

# BUDGET SECTION

## (45 members)

- 4001 Hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants passed by Congress
- Receive status report from the State Board of Agricultural Research and Education (NDCC § 4-05.1-19(10))
- Approve any purchase of commercial or residential property by the Board of University and School Lands as sole owner (NDCC § 15-03-04)
- Receive statement from an ethanol plant in operation before July 1, 1995, and receiving a production incentive from the state indicating whether the plant produced a profit from its operation in the preceding fiscal year, after deducting the payments received under the section (NDCC § 17-02-01)
- Authorize the State Board of Higher Education to authorize construction of any building, or campus improvements and building maintenance of more than \$385,000, if financed by donations (NDCC § 15-10-12.1)
- Receive biennial report from each institution under the control of the State Board of Higher Education undertaking a capital construction project that was approved by the Legislative Assembly and for which local funds are to be used which details the source of all funds used in the project (NDCC § 15-10-12.3)
- Approve, reject, or refer, upon receiving a recommendation from the Emergency Commission and in conjunction with the State Board of Higher Education and the North Dakota Economic Development Foundation, designation of a center of excellence recommended by the Centers of Excellence Commission (NDCC § 15-69-02)
- Receive annual audits from a center of excellence that is awarded funds under NDCC Chapter 15-69 on the funds distributed to the center, until completion of four years following the final distribution of funds (NDCC § 15-69-05)
- Approve comprehensive statewide land acquisition plan established by the director of the Game and Fish Department and every land acquisition of more than 10 acres or exceeding \$10,000 by the Game and Fish Department (NDCC § 20.1-02-05.1)
- Authorize the Game and Fish Department to spend money in the game and fish fund if the balance would be reduced below \$15 million (NDCC § 20.1-02-16.1)
- Authorize the Developmental Center at Westwood Park to provide services under contract with a governmental or nongovernmental person (NDCC § 25-04-02.2)
- Approve waiver of exemption of state property in a city from special assessments levied for flood control purposes (NDCC § 40-23-22.1)
- Receive annual report from the Division of Community Services on conclusions of annual audits of renaissance fund organizations (NDCC § 40-63-07)
- Receive report from the commissioner of University and School Lands identifying every state agency that has not submitted a claim for property belonging to that agency (NDCC § 47-30.1-24.1)
- Approve state agency relinquishment of unclaimed property belonging to that agency (NDCC § 47-30.1-24.1)
- Approve the change or expansion of, or any additional expenditure for, a state building construction project approved by the Legislative Assembly (NDCC § 48-01.2-25)
- Approve termination of federal food stamp or energy assistance program (NDCC § 50-06-05.1)
- Receive report from Job Service North Dakota before March 1 of each year on the actual job insurance trust fund balance and the targeted modified average high-cost multiplier, as of December 31 of the previous year, and a projected trust fund balance for the next three years (NDCC § 52-02-17)
- Receive report from Human Resource Management Services on the number of employees receiving bonuses above the 25 percent limitation (NDCC § 54-06-30)
- Receive reports on fiscal irregularities (NDCC § 54-14-03.1)
- Approve transfers of money or spending authority which would eliminate or make impossible accomplishment of a program or objective funded by the Legislative Assembly (NDCC § 54-16-04)
- Approve transfers exceeding \$50,000 from one fund or line item to another unless necessary to comply with a court order or to avoid imminent threat to safety or imminent financial loss to the state (NDCC § 54-16-04)
- Approve, with the Emergency Commission, acceptance of any federal funds made available to the state which are not for a specific purpose or program and which are not required to be spent before the next regular legislative session for deposit in a special fund until the Legislative Assembly appropriates the funds (NDCC § 54-16-04.1)
- Approve Emergency Commission authorization of a state officer's acceptance of federal funds in excess of \$50,000 if the acceptance of funds is not necessary to avoid an imminent threat to the safety of people or property due to a natural disaster or war crisis or an imminent financial loss to the state (NDCC § 54-16-04.1)
- Approve Emergency Commission authorization of a state officer's expenditure of federal funds in excess of \$50,000 if the acceptance of funds is necessary to avoid an imminent threat to the safety of people or property due to a natural disaster or war crisis or an imminent financial loss to the state (NDCC § 54-16-04.1)
- Approve Emergency Commission authorization of a state officer's acceptance of funds in excess of \$50,000 if the acceptance of funds is not necessary to avoid an imminent threat to the safety of people or property due to a natural disaster or war crisis or an imminent financial loss to the state (NDCC § 54-16-04.2)
- Approve Emergency Commission authorization of a state officer's expenditure of funds in excess of \$50,000 if the acceptance of funds is necessary to avoid an imminent threat to the safety of people or property due to a natural disaster or war crisis or an imminent financial loss to the state (NDCC § 54-16-04.2)
- Approve, on the advice of the Office of Management and Budget and the recommendation of the Emergency Commission, a state officer to employ full-time equivalent (FTE) positions in addition to those authorized by the Legislative Assembly (NDCC § 54-16-04.3)

