

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2015

Page 1, line 2, after the semicolon insert "to provide an appropriation to the department of transportation; to provide an appropriation to the state auditor; to provide an appropriation to the legislative assembly; to create and enact section 54-52-02.15 of the North Dakota Century Code, relating to participation by certain employees of the office of management and budget in the public employees retirement system; to amend and reenact subdivision c of subsection 1 of section 15-10-17 and section 48-08-04 of the North Dakota Century Code, relating to North Dakota university system personnel and the use of legislative meeting rooms;"

Page 1, line 4, replace "and" with "to provide for a legislative management study;"

Page 1, line 5, after "provide" insert "a statement of"

Page 1, line 5, after "intent" insert "; and to declare an emergency"

Page 1, remove lines 15 through 24

Page 2, replace lines 1 through 5 with:

"Salaries and wages	\$19,803,315	\$224,939	\$20,028,254
Accrued leave payments	570,412	(570,412)	0
Operating expenses	14,356,788	(150,003)	14,206,785
Emergency commission contingency fund	700,000	0	700,000
Capital assets	2,251,065	1,738,944	3,990,009
Grants	430,000	125,000	555,000
Guardianship grants	828,600	0	828,600
Prairie public broadcasting	1,337,138	362,862	1,700,000
State student internship program	200,000	50,000	250,000
Health insurance pool - temporary employees	<u>0</u>	<u>5,000,000</u>	<u>5,000,000</u>
Total all funds	\$40,477,318	\$6,781,330	\$47,258,648
Less estimated income	<u>8,730,630</u>	<u>2,689,760</u>	<u>11,420,390</u>
Total general fund	\$31,746,688	\$4,091,570	\$35,838,258"

Page 2, replace line 17 with:

"Prairie public broadcasting	600,000	0"
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Page 2, replace line 23 with:

"Facility projects	0	205,000"
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Page 2, replace line 25 with:

"West parking lot repair	0	50,000"
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Page 2, replace lines 27 through 30 with:

"Facility management projects	0	1,825,009
Legislative wing electrical-related repairs	<u>0</u>	<u>310,000</u>
Total all funds	\$334,400,000	\$8,840,009

Less estimated income	<u>5,500,000</u>	<u>4,210,000</u>
Total general fund	\$328,900,000	\$4,630,009"

Page 3, after line 4, insert:

"SECTION 3. APPROPRIATION - OFFICE OF MANAGEMENT AND BUDGET.

There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$208,618, or so much of the sum as may be necessary, to the office of management and budget for the purpose of the addition of two full-time equivalent positions to provide concessions in the state capitol for the period beginning with the effective date of this Act and ending June 30, 2017. The office of management and budget is authorized two full-time equivalent positions for this purpose.

SECTION 4. APPROPRIATION LINE ITEM TRANSFERS. Notwithstanding section 54-16-04, the office of management and budget may transfer appropriation authority between line items for the purpose of purchasing service credit as provided in section 20 of this Act for the period beginning with the effective date of this Act, and ending June 30, 2017."

Page 3, after line 10, insert:

"SECTION 6. APPROPRIATION - TRANSFER - GENERAL FUND TO HIGHWAY FUND. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$200,000,000, which the office of management and budget shall transfer to the highway fund during the biennium beginning July 1, 2015, and ending June 30, 2017. The office of management and budget shall transfer the funds provided in this section at the request of the director of the department of transportation.

SECTION 7. APPROPRIATION - HIGHWAY FUND - DEPARTMENT OF TRANSPORTATION. There is appropriated out of any moneys in the highway fund in the state treasury, not otherwise appropriated, the sum of \$200,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of enhanced state highway investments, for the biennium beginning July 1, 2015, and ending June 30, 2017. The funding provided in this section is considered a one-time funding item.

SECTION 8. APPROPRIATION - STATE AUDITOR. There is appropriated out of special funds derived from other income from fees charged to the North Dakota university system, not otherwise appropriated, the sum of \$200,000, or so much of the sum as may be necessary, to the state auditor for the purpose of conducting information technology security audits of the eleven institutions in the North Dakota university system, for the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 9. APPROPRIATION - LEGISLATIVE ASSEMBLY - MEETING ROOMS - REPORTS TO LEGISLATIVE PROCEDURE AND ARRANGEMENTS COMMITTEE. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$160,000 or so much of the sum as may be necessary, to the legislative assembly for the purpose of purchasing and installing audio and visual equipment, tables, chairs, and other furnishings in legislative meeting rooms within the facility space expansion authorized under House Bill No. 1002, as approved by the sixty-fourth legislative assembly, for the biennium beginning July 1, 2015, and ending June 30, 2017. The funding appropriated in this section is considered a one-time funding item.

