

Sixty-fourth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2379

Introduced by

Senators Wardner, Holmberg

Representatives Carlson, Delzer

(Approved by the Delayed Bills Committee)

1 A BILL for an Act to provide for the reduction of general fund appropriation authority; to
2 authorize transfers from the budget stabilization fund and the Bank of North Dakota; to provide
3 appropriations for the department of human services and the department of corrections and
4 rehabilitation; to provide for reports; to provide legislative intent; and to provide an effective
5 date.

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

7 **SECTION 1. APPROPRIATION REDUCTIONS - EXECUTIVE BRANCH.** The amounts
8 identified for the agencies and institutions in this section reflect a reduction to the 2015-17
9 biennium general fund appropriation authority enacted by the sixty-fourth legislative assembly
10 for the respective agency or institution for the biennium ending June 30, 2017. The amounts
11 identified in this section are the legislative recognition of the 4.05 percent budget allotment
12 ordered by the governor in February 2016, and the 2.5 percent budget allotment ordered by the
13 governor in August 2016.

	Original General	General Fund	Adjusted General
14 <u>Agency or Institution</u>	15 <u>Fund Authority</u>	16 <u>Reduction</u>	17 <u>Fund Authority</u>
18 Governor	\$4,499,475	(\$294,716)	\$4,204,759
19 Secretary of state	10,085,308	(660,588)	9,424,720
20 Office of management and budget, 21 including House Bill No. 1432 appropriations	43,988,258	(2,881,231)	41,107,027
22 Information technology department	27,905,987	(1,827,842)	26,078,145
23 State auditor	10,461,832	(685,250)	9,776,582
24 State treasurer	260,057,355	(17,033,757)	243,023,598
Attorney general	55,376,870	(3,627,185)	51,749,685
Tax commissioner	58,769,918	(3,849,430)	54,920,488

Sixty-fourth
Legislative Assembly

1	Commission on legal counsel for indigents	18,304,103	(1,198,919)	17,105,184
2	Department of public instruction	1,820,982,952	(119,274,383)	1,701,708,569
3	North Dakota university system	154,629,019	(10,128,201)	144,500,818
4	Bismarck state college	38,155,826	(2,499,207)	35,656,619
5	Lake region state college	16,635,979	(1,089,657)	15,546,322
6	Williston state college	12,748,265	(835,011)	11,913,254
7	University of North Dakota	240,445,904	(15,749,207)	224,696,697
8	University of North Dakota school of	71,437,396	(4,679,149)	66,758,247
9	medicine and health sciences			
10	North Dakota state university	157,410,540	(10,310,390)	147,100,150
11	North Dakota state college of science	58,029,764	(3,800,950)	54,228,814
12	Dickinson state university	27,015,931	(1,769,543)	25,246,388
13	Mayville state university	16,739,145	(1,096,414)	15,642,731
14	Minot state university	48,758,181	(3,193,661)	45,564,520
15	Valley City state university	39,758,668	(2,604,193)	37,154,475
16	Dakota college at Bottineau	9,802,405	(642,058)	9,160,347
17	Forest service	5,007,844	(328,014)	4,679,830
18	State library	6,773,655	(443,674)	6,329,981
19	School for the deaf	9,140,590	(598,709)	8,541,881
20	North Dakota vision services - school	5,081,484	(332,837)	4,748,647
21	for the blind			
22	Department of career and technical	33,920,062	(2,221,764)	31,698,298
23	education			
24	State department of health	51,521,680	(3,374,670)	48,147,010
25	Veterans' home	8,697,725	(569,701)	8,128,024
26	Indian affairs commission	1,217,245	(79,730)	1,137,515
27	Department of veterans' affairs	1,612,495	(105,618)	1,506,877
28	Department of human services	1,332,202,833	(87,259,286)	1,244,943,547
29	Protection and advocacy project	3,034,111	(198,734)	2,835,377
30	Job service North Dakota	2,116,191	(138,611)	1,977,580
31	Industrial commission	34,966,173	(2,290,284)	32,675,889

Sixty-fourth
Legislative Assembly

1	Department of labor and human rights	2,511,761	(164,520)	2,347,241
2	Public service commission	7,935,207	(519,756)	7,415,451
3	Aeronautics commission	1,000,000	(65,500)	934,500
4	Securities department	2,237,326	(146,545)	2,090,781
5	Highway patrol	46,656,563	(3,056,005)	43,600,558
6	Department of corrections and	215,387,242	(14,107,864)	201,279,378
7	rehabilitation			
8	Adjutant general	33,033,118	(2,163,669)	30,869,449
9	Department of commerce	56,203,701	(3,681,342)	52,522,359
10	Agriculture commissioner	11,581,056	(758,559)	10,822,497
11	Upper great plains transportation institute	4,847,099	(317,485)	4,529,614
12	Branch research centers	20,073,447	(1,314,811)	18,758,636
13	North Dakota state university extension	29,788,188	(1,951,126)	27,837,062
14	service			
15	Northern crops institute	2,102,158	(137,691)	1,964,467
16	Main research center	59,067,612	(3,868,929)	55,198,683
17	State fair association	1,070,000	(70,085)	999,915
18	Racing commission	415,004	(27,183)	387,821
19	State historical society	21,592,039	(1,414,279)	20,177,760
20	Council on the arts	1,744,723	(114,279)	1,630,444
21	Parks and recreation department	33,294,213	(2,180,771)	31,113,442
22	Department of transportation	<u>656,375,558</u>	<u>(42,992,599)</u>	<u>613,382,959</u>
23	Total	\$5,904,207,184	(\$386,725,572)	\$5,517,481,612