Approve Emergency Commission authorization of transfer of spending authority from the state contingencies appropriation in excess of \$50,000 if the transfer is not necessary to avoid an imminent threat to the safety of people or property due to a natural disaster or war crisis or an imminent financial loss to the state (NDCC § 54-16-09)

Receive report from the director of the Department of Corrections and Rehabilitation on any new program that serves adult or juvenile offenders, including alternatives to conventional incarceration and programs operated on a contract basis, if the program is anticipated to cost in excess of \$100,000 during a biennium (NDCC § 54-23.3-09)

Approve use of the capital improvements planning revolving fund (NDCC § 54-27-22)

Approve use of cashflow financing (NDCC § 54-27-23)

Receive report on transfers of funds from the budget stabilization fund to the state general fund to offset projected decrease in general fund revenues (NDCC § 54-27.2-03)

Receive report from the director of the Office of Management and Budget on the status of tobacco settlement funds and related information (NDCC § 54-44-04)

Receive report from the Office of Management and Budget regarding any purchase of oil put options by the State Investment Board to offset reduced state general fund oil and gas tax revenues due to oil and gas prices falling below selected levels (NDCC § 54-44-16)

Prescribe form of budget information prepared by the director of the budget (NDCC § 54-44.1-07)

Object to any allotment by the director of the budget, any expenditure of a budget unit, or any failure to make an allotment or expenditure if the action or failure to act is contrary to legislative intent (NDCC § 54-44.1-12.1)

Approve reduction of budgets due to initiative or referendum action (NDCC § 54-44.1-13.1)

Receive report from the Office of Management and Budget in December of even-numbered years regarding commodities and services exempted from state procurement requirements (NDCC § 54-44.4-02.2)

Approve grants, not otherwise specifically approved by the Legislative Assembly, distributed by the Children's Services Coordinating Committee to children's services organizations and programs (NDCC § 54-56-03)

Approve execution by the Information Technology Department of proposed agreement to finance the purchase of software, equipment, or implementation of services in excess of \$1 million (NDCC § 54-59-05(4))

Receive summary of annual report from the Information Technology Department (NDCC § 54-59-19)

Receive report (for review) from the Tax Commissioner regarding any reduction the Tax Commissioner makes in the homestead property income tax credit (NDCC § 57-38-01.29)

Approve any reduction the Tax Commissioner makes in the commercial property income tax credit (NDCC § 57-38-01.30)

Receive periodic reports from Workforce Safety and Insurance and the Risk Management Division of the Office of Management and Budget on the success of a single workers' compensation account for state entities covered by NDCC Chapter 32-12.2 (NDCC § 65-04-03.1)

Authorize establishment of casualty insurance organization to provide extraterritorial workforce safety and insurance (NDCC § 65-08.1-02)