The state court administrator shall provide periodic reports to the legislative procedure and arrangements committee during the 2015-16 interim regarding the status of the facility space expansion authorized under House Bill No. 1002, as approved by the sixty-fourth legislative assembly."

Page 3, line 12, replace "\$1,400,000" with "\$1,710,000"

Page 3, line 12, after "fund" insert ", of which \$1,400,000 is"

Page 3, line 13, after "projects" insert "and \$310,000 is for legislative wing electrical and ceiling repairs"

Page 4, remove lines 24 through 29

Page 5, line 9, replace "12" with "17"

Page 5, after line 31, insert:

"SECTION 18. AMENDMENT. Subdivision c of subsection 1 of section 15-10-17 of the North Dakota Century Code is amended and reenacted as follows:

- c. Appoint and remove all university system office personnel, fix their salaries within the limits of legislative appropriations, fix their terms of office, and prescribe their duties. The board shall adopt a policy that provides that each vice chancellor in the university system office is considered to have resigned the individual's position as a vice chancellor upon the appointment of a commissioner of higher education.

SECTION 19. AMENDMENT. Section 48-08-04 of the North Dakota Century Code is amended and reenacted as follows:

48-08-04. Use of legislative assembly rooms and halls.

During the interim between legislative sessions, the committee rooms, halls, passageways, and other space in the capitol used by the legislative assembly, including the pioneer room and three additional meeting rooms comprising approximately four thousand square feet in the judicial wing of the capitol, may not be used without authorization of the legislative council.

SECTION 20. Section 54-52-02.15 of the North Dakota Century Code is created and enacted as follows:

54-52-02.15. Participation by capitol concession employees of the office of management and budget.

After the effective date of this Act, the office of management and budget shall certify to the staff of the public employees retirement system the employment of individuals who are permanent employees providing a concession service in the state capitol and who are otherwise eligible to participate in the public employees retirement system. Notwithstanding any other provision of law, the office of management and budget may purchase on behalf of these employees additional service credit, including credit for any employee contributions and contributions to the retiree health benefits fund, for all past employment providing a concession service in the state capitol for which the individual was employed an average of twenty hours or more per week and at least twenty weeks each year of employment, as determined by the director of the office of management and budget. If the office of management and budget purchases

service credit under this section, the office of management and budget immediately shall transfer to the public employees retirement system the amount of funds necessary to pay the purchase price, which must be determined by the board on an actuarially equivalent basis taking into account the contributions necessary for the retirement program and the retiree health benefits fund."

Page 6, after line 1, insert:

"SECTION 22. ONE-TIME FUNDING - ASSISTIVE TECHNOLOGY SERVICES. The funding appropriated to the department of human services in Senate Bill No. 2289 as approved by the sixty-fourth legislative assembly, relating to assistive technology services is considered one-time funding for the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 23. LEGISLATIVE MANAGEMENT STUDY - BUDGET SECTION FUNCTIONS. During the 2015-16 interim, the legislative management shall study the functions of the budget section. The study must review the duties and studies assigned to the budget section and the ability of the budget section to authorize financial decisions, including full-time equivalent positions, university system building projects, and project scope changes. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-fifth legislative assembly.

SECTION 24. LEGISLATIVE INTENT - STATE BOARD OF HIGHER EDUCATION - SEVERANCE PAY. Notwithstanding any policy adopted by the board, the state board of higher education or an institution under its control may not approve or provide severance pay to any employee whose employment is terminated as a result of the transfer of positions from the state board of higher education to the attorney general as provided in House Bill No. 1003 as approved by the sixty-fourth legislative assembly.

