

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1001

Introduced by

Appropriations Committee

(At the request of the Legislative Council)

1 A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch
2 of state government; to create and enact a new section to chapter 54-03 and a new section to
3 chapter 54-35 of the North Dakota Century Code, relating to authorized purchases under state
4 contracts and to legislative council review of agency implementation of appropriation acts,
5 including legislative intent items; to provide for transfers; and to declare an emergency.

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

7 **SECTION 1. BASE LEVEL FUNDING INFORMATION.** The amounts identified in this
8 section represent the base level funding component appropriated to the legislative branch of
9 state government in section 3 of this Act as follows:

10 Subdivision 1.

11 SIXTIETH AND SIXTY-FIRST LEGISLATIVE ASSEMBLIES AND BIENNIUM

12	Salaries and wages	\$6,084,617
13	Operating expenses	3,017,773
14	Capital assets	232,085
15	National conference of state legislatures	<u>177,750</u>
16	Total all funds - Base level	\$9,512,225
17	Less estimated income - Base level	<u>20,000</u>
18	Total general fund - Base level	\$9,492,225

19 Subdivision 2.

20 LEGISLATIVE COUNCIL

21	Salaries and wages	\$5,205,205
22	Operating expenses	2,367,736
23	Capital assets	41,000
24	Higher education study	<u>175,000</u>

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1	Total general fund - Base level	\$7,788,941
2	Total general fund - Section 1	\$17,281,166
3	Total other funds - Section 1	\$20,000
4	Total all funds - Section 1	\$17,301,166

5 **SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION.** The
6 amounts identified in this section represent the funding adjustments or enhancements to the
7 base funding level for the legislative branch of state government which are included in the
8 appropriation in section 3 of this Act as follows:

9 Subdivision 1.

10 SIXTIETH AND SIXTY-FIRST LEGISLATIVE ASSEMBLIES AND BIENNIUM

11	Salaries and wages	\$606,404
12	Operating expenses	21,182
13	Capital assets	(26,085)
14	National conference of state legislatures	28,564
15	Legislative applications replacement	<u>3,910,827</u>
16	Total all funds - Adjustments/enhancements	\$4,540,893
17	Less estimated income - Adjustments/enhancements	<u>(20,000)</u>
18	Total general fund - Adjustments/enhancements	\$4,560,892

19 Subdivision 2.

20 LEGISLATIVE COUNCIL

21	Salaries and wages	\$702,547
22	Operating expenses	247,231
23	Capital assets	16,000
24	Higher education study	<u>(175,000)</u>
25	Total general fund - Adjustments/enhancements	\$790,778
26	Total general fund - Section 2	\$5,351,670
27	Total other funds - Section 2	(\$20,000)
28	Total all funds - Section 3	\$5,331,670

29 **SECTION 3. APPROPRIATION FOR THE LEGISLATIVE BRANCH OF STATE**
30 **GOVERNMENT.** The funds provided in this section, or so much of the funds as may be
31 necessary, are appropriated out of any moneys in the general fund in the state treasury, not

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1 otherwise appropriated, to the legislative branch of state government for the purpose of
2 defraying the expenses of that branch, for the fiscal period beginning with the effective date of
3 this Act and ending June 30, 2009, as follows:

4 Subdivision 1.

5 SIXTIETH AND SIXTY-FIRST LEGISLATIVE ASSEMBLIES AND BIENNIUM

6 Salaries and wages	\$6,691,021
7 Operating expenses	3,038,955
8 Capital assets	206,000
9 National conference of state legislatures	206,314
10 Legislative applications replacements	<u>3,910,827</u>
11 Total general fund appropriation	\$14,053,117

12 Subdivision 2.

13 LEGISLATIVE COUNCIL

14 Salaries and wages	\$5,907,752
15 Operating expenses	2,614,967
16 Capital assets	<u>57,000</u>
17 Total general fund appropriation	\$8,579,719
18 Grand total general fund appropriation H.B. 1001	\$22,632,836