Review and report on budget data prepared by the director of the budget

Receive report from the Public Service Commission before July 1, 2010, on the status of the metrology program (2009 S.L., ch. 8, § 3)

Receive report from the Department of Human Services after June 30, 2010, on any transfers of appropriation authority in excess of \$50,000 between line items within subdivisions and between subdivisions for the 2009-11 biennium (2009 S.L., ch. 12, § 7)

Receive quarterly reports from the Tobacco Prevention and Control Executive Committee during the 2009-10 interim on the implementation of the comprehensive tobacco prevention and control plan and outcomes achieved (2009 S.L., ch. 15, § 38)

Receive report from the Adjutant General during the 2009-10 interim regarding reintegration program expenditures and the program's impact on service members (2009 S.L., ch. 16, § 11)

Receive quarterly written summary reports from the Veterans' Home construction project manager regarding the status of the Veterans' Home construction project during the 2009-10 interim (2009 S.L., ch. 35, § 8)

Receive semiannual reports from the Highway Patrol regarding the status of implementation of the commercial vehicle information systems and networks (2009 S.L., ch. 39, § 7)

Receive report from the Department of Emergency Services regarding emergency snow removal grants distributed to counties, townships, and cities before June 30, 2009 (2009 S.L., ch. 40, § 7)

Receive report from the Department of Emergency Services in the fourth quarter of 2009 and the third quarter of 2010 on emergency disaster relief grants awarded to political subdivisions (2009 S.L., ch. 40, § 8)

Receive periodic reports from the Department of Transportation regarding the use of state, federal, emergency, and other highway funding during the 2009-10 interim (2009 S.L., ch. 40, § 11)

Receive summary report from the Industrial Commission during the 2009-10 interim on the results of a consultant's evaluation of the Mill and Elevator during the 2009-10 interim (2009 S.L., ch. 42, § 11)

Receive report from the Department of Commerce in the third quarter of 2010 on the status of the technology-based entrepreneurship grant program (2009 S.L., ch. 46, § 13)

Receive report from the Department of Commerce during the third quarter of 2010 regarding compiled information identifying tax-exempt property by school district (2009 S.L., ch. 46, § 14)

Receive report from the Department of Commerce in the third quarter of 2010 on the status of the centers of excellence program and the centers of excellence fund (2009 S.L., ch. 46, § 28)

Receive report from the Department of Commerce at the Budget Section's first meeting after September 1, 2009, and its first meeting after March 1, 2010, regarding the status of the construction of the Great Plains Applied Energy Technology Center (2009 S.L., ch. 26, § 2)

Receive report from the Veterans' Home during the 2009-11 biennium, at the first Budget Section meeting scheduled after the projects are completed, regarding the status of the Veterans' Home exterior finishing construction projects (2009 S.L., ch. 56, § 4)

Receive report from the Department of Commerce during the second quarter of 2010 on the status of financing and grants provided to early childhood facilities (2009 S.L., ch. 108, § 4)

Receive periodic reports from the Health Information Technology Office and the Health Information Technology Advisory Committee during the 2009-10 interim on the status of health information technology activities (2009 S.L., ch. 519, § 7)

Receive periodic reports from the Adjutant General on 2009 flood disaster-related expenditures, transfers, reimbursements, and general fund deposits for the period beginning April 9, 2009, and ending June 30, 2011 (2009 S.L., ch. 64, § 5)

Approve, with the Emergency Commission, the Governor spending any additional federal stimulus or fiscal recovery funds in excess of funds appropriated for fiscal stabilization for education or other government services (2009 S.L., ch. 1, § 2)

Approve, with the Emergency Commission, the Governor spending any additional federal stimulus or fiscal recovery funds (2009 S.L., ch. 1, § 3)

Approve the Secretary of State borrowing up to \$3,400,698 from the Bank of North Dakota to implement the North Dakota business development engine computer project (2009 S.L., ch. 2, § 3)

