

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2021

That the House recede from its amendments as printed on pages 1343-1352 of the Senate Journal and pages 1542-1551 of the House Journal and that Engrossed Senate Bill No. 2021 be amended as follows:

Page 1, line 2, replace "and" with "to provide appropriations to certain agencies for an electronic payment processing system; to authorize borrowing authority;"

Page 1, line 2, after "transfers" insert "; to provide for a report; to create and enact sections 15-19-01.1 and 15-19-02.1 of the North Dakota Century Code, relating to the centers for distance education; to amend and reenact subsection 1 of section 37-17.3-02.2, section 54-59-31, and subsection 1 of section 54-59-34 of the North Dakota Century Code, relating to the statewide interoperability executive committee, certified electronic health information systems, and the statewide longitudinal data system; and to provide a statement of legislative intent"

Page 1, remove lines 12 through 23

Page 2, replace line 1 with:

"Salaries and wages	\$58,113,215	\$1,246,557	\$59,359,772
Operating expenses	70,927,060	(999,062)	69,927,998
Capital assets	8,850,000	(555,000)	8,295,000
Centers for distance education	9,091,690	(12,574)	9,079,116
Statewide longitudinal data system	5,500,661	(1,190,100)	4,310,561
Educational technology council	1,655,947	(534,475)	1,121,472
Edutech	9,052,048	700,719	9,752,767
K-12 wide area network	4,880,862	(346,584)	4,534,278
Geographic information system	1,192,978	(45,262)	1,147,716
Health information technology office	5,354,633	43,516,009	48,870,642
Statewide interoperability radio network	<u>0</u>	<u>13,700,000</u>	<u>13,700,000</u>
Total all funds	\$174,619,094	\$55,480,228	\$230,099,322
Less estimated income	<u>151,213,039</u>	<u>58,353,949</u>	<u>209,566,988</u>
Total general fund	\$23,406,055	(\$2,873,721)	\$20,532,334"

Page 2, after line 2, insert:

**"SECTION 2. HEALTH INSURANCE INCREASE.** The salaries and wages line item in section 1 of this Act includes the sum of \$926,470, of which \$173,819 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Page 2, after line 11, insert:

"Electronic payment processing system	0	375,000"
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Page 2, replace lines 13 and 14 with:

"Total all funds	\$3,172,090	\$43,930,133
Less estimated income	<u>500,000</u>	<u>43,930,133"</u>

Page 2, after line 24, insert:

"**SECTION 5.** Section 15-19-01.1 of the North Dakota Century Code is created and enacted as follows:

**15-19-01.1. Distance education courses - Course lists to school districts - Notification.**

The center for distance education shall provide by December thirty-first of each year, a complete list of courses offered by the center to all school districts. Each school district shall notify its students and their parents or guardians of the complete list of courses offered and the school district's policies for course selection and related fees.

**SECTION 6.** Section 15-19-02.1 of the North Dakota Century Code is created and enacted as follows:

**15-19-02.1. Distance education clearinghouse.**

The director of the center for distance education shall establish a clearinghouse for online courses delivered to North Dakota schools for the purpose of providing:

1. A list of the online courses and providers for all North Dakota schools to access.
2. Awareness of online courses available in new and emerging careers.
3. A list of comparative prices for online courses and other online services.
4. Awareness of the differences between technological innovation and learning innovation.

**SECTION 7. AMENDMENT.** Subsection 1 of section 37-17.3-02.2 of the North Dakota Century Code is amended and reenacted as follows:

1. The statewide interoperability executive committee consists of:
  - a. The director of state radio or a designee;
  - b. The director of the division of homeland security or a designee;
  - c. The superintendent of the highway patrol or a designee;
  - d. The adjutant general or a designee;
  - e. The director of the department of transportation or a designee;
  - f. A representative of the North Dakota sheriff's and deputies association;
  - g. A representative of the North Dakota emergency managers association;
  - h. A representative of the North Dakota fire chiefs association;
  - i. A representative of the North Dakota emergency medical services association;
  - j. A representative of the North Dakota police chiefs association;

- k. A representative of the North Dakota peace officers association;
- l. A representative of the North Dakota 911 association; and
- m. The North Dakota chief information officer or a designee;
- n. The North Dakota Indian affairs commission executive director or a designee; and
- o. One member of the North Dakota house of representatives and one member of the North Dakota senate appointed by the legislative management.

**SECTION 8. AMENDMENT.** Section 54-59-31 of the North Dakota Century Code is amended and reenacted as follows:

**54-59-31. Certified electronic health records systems.**

- 1. An executive branch state agency, an institution of higher education, and any health care provider or other person participating in the health information exchange may use only an electronic health record system for use in the exchange which is certified under rules adopted by the office of the national coordinator for health information technology.
- 2. Subsection 1 does not apply if:
  - a. The office of the national coordinator for health information technology does not require certification of the electronic health record system for that type of provider; or
  - b. The North Dakota health information technology director waives the certification requirement.