SECTION 2. APPROPRIATION REDUCTIONS - LEGISLATIVE AND JUDICIAL

BRANCHES. The amounts identified for the agencies in this section reflect a reduction to the 2015-17 biennium general fund appropriation authority enacted by the sixty-fourth legislative assembly for the respective branch and agency for the biennium ending June 30, 2017.

28			Adjustments or	
29	<u>Agency or Branch</u>	<u>Original Appropriation</u>	<u>Enhancements</u>	<u>Appropriation</u>
30	Legislative assembly	\$15,885,367	(\$1,040,492)	\$14,844,875
31	Legislative council	13,439,133	(880,263)	12,558,870

1	Judicial branch	<u>112,630,994</u>	<u>(7,377,330)</u>	<u>105,253,664</u>
2	Total	\$141,955,494	(\$9,298,085)	\$132,657,409

3 **SECTION 3. TRANSFER - BUDGET STABILIZATION FUND TO GENERAL FUND.** During
4 the period beginning with the effective date of this Act and ending June 30, 2017, the director of
5 the office of management and budget shall transfer the sum of \$572,485,452, or so much of the
6 sum as may be necessary, from the budget stabilization fund to the general fund to provide for a
7 positive balance in the general fund on June 30, 2017.

8 **SECTION 4. CONTINGENT BANK OF NORTH DAKOTA TRANSFERS TO STATE**

9 **GENERAL FUND.** If, during the period beginning with the effective date of this Act and ending
10 June 30, 2017, the director of the office of management and budget determines the state
11 general fund will not have a projected positive June 30, 2017, balance, the industrial
12 commission shall transfer ~~\$100,000,000~~\$100,237,500, or so much of the sum as may be
13 necessary, from the earnings and accumulated and undivided profits of the Bank of North
14 Dakota to the state general fund. The moneys must be transferred in amounts and at such
15 times as requested by the director of the office of management and budget. The sum of the
16 amounts transferred may not exceed the lesser of \$100,000,000 or the amount necessary to
17 provide for a positive June 30, 2017, general fund balance.

18 **SECTION 5. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES.** There is
19 appropriated out of any moneys in the general fund in the state treasury, not otherwise
20 appropriated, the sum of ~~\$33,305,071~~\$33,542,571, or so much of the sum as may be
21 necessary, to the department of human services for the purpose of offsetting a portion of the
22 general fund reductions for the department of human services made in section 1 of this Act, for
23 the period beginning with the effective date of this Act, and ending June 30, 2017.

24 **SECTION 6. APPROPRIATION - DEPARTMENT OF CORRECTIONS AND**

25 **REHABILITATION.** There is appropriated out of any moneys in the general fund in the state
26 treasury, not otherwise appropriated, the sum of \$3,230,809, or so much of the sum as may be
27 necessary, to the department of corrections and rehabilitation for the purpose of offsetting a
28 portion of the general fund reductions for the department of corrections and rehabilitation made
29 in section 1 of this Act, for the period beginning with the effective date of this Act, and ending
30 June 30, 2017.

1 **SECTION 7. REPORT - AGENCY BUDGET REDUCTIONS.** Before October 1, 2016, each
2 branch, agency, or institution with a general fund appropriation reduction identified in section 1
3 or 2 of this Act shall provide a report to the office of management and budget and the legislative
4 council regarding its plan for specific budget reductions made as a result of this Act. The report
5 must include detail regarding the reductions made by line item, one-time appropriation item, and
6 program. The report must identify for each line item, one-time appropriation item, and program:

- 7 1. The original funding amount based on 2015-17 biennium general fund appropriations,
8 the reduction amount, and the funding amount remaining; and
9 2. Any changes to federal or special funding as a result of the reductions.

10 **SECTION 8. LEGISLATIVE INTENT.** It is the intent of the sixty-fourth legislative assembly
11 that if additional revenues become available before the convening of the sixty-fifth legislative
12 assembly, the sixty-fifth legislative assembly consider, early in the regular session, restoration of
13 funding for behavioral health, autism, and long-term care services.

14 **SECTION 9. EFFECTIVE DATE.** This Act becomes effective upon its filing with the
15 secretary of state.