Approve, with the Emergency Commission, the Attorney General spending additional federal stimulus or fiscal recovery funds in excess of funds appropriated for Edward J. Byrne Memorial Justice Assistance Grants, Internet Crimes Against Children Grants, and Rural Law Enforcement Assistance Act funding (2009 S.L., ch. 3, § 11)

Approve, with the Emergency Commission, the Attorney General spending funds under the American Recovery and Reinvestment Act of 2009 for the Community Oriented Policing Services Grant program (2009 S.L., ch. 3, § 12)

Approve the Agriculture Commissioner leasing additional office space for department purposes (2009 S.L., ch. 9, § 8)

Approve, with the Emergency Commission, the Department of Human Services spending additional federal stimulus or fiscal recovery funds in excess of funds appropriated for certain human services programs (2009 S.L., ch. 12, § 2)

Approve the Department of Human Services borrowing \$8.5 million from the Bank of North Dakota if the caseload/utilization of medical services, long-term care, and developmental disabilities services is more than anticipated for the 2009-11 biennium (2009 S.L., ch. 12, § 4)

Approve, with the Emergency Commission, the Superintendent of Public Instruction spending additional federal stimulus or fiscal recovery funds in excess of funds appropriated for various education programs (2009 S.L., ch. 13, § 3)

Approve, with the Emergency Commission, the Adjutant General spending additional federal stimulus or fiscal recovery funds in excess of funds appropriated for military energy-related maintenance and repairs (2009 S.L., ch. 16, § 2)

Approve, with the Emergency Commission, the State Historical Society spending additional federal stimulus or fiscal recovery funds in excess of funds appropriated for Camp Hancock, Fort Totten, and geographic information system projects (2009 S.L., ch. 18, § 5)

Approve, with the Emergency Commission, the Parks and Recreation Department spending additional federal stimulus or fiscal recovery funds in excess of funds appropriated for Turtle River, Turtle Mountain, and Fort Abraham Lincoln projects (2009 S.L., ch. 19, § 9)

Approve, with the Emergency Commission, the State Water Commission spending additional federal stimulus or fiscal recovery funds in excess of funds appropriated for the Southwest Pipeline Project (2009 S.L., ch. 20, § 2)

Approve, with the Emergency Commission, the North Dakota University System spending additional federal stimulus or fiscal recovery funds in excess of funds appropriated for the Lake Region State College wind energy project (2009 S.L., ch. 31, § 3)

Approve, with the Emergency Commission, the North Dakota University System spending additional federal stimulus or fiscal recovery funds in excess of funds appropriated for Minot State University Swain Hall and the University of North Dakota Education Building (2009 S.L., ch. 31, § 4)

Approve the State Board of Higher Education increasing any annual tuition for students attending institutions under its control for the 2009-10 and 2010-11 academic years of more than 4 percent for each year (2009 S.L., ch. 31, § 30)

Approve, with the Emergency Commission, the State Department of Health spending any additional federal stimulus or fiscal recovery funds in excess of funds appropriated for various department projects (2009 S.L., ch. 32, § 3)

Approve, with the Emergency Commission, the Veterans' Home spending additional federal stimulus or fiscal recovery funds in excess of funds appropriated for the thermal imager, electronic health records system, and Bobcat utility vehicle projects (2009 S.L., ch. 35, § 3)

Approve, with the Emergency Commission, the Council on the Arts spending additional federal stimulus or fiscal recovery funds in excess of funds appropriated for grants to arts organizations (2009 S.L., ch. 38, § 4)

Approve, with the Emergency Commission, the Department of Transportation spending additional federal stimulus or fiscal recovery funds in excess of funds appropriated for highway infrastructure and rural transit program grants (2009 S.L., ch. 40, § 2)