**SECTION 9. AMENDMENT.** Subsection 1 of section 54-59-34 of the North Dakota Century Code is amended and reenacted as follows:

- 1. The statewide longitudinal data system committee shall manage a statewide longitudinal data system that:
  - a. Provides for the dissemination of management information to stakeholders and partners of state education, training, and employment systems; and
  - b. Is required to provide on an annual basis to education and workforce development programs, to the extent permitted by federal law, the wage record interchange system 2 data sharing agreement and the state wage interchange system data sharing agreement and state performance reports that measure the aggregate outcomes of participants in the workforce and continuing education programs, including private workforce and education programs that request the reports; and
  - c. Uses data from educational and workforce systems as central sources of statewide longitudinal data.

**SECTION 10. LOAN AUTHORIZATION - APPROPRIATION - ELECTRONIC PAYMENT PROCESSING SYSTEM.** The state agencies named in this section may

borrow from the Bank of North Dakota, the amounts listed below, or so much of the amounts as may be necessary, which are appropriated to the respective agency for the purpose of defraying the expenses of implementing a new electronic payment system for the biennium beginning July 1, 2017, and ending June 30, 2019.

<u>Agency</u>	<u>Amount</u>
Department of transportation	\$147,000
Secretary of state's office	93,000
Parks and recreation department	42,000
Game and fish department	36,000
Workforce safety and insurance	36,000
Highway patrol	21,000
Total	\$375,000

**SECTION 11. LOAN REPAYMENT - APPROPRIATION - ELECTRONIC PAYMENT PROCESSING SYSTEM.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated from special funds derived from additional revenue received as a result of the implementation of a new electronic payment processing system to the agencies named below for the purpose of repaying the Bank of North Dakota loans authorized in section 10 of this Act, plus interest for the biennium beginning July 1, 2017, and ending June 30, 2019.

<u>Agency</u>	<u>Amount</u>
Department of transportation	\$159,000
Secretary of state's office	101,000
Parks and recreation department	46,000
Game and fish department	39,000
Workforce safety and insurance	39,000
Highway patrol	23,000
Total	\$407,000

**SECTION 12. LEGISLATIVE INTENT - STATE GOVERNMENT EFFICIENCIES.** It is the intent of the sixty-fifth legislative assembly that during the 2017-18 interim, the governor achieve efficiencies and budgetary savings within the information technology department and other state agencies through the use of innovative ideas and solutions relating to information technology and related services. It is also the intent of the sixty-fifth legislative assembly that the governor submit proposed legislation necessary to implement any ideas and solutions for state government efficiencies and budgetary savings which cannot be implemented during the 2017-18 interim to the sixty-sixth legislative assembly."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2021 - Summary of Conference Committee Action**

	<u>Base Budget</u>	<u>Senate Version</u>	<u>Conference Committee Changes</u>	<u>Conference Committee Version</u>	<u>House Version</u>	<u>Comparison to House</u>
Secretary of State						
Total all funds	\$0	\$0	\$194,000	\$194,000	\$194,000	\$0
Less estimated income	0	0	194,000	194,000	194,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Information Technology Department						

Total all funds	\$174,619,094	\$216,155,754	\$13,943,568	\$230,099,322	\$230,099,322	\$0
Less estimated income	151,213,039	195,609,843	13,957,145	209,566,988	209,566,988	0
General fund	\$23,406,055	\$20,545,911	(\$13,577)	\$20,532,334	\$20,532,334	\$0
<b>Workforce Safety and Insurance</b>						
Total all funds	\$0	\$0	\$75,000	\$75,000	\$75,000	\$0
Less estimated income	0	0	75,000	75,000	75,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Highway Patrol</b>						
Total all funds	\$0	\$0	\$44,000	\$44,000	\$44,000	\$0
Less estimated income	0	0	44,000	44,000	44,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Game and Fish Department</b>						
Total all funds	\$0	\$0	\$75,000	\$75,000	\$75,000	\$0
Less estimated income	0	0	75,000	75,000	75,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Parks and Recreation Department</b>						
Total all funds	\$0	\$0	\$88,000	\$88,000	\$88,000	\$0
Less estimated income	0	0	88,000	88,000	88,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Department of Transportation</b>						
Total all funds	\$0	\$0	\$306,000	\$306,000	\$306,000	\$0
Less estimated income	0	0	306,000	306,000	306,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Bill total</b>						
Total all funds	\$174,619,094	\$216,155,754	\$14,725,568	\$230,881,322	\$230,881,322	\$0
Less estimated income	151,213,039	195,609,843	14,739,145	210,348,988	210,348,988	0
General fund	\$23,406,055	\$20,545,911	(\$13,577)	\$20,532,334	\$20,532,334	\$0

### Senate Bill No. 2021 - Secretary of State - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Operating expenses			\$194,000	\$194,000	\$194,000	
Total all funds	\$0	\$0	\$194,000	\$194,000	\$194,000	\$0
Less estimated income	0	0	194,000	194,000	194,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

### Department No. 108 - Secretary of State - Detail of Conference Committee Changes

	Adds Funding for Electronic Payment Processing System Loan <sup>1</sup>	Adds Funding for Electronic Payment