SECTION 25. EMERGENCY. Sections 3, 4, 18, and 20 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2015 - Summary of House Action

	Base Budget	Senate Version	House Changes	House Version
Office of Management and Budget				
Total all funds	\$40,477,318	\$68,196,688	(\$20,729,422)	\$47,467,266
Less estimated income	8,730,630	19,625,335	(8,204,945)	11,420,390
General fund	\$31,746,688	\$48,571,353	(\$12,524,477)	\$36,046,876
State Auditor				
Total all funds	\$0	\$0	\$200,000	\$200,000
Less estimated income	0	0	200,000	200,000
General fund	\$0	\$0	\$0	\$0
Legislative Assembly				
Total all funds	\$0	\$0	\$160,000	\$160,000
Less estimated income	0	0	0	0
General fund	\$0	\$0	\$160,000	\$160,000
Department of Transportation				
Total all funds	\$0	\$0	\$400,000,000	\$400,000,000
Less estimated income	0	0	200,000,000	200,000,000

General fund	\$0	\$0	\$200,000,000	\$200,000,000
Bill total				
Total all funds	\$40,477,318	\$68,196,688	\$379,630,578	\$447,827,266
Less estimated income	8,730,630	19,625,335	191,995,055	211,620,390
General fund	\$31,746,688	\$48,571,353	\$187,635,523	\$236,206,876

Senate Bill No. 2015 - Office of Management and Budget - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$19,803,315	\$20,117,094	(\$88,840)	\$20,028,254
Operating expenses	14,356,788	14,206,785		14,206,785
Capital assets	2,251,065	7,530,009	(3,540,000)	3,990,009
Grants	430,000	555,000		555,000
Emergency commission contingency fund	700,000	700,000		700,000
Prairie public broadcasting	1,337,138	3,200,000	(1,500,000)	1,700,000
State student internship program	200,000	250,000		250,000
Guardianship grants	828,600	1,937,800	(1,109,200)	828,600
Accrued leave payments	570,412			
Health insurance pool - temp employees		5,000,000		5,000,000
Energy impact funding pool		14,700,000	(14,700,000)	
Cafeteria operations			208,618	208,618
Total all funds	\$40,477,318	\$68,196,688	(\$20,729,422)	\$47,467,266
Less estimated income	8,730,630	19,625,335	(8,204,945)	11,420,390
General fund	\$31,746,688	\$48,571,353	(\$12,524,477)	\$36,046,876
FTE	130.50	122.50	2.00	124.50

Department No. 110 - Office of Management and Budget - Detail of House Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Reduces Funding for Guardianship Grants ²	Removes One-Time Funding For Projects ³	Reduces One-Time Funding for Parking Lot Repairs ⁴	Removes One-Time Funding for Energy Impact Funding ⁵	Adds Funding for Legislative Wing Repairs ⁶
Salaries and wages	(\$88,840)					
Operating expenses						
Capital assets			(2,000,000)	(1,250,000)		310,000
Grants						
Emergency commission contingency fund						
Prairie public broadcasting			(1,500,000)			
State student internship program						
Guardianship grants		(1,109,200)				
Accrued leave payments						
Health insurance pool - temp employees						
Energy impact funding pool					(14,700,000)	
Cafeteria operations						
Total all funds	(\$88,840)	(\$1,109,200)	(\$3,500,000)	(\$1,250,000)	(\$14,700,000)	\$310,000
Less estimated income	(14,945)	0	0	0	(8,500,000)	310,000
General fund	(\$73,895)	(\$1,109,200)	(\$3,500,000)	(\$1,250,000)	(\$6,200,000)	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
	Reduces Funding for Facility Management Projects ⁷	Adds Funding for FTE Positions ⁸	Total House Changes			
Salaries and wages			(\$88,840)			

Operating expenses			
Capital assets	(600,000)		(3,540,000)
Grants			
Emergency commission contingency fund			
Prairie public broadcasting			(1,500,000)
State student internship program			
Guardianship grants			(1,109,200)
Accrued leave payments			
Health insurance pool - temp employees			
Energy impact funding pool			(14,700,000)
Cafeteria operations		208,618	208,618
Total all funds	(\$600,000)	\$208,618	(\$20,729,422)
Less estimated income	0	0	(8,204,945)
General fund	(\$600,000)	\$208,618	(\$12,524,477)
FTE	0.00	2.00	2.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

² Funding is reduced for guardianship grants to provide total funding of \$828,600, which is the same as the base level. The Senate added funding of \$1,109,200 from the general fund.