Approve, after the first \$13 million of grants by the Department of Emergency Services to political subdivisions for local match requirements for federal emergency relief funding, the remaining \$10 million for matching federal disaster relief funds for state purposes (2009 S.L., ch. 40, §§ 6 and 8)

Approve the Commissioner of University and School Lands filling one FTE position relating to minerals management (2009 S.L., ch. 41, § 6)

Approve, with the Emergency Commission, the Housing Finance Agency spending additional federal stimulus or fiscal recovery funds in excess of funds appropriated for the HOME tax credit assistance and the housing tax credit exchange programs (2009 S.L., ch. 42, § 20)

Approve, with the Emergency Commission, the Department of Corrections and Rehabilitation spending additional federal stimulus or fiscal recovery funds in excess of funds appropriated for various purposes (2009 S.L., ch. 43, § 8)

Approve, with the Emergency Commission, Job Service North Dakota spending additional federal stimulus or fiscal recovery funds in excess of funds appropriated for certain Job Service North Dakota programs (2009 S.L., ch. 44, § 2)

Approve, with the Emergency Commission, the Department of Commerce spending additional federal stimulus or fiscal recovery funds in excess of funds appropriated for various grant and assistance programs (2009 S.L., ch. 46, § 2)

Approve, with the Emergency Commission, the Department of Career and Technical Education spending additional federal stimulus or fiscal recovery funds (2009 S.L., ch. 47, § 3)

Approve, with the Emergency Commission, the Main Research Center spending additional federal stimulus or fiscal recovery funds for the construction of the third phase of the Main Research Center greenhouse project (2009 S.L., ch. 48, § 5)

Approve, with the Emergency Commission, the Information Technology Department spending additional federal stimulus or fiscal recovery funds in excess of funds appropriated for the statewide longitudinal data system (2009 S.L., ch. 49, § 2)

Approve the contingent appropriation to the Information Technology Department if federal funds are not available for costs associated with a statewide longitudinal data system (2009 S.L., ch. 49, § 3)

Approve, with the Emergency Commission, the Office of Management and Budget spending additional federal stimulus or fiscal recovery funds in excess of funds appropriated for information technology, accounting, and verification (2009 S.L., ch. 175, § 2)

Approve, with the Emergency Commission, the Department of Human Services spending funds in excess of federal stimulus or fiscal recovery funds appropriated for early childhood care programs (2009 S.L., ch. 425, § 3)

Approve, with the Emergency Commission, spending of federal funds made available to this state under the American Recovery and Reinvestment Act of 2009 for the 2009-11 biennium for expenditure of competitive grant awards and other funds that the Legislative Assembly has not indicated intent to reject (2009 S.L., ch. 501, § 1)

**Chairman: Senator Ray Holmberg**  
**Vice Chairman: Representative Jeff Delzer**  
**Legislative Council Staff: Sheila M. Sandness**

