	<del>8,819,615</del>	<del>8,725,871</del>
23 <del>Statewide interoperable radio network</del>	<del>14,193,796</del>	<del>38,438,176</del>	<del>14,193,796</del>
24 <del>Total all funds</del>	<del>\$262,646,058</del>	<del>\$575,139,893</del>	<del>\$262,646,058</del>

Sixty-eighth  
Legislative Assembly

1	<del>Less estimated income</del>	<del>233,670,105</del>	<del>513,670,072</del>	<del>233,670,105</del>
2	<del>Total general fund</del>	<del>\$28,975,953</del>	<del>\$61,469,821</del>	<del>\$28,975,953</del>
3	<del>Full-time equivalent positions</del>	<del>479.00</del>	<del>520.00</del>	<del>479.00</del>
4		<u>Adjustments or</u>		
5		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
6	<u>Salaries and wages</u>	<u>\$101,734,629</u>	<u>\$13,403,736</u>	<u>\$115,138,365</u>
7	<u>Operating expenses</u>	<u>114,588,112</u>	<u>38,416,587</u>	<u>153,004,699</u>
8	<u>Capital assets</u>	<u>3,443,909</u>	<u>466,662</u>	<u>3,910,571</u>
9	<u>Statewide longitudinal data system</u>	<u>4,486,278</u>	<u>123,913</u>	<u>4,610,191</u>
10	<u>Edutech</u>	<u>9,691,939</u>	<u>1,297,519</u>	<u>10,989,458</u>
11	<u>K-12 wide area network</u>	<u>4,679,718</u>	<u>2,505,240</u>	<u>7,184,958</u>
12	<u>Geographic information system</u>	<u>1,101,806</u>	<u>123,641</u>	<u>1,225,447</u>
13	<u>Health information technology office</u>	<u>8,725,871</u>	<u>76,117</u>	<u>8,801,988</u>
14	<u>Statewide interoperable radio network</u>	<u>14,193,796</u>	<u>4,236,103</u>	<u>18,429,899</u>
15	<u>Broadband infrastructure</u>	<u>0</u>	<u>148,250,000</u>	<u>148,250,000</u>
16	<u>Total all funds</u>	<u>\$262,646,058</u>	<u>\$208,899,518</u>	<u>\$471,545,576</u>
17	<u>Less estimated income</u>	<u>233,670,105</u>	<u>188,005,063</u>	<u>421,675,168</u>
18	<u>Total general fund</u>	<u>\$28,975,953</u>	<u>\$20,894,455</u>	<u>\$49,870,408</u>
19	<u>Full-time equivalent positions</u>	<u>479.00</u>	<u>28.00</u>	<u>507.00</u>

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

**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 one-time funding items included in the appropriation in section 1 of this Act:

	<u>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
24			
25	Cybersecurity	\$6,500,000	\$0
26	<del>Health information technology office</del>	<del>6,000,000</del>	<del>0</del>
27	<u>Health information technology office</u>	<u>6,000,000</u>	<u>3,000,000</u>
28	Broadband infrastructure grants	45,000,000	0
29	<del>North Dakota stockmen's association grant</del>	<del>401,000</del>	<del>0</del>
30	<del>Total special funds</del>	<del>\$57,901,000</del>	<del>\$0</del>

1	<u>North Dakota stockmen's association grant</u>	<u>401,000</u>	<u>0</u>
2	<u>Enterprise digitization project</u>	<u>0</u>	<u>10,000,000</u>
3	<u>Governance, risk, and compliance costs</u>	<u>0</u>	<u>5,456,876</u>
4	<u>Customer relationship management program</u>	<u>0</u>	<u>6,500,000</u>
5	<u>Universal vulnerability management project</u>	<u>0</u>	<u>3,000,000</u>
6	<u>Capitol security upgrade and fiber replacement project</u>	<u>0</u>	<u>2,499,467</u>
7	<u>Inflationary increases</u>	<u>0</u>	<u>7,825,000</u>
8	<u>Broadband, equity, access, and deployment program</u>	<u>0</u>	<u>148,250,000</u>
9	<u>Total all funds</u>	<u>\$57,901,000</u>	<u>\$186,531,343</u>
10	<u>Less estimated income</u>	<u>57,901,000</u>	<u>180,081,343</u>
11	<u>Total general fund</u>	<u>\$0</u>	<u>\$6,450,000</u>

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

16 **SECTION 3. ADDITIONAL INCOME - APPROPRIATION.** All federal funds received by the  
17 information technology department in excess of those funds appropriated in section 1 of this Act  
18 are appropriated to the information technology department for the biennium beginning July 1,  
19 2023, and ending June 30, 2025.

20 **SECTION 4. ESTIMATED INCOME - TRANSFER - HEALTH INFORMATION**  
21 **TECHNOLOGY PLANNING LOAN FUND TO ELECTRONIC HEALTH INFORMATION**  
22 **EXCHANGE FUND.** Notwithstanding section 6-09-43, the estimated income line item in  
23 section 1 of this Act includes the sum of \$3,000,000, or so much of the sum as may be  
24 necessary, which the Bank of North Dakota shall transfer, as requested by the chief information  
25 officer, from the health information technology planning loan fund to the electronic health  
26 information exchange fund for the purpose of defraying the expenses of the health information  
27 technology office and the health information network during the biennium beginning July 1,  
28 2023, and ending June 30, 2025.

29 **SECTION 5. EXEMPTION - LINE ITEM TRANSFERS.** Notwithstanding section 54-16-04,  
30 the director of the office of management and budget shall make transfers of funds between line  
31 items in section 1 of this Act for the information technology department as may be requested by

1 the chief information officer as determined necessary for the development and implementation  
2 of information technology projects. The department shall notify the legislative council of any  
3 transfers made pursuant to this section.

4 **SECTION 6. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS**

5 **FUND.** The estimated income line item in section 1 of this Act includes the sum of \$16,500,000  
6 from the strategic investment and improvements fund, of which \$10,000,000 is for the  
7 enterprise digitization project and \$6,500,000 is for the customer relationship management  
8 program.

9 **SECTION 7. ESTIMATED INCOME - FEDERAL STATE FISCAL RECOVERY FUND.** The

10 estimated income line item in section 1 of this Act includes the sum of \$2,499,467 from federal  
11 funds derived from the state fiscal recovery fund for the capitol security software upgrade and  
12 fiber replacement project.

13 **SECTION 8. EXEMPTION - BROADBAND INFRASTRUCTURE GRANTS.** The amount of

14 \$45,000,000 appropriated from federal funds derived from the coronavirus capital projects fund  
15 for the broadband infrastructure grants program in section 9 of chapter 548 of the 2021 Session  
16 Laws is not subject to section 54-44.1-11 and is available for the program during the biennium  
17 beginning July 1, 2023, and ending June 30, 2025.

18 **SECTION 9. EXEMPTION - NORTH DAKOTA STOCKMEN'S ASSOCIATION BRANDING**

19 **INSPECTION SYSTEM.** The amount of \$401,000 appropriated from federal funds derived from  
20 the state fiscal recovery fund for the purpose of providing a grant to the North Dakota  
21 stockmen's association for conversion of a paper-based brand inspection program to an  
22 electronic system in subsection 23 of section 1 of chapter 550 of the 2021 Session Laws is not  
23 subject to section 54-44.1-11 and is available for the program during the biennium beginning  
24 July 1, 2023, and ending June 30, 2025.