³ One-time funding is removed for mechanical upgrades in the Heritage Center (\$600,000), Prairie Public Broadcasting projects (\$1.5 million), and Capitol elevator upgrades (\$1.4 million).

⁴ One-time funding is reduced for west parking lot repairs to provide total funding of \$50,000 from the general fund. The Senate version provided \$1.3 million from the general fund.

⁵ One-time funding is removed for the energy impact funding pool.

⁶ One-time funding is added from the Capitol building fund for legislative wing electrical and ceiling repairs.

⁷ This amendment reduces the funding for facility management projects to provide total funding of \$1,825,009 and identifies this funding as one-time funding. The Senate provided \$2,425,009 from the general fund as ongoing funding.

⁸ Adds two full-time equivalent positions and related funding from the general fund to assist with cafeteria operations in the Capitol.

This amendment also:

- Adds a section to provide for a Legislative Management study of the functions of the Budget Section.
- Adds a section to identify the funding included in Senate Bill No. 2289 as one-time funding.
- Adds a section of legislative intent to restrict the State Board of Higher Education from providing severance payments to employees who are transferred to the Attorney General's office.
- Adds a section to require the State Board of Higher Education to adopt a policy for the resignation of vice chancellors when a new Commissioner of Higher Education is appointed.
- Adds a section to allow individuals who are permanent employees providing a concession service in the Capitol to be eligible to participate in the Public Employees Retirement System.
- Clarifies the use of legislative meeting rooms during the interim.
- Provides an emergency clause for certain sections of the bill.

Senate Bill No. 2015 - State Auditor - House Action

	Base Budget	Senate Version	House Changes	House Version
Operating expenses			\$200,000	\$200,000
Total all funds	\$0	\$0	\$200,000	\$200,000
Less estimated income	0	0	200,000	200,000
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Department No. 117 - State Auditor - Detail of House Changes

	Adds Funding for University System IT Audits¹	Total House Changes
Operating expenses	\$200,000	\$200,000
Total all funds	\$200,000	\$200,000
Less estimated income	200,000	200,000
General fund	\$0	\$0
FTE	0.00	0.00

¹ Funding from fees charged to the North Dakota University System is added for information technology security audits of the 11 institutions in the University System.

Senate Bill No. 2015 - Legislative Assembly - House Action

	Base Budget	Senate Version	House Changes	House Version
Operating expenses			\$160,000	\$160,000
Total all funds	\$0	\$0	\$160,000	\$160,000
Less estimated income	0	0	0	0
General fund	\$0	\$0	\$160,000	\$160,000
FTE	0.00	0.00	0.00	0.00

Department No. 150 - Legislative Assembly - Detail of House Changes

	Adds One-Time Funding for Meeting Room Furnishings¹	Total House Changes
Operating expenses	\$160,000	\$160,000
Total all funds	\$160,000	\$160,000
Less estimated income	0	0
General fund	\$160,000	\$160,000
FTE	0.00	0.00

¹ Adds one-time funding from the general fund for equipment, tables, chairs, and other furnishings for legislative meeting rooms in the judicial wing.

Senate Bill No. 2015 - Department of Transportation - House Action

	Base Budget	Senate Version	House Changes	House Version
Capital assets			\$200,000,000	\$200,000,000
Transfers			200,000,000	200,000,000
Total all funds	\$0	\$0	\$400,000,000	\$400,000,000
Less estimated income	0	0	200,000,000	200,000,000
General fund	\$0	\$0	\$200,000,000	\$200,000,000
FTE	0.00	0.00	0.00	0.00

Department No. 801 - Department of Transportation - Detail of House Changes

	General Fund Transfer to Highway Fund¹	Adds Funding for Enhanced State Highway Investments²	Total House Changes
Capital assets		\$200,000,000	\$200,000,000
Transfers	200,000,000		200,000,000
Total all funds	\$200,000,000	\$200,000,000	\$400,000,000
Less estimated income	0	200,000,000	200,000,000
General fund	\$200,000,000	\$0	\$200,000,000
FTE	0.00	0.00	0.00

¹ This amendment adds a transfer of \$200 million from the general fund to the highway fund.

² One-time funding is added from the highway fund for enhanced state highway investments.