19 **SECTION 4. TRANSFERS.** Notwithstanding section 54-16-04, the director of the office
20 of management and budget and the state treasurer shall make transfers of funds between line
21 items of appropriations for the legislative council as may be requested by the chairman of the
22 council or the chairman's designee upon the finding by the chairman or designee that the
23 nature of studies and duties assigned to the council requires the transfers in properly carrying
24 on the council's functions and duties. The director of the office of management and budget and
25 the state treasurer shall similarly make transfers of funds between the line items for the sixtieth
26 and sixty-first legislative assemblies, upon request by the chairman of the legislative council or
27 the chairman's designee upon the finding by the chairman or designee that the transfers are
28 required for the legislative assembly to carry on its functions and duties.

29 **SECTION 5. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
30 **SIXTY-FIRST LEGISLATIVE ASSEMBLY.** The total general fund appropriation line item in
31 subdivision 1 of section 3 of this Act includes \$4,310,827 for the one-time funding items

1 identified in this section. This amount is not a part of the agency's base budget to be used in
2 preparing the 2009-11 executive budget. The legislative assembly shall report to the
3 appropriations committees of the sixty-first legislative assembly on the use of this one-time
4 funding for the biennium beginning July 1, 2007, and ending June 30, 2009.

5	Legislative applications replacement system	\$3,910,827
6	computer project	
7	Computer equipment replacement	<u>400,000</u>
8	Total	\$4,310,827

9 **SECTION 6. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
10 **SIXTY-FIRST LEGISLATIVE ASSEMBLY.** The total general fund appropriation line item in
11 subdivision 2 of section 3 of this Act includes \$129,579 for the one-time funding items identified
12 in this section. This amount is not a part of the agency's base budget to be used in preparing
13 the 2009-11 executive budget. The legislative council shall report to the appropriations
14 committees of the sixty-first legislative assembly on the use of this one-time funding for the
15 biennium beginning July 1, 2007, and ending June 30, 2009.

16	Computer equipment replacement	\$104,579
17	Office equipment replacement	<u>25,000</u>
18	Total	\$129,579

19 **SECTION 7.** A new section to chapter 54-03 of the North Dakota Century Code is
20 created and enacted as follows:

21 **Authorized purchases under state contracts.** Notwithstanding any other provision of
22 law, a member of the legislative assembly may acquire a smartphone or personal
23 communicator device from the information technology department and obtain telephone and
24 data plan services from the department under any arrangement the department has for
25 obtaining those devices and services from a third party, and may obtain access to the state
26 e-mail system through the equipment and software of the department, upon payment for the
27 device and the services provided by the department at the rates charged to public officials and
28 employees.

29 **SECTION 8. PILOT PROJECT.** The legislative council shall conduct a pilot project by
30 providing smartphones or personal communicator devices to a limited number of legislators for
31 the biennium beginning July 1, 2007, and ending June 30, 2009. Each legislator involved in the

1 pilot project is responsible for paying a \$15 per month fee authorized under section 54-03-26
2 for personal use of these devices and any additional charges resulting from the legislator
3 exceeding the maximum number of plan minutes.

4 **SECTION 9.** A new section to chapter 54-35 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Implementation of legislative intent - Agency accomplishments and results -**
7 **Legislative council review - Agency cooperation.** The legislative council may arrange for a
8 review of state agency implementation of biennial appropriation acts, including legislative intent
9 items included in legislative records. The legislative council staff, as reviews are conducted,
10 shall report to the budget section, or other appropriate budget committees as requested, and
11 shall prepare a summary report for submission to the next legislative assembly. State agencies
12 and institutions shall, as requested, provide information on related agency accomplishments
13 and results and assist in the reviews.

14 **SECTION 10. EMERGENCY.** This Act is declared to be an emergency measure.