#### **Representatives**

|                   |                                  |             |            |
|-------------------|----------------------------------|-------------|------------|
| Bellew, Larry     | 812 Bel Air Place                | Minot       | 58703-1751 |
| Berg, Rick        | P.O. Box 3024                    | Fargo       | 58108-3024 |
| *Boucher, Merle   | P.O. Box 7                       | Rolette     | 58366-0007 |
| *Carlson, Al      | 2548 Rose Creek Parkway South    | Fargo       | 58104-6699 |
| Delzer, Jeff      | 2919 Fifth Street NW             | Underwood   | 58576-9603 |
| Dosch, Mark A.    | 509 Cottonwood Loop              | Bismarck    | 58504-7411 |
| Ekstrom, Mary     | 1450 River Road South            | Fargo       | 58103-4325 |
| Glassheim, Eliot  | 619 North Third Street           | Grand Forks | 58203-3203 |
| Hawken, Kathy     | 4442 Carrie Rose Lane South      | Fargo       | 58104-6818 |
| Kaldor, Lee       | P.O. Box 215                     | Mayville    | 58257-0215 |
| Kempenich, Keith  | 9005 151 <sup>st</sup> Avenue SW | Bowman      | 58623-8857 |
| Kerzman, James    | 6152 87 <sup>th</sup> Avenue SW  | Mott        | 58646-8874 |
| Klein, Matthew M. | 1815 Seventh Street NW           | Minot       | 58703-1314 |
| *Kreidt, Gary     | 3892 County Road 86              | New Salem   | 58563-9406 |
| Kroeber, Joe      | 1210 Seventh Avenue SE           | Jamestown   | 58401-5618 |
| Martinson, Bob    | 2749 Pacific Avenue              | Bismarck    | 58501-2513 |
| Metcalfe, Ralph   | 11819 33 <sup>rd</sup> Street SE | Valley City | 58072-9404 |
| *Meyer, Shirley   | 4031 Highway 22 South            | Dickinson   | 58601-9509 |
| *Monson, David    | P.O. Box 8                       | Osnabrock   | 58269-0008 |
| Nelson, Jon       | 420 Sixth Avenue SE              | Rugby       | 58368-2320 |
| Onstad, Kenton    | 3515 66 <sup>th</sup> Avenue NW  | Parshall    | 58770-9468 |
| Pollert, Chet     | 560 South Sixth Street           | Carrington  | 58421-2317 |
| *Skarphol, Bob    | P.O. Box 725                     | Tioga       | 58852-0725 |
| Svedjan, Ken      | 4697 Harvest Circle              | Grand Forks | 58201-7946 |
| Thoreson, Blair   | 1246 Second Street North         | Fargo       | 58102-2723 |
| Vigesaa, Don      | P.O. Box 763                     | Cooperstown | 58425-0763 |
| Wald, Francis J.  | P.O. Box 926                     | Dickinson   | 58601-0926 |
| Wieland, Alon C.  | 1414 Sheyenne Street             | West Fargo  | 58078-0412 |
| Williams, Clark   | 112 Third Avenue North           | Wahpeton    | 58075-3925 |

#### **Senators**

|                     |                                   |             |            |
|---------------------|-----------------------------------|-------------|------------|
| Bowman, Bill        | 408 First Street SW               | Bowman      | 58623-9753 |
| Christmann, Randel  | 401 Third Avenue NE               | Hazen       | 58545-4429 |
| Fischer, Tom        | 1524 Sundance Square South        | Fargo       | 58104-7606 |
| *Grindberg, Tony S. | 4755 Douglas Drive South          | Fargo       | 58104-4402 |
| *Holmberg, Ray      | 621 High Plains Court             | Grand Forks | 58201-7717 |
| Kilzer, Ralph L.    | 1982 Mesquite Loop                | Bismarck    | 58503-0198 |
| Krebsbach, Karen K. | P.O. Box 1767                     | Minot       | 58702-1767 |
| Lindaas, Elroy N.   | 735 153 <sup>rd</sup> Avenue NE   | Mayville    | 58257-9673 |
| Mathern, Tim        | 429 16 <sup>th</sup> Avenue South | Fargo       | 58103-4329 |
| Nelson, Carolyn     | 1 Second Street South #5-402      | Fargo       | 58103-1959 |
| *O'Connell, David   | 2624 County Road 30               | Lansford    | 58750-9737 |
| *Robinson, Larry J. | 3584 Sheyenne Circle              | Valley City | 58072-9545 |
| Seymour, Tom        | 1104 14 <sup>th</sup> Avenue SW   | Minot       | 58701-5768 |
| *Stenehjem, Bob     | 7475 41 <sup>st</sup> Street SE   | Bismarck    | 58504-3200 |
| Wardner, Rich       | 1042 12 <sup>th</sup> Avenue West | Dickinson   | 58601-3654 |
| Warner, John        | 33200 331 <sup>st</sup> Avenue SW | Ryder       | 58779-9105 |