

Sixty-second
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1021

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the information
2 technology department; to provide for an appropriation to the department of human services; to
3 provide for various transfers; ~~to provide legislative intent;~~ and to amend and reenact section 7 of
4 chapter 49 and section 8 of chapter 519 of the 2009 Session Laws, relating to statewide
5 longitudinal data system expenditures and health information technology.

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

7 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
8 as may be necessary, are appropriated out of any moneys in the general fund in the state
9 treasury, not otherwise appropriated, and from special funds derived from federal funds and
10 other income, to the information technology department for the purpose of defraying the
11 expenses of that agency, for the biennium beginning July 1, 2011, and ending June 30, 2013, as
12 follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
15 Salaries and wages	\$42,564,943	\$3,038,443	\$45,603,386
16 Operating expenses	55,208,550	(2,056,359)	53,152,191
17 Capital assets	11,970,746	3,064,920	15,035,666
18 <u>Salaries and wages</u>	<u>\$42,564,943</u>	<u>\$7,094,443</u>	<u>\$49,659,386</u>
19 <u>Operating expenses</u>	<u>55,208,550</u>	<u>11,733,718</u>	<u>66,942,268</u>
20 <u>Capital assets</u>	<u>11,970,746</u>	<u>4,564,920</u>	<u>16,535,666</u>
21 Center for distance education	6,187,917	461,321	6,649,238
22 Deferred maintenance	60,000	(60,000)	0
23 Statewide longitudinal data system	202,442	3,424,425	3,626,867
24 Educational technology council	974,986	100,417	1,075,403

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1	EduTech	7,400,002	526,445	7,926,447
2	K-12 wide area network	4,776,970	299,022	5,075,992
3	Geographic information system	789,678	322,387	1,112,065
4	Health information technology office	8,350,000	5,609,238	13,959,238
5	Criminal justice information sharing	3,339,491	(358,097)	2,981,394
6	Federal stimulus funds	<u>80,000,000</u>	<u>(72,000,000)</u>	<u>8,000,000</u>
7	Total all funds	\$221,825,725	(\$57,627,838)	\$164,197,887
8	Less estimated income	206,907,171	(61,830,488)	145,076,683
9	<u>Total all funds</u>	<u>\$221,825,725</u>	<u>(\$38,281,761)</u>	<u>\$183,543,964</u>
10	<u>Less estimated income</u>	<u>206,907,171</u>	<u>(42,484,411)</u>	<u>164,422,760</u>
11	Total general fund	\$14,918,554	\$4,202,650	\$19,121,204
12	Full-time equivalent positions	328.20	(1.90)	326.30
13	<u>Full-time equivalent positions</u>	<u>328.20</u>	<u>8.10</u>	<u>336.30</u>

SECTION 2. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$9,200,000, or so much of the sum as may be necessary, and from special funds derived from federal funds and other income, the sum of \$16,100,000, to the department of human services for the purpose of providing initial funding for an eligibility system replacement project, for the biennium beginning July 1, 2011, and ending June 30, 2013. The department of human services is authorized one new full-time equivalent position for this project.

SECTION 3. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-THIRD LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13 one-time funding items included in the appropriation in section 1 of this Act:

25	<u>One-Time Funding Description</u>	<u>2009-11</u>	<u>2011-13</u>
26	Criminal justice information sharing projects	\$269,748	\$200,000
27	K-12 wide area network	1,200,000	0
28	K-12 PowerSchool	353,600	0
29	Center for distance education	100,000	0
30	Statewide longitudinal database system	2,263,883	1,757,624
31	Federal fiscal stimulus	<u>2,263,883</u>	<u>8,000,000</u>

1	Total all funds	\$6,451,114	\$9,957,624
2	Less estimated income	<u>2,263,883</u>	<u>8,000,000</u>
3	Total general fund	\$4,187,231	\$1,957,624

4 The 2011-13 one-time funding amounts are not a part of the entity's base budget for the
5 2013-15 biennium. The information technology department shall report to the appropriations
6 committees of the sixty-third legislative assembly on the use of this one-time funding for the
7 biennium beginning July 1, 2011, and ending June 30, 2013.

8 **SECTION 4. TRANSFERS.** Notwithstanding section 54-16-04, the director of the office of
9 management and budget shall make transfers of funds between the salaries and wages,
10 operating expenses, and capital assets line items in section 1 of this Act for the information
11 technology department as may be requested by the chief information officer as determined
12 necessary for the development and implementation of information projects.

13 ~~SECTION 5. LEGISLATIVE INTENT -- BANK OF NORTH DAKOTA PAGE PROGRAM. It is~~
14 ~~the intent of the sixty-second legislative assembly that the Bank of North Dakota PAGE program~~
15 ~~be used to provide low interest loans to finance projects of up to a total of \$5,000,000~~
16 ~~consistent with the mission of the health information technology planning loan fund and the~~
17 ~~health information technology loan fund.~~

18 **SECTION 5. BANK OF NORTH DAKOTA TRANSFER.** The industrial commission shall
19 transfer, as requested by the health information technology office director, up to \$5,000,000
20 from the current earnings and accumulated profits of the Bank of North Dakota to the health
21 information technology planning loan fund or to the health information technology loan fund, for
22 the biennium beginning July 1, 2011, and ending June 30, 2013. The health information
23 technology office director shall request transfers from the Bank only as necessary to meet
24 cashflow needs of the fund and only upon certification by the health information technology
25 office director of a demonstrated need for health information technology planning loans.

26 **SECTION 6. AMENDMENT.** Section 7 of chapter 49 of the 2009 Session Laws is amended
27 and reenacted as follows:

28 **SECTION 7. DEPARTMENT OF PUBLIC INSTRUCTION - STATEWIDE**
29 **LONGITUDINAL DATA SYSTEM EXPENDITURES - APPROVAL.** The department of
30 public instruction may spend only the federal funds appropriated in House Bill
31 No. 1013 for costs associated with the statewide longitudinal data system upon

1 approval of the expenditures by the information technology department, for the
2 biennium beginning July 1, ~~2009~~2011, and ending June 30, ~~2011~~2013.

3 **SECTION 7. AMENDMENT.** Section 8 of chapter 519 of the 2009 Session Laws is
4 amended and reenacted as follows:

5 **SECTION 8. BANK OF NORTH DAKOTA TRANSFERS.** The industrial
6 commission shall transfer, during the period beginning with the effective date of this
7 Act and ending June 30, ~~2011~~2013, as requested by the health information technology
8 office director, up to \$8,000,000 from the current earnings and the accumulated
9 undivided profits of the Bank of North Dakota to the health information technology loan
10 fund to meet any required match for federal funds or to the electronic health
11 information exchange fund to meet any required match for federal funds or for ongoing
12 operating expenditures of the health information exchange or as directed, a portion to
13 both funds to meet any required match for federal funds. ~~The health information-~~
14 ~~technology office director shall request fund transfers from the Bank only as necessary~~
15 ~~to comply with federal requirements and to meet cash flow needs of the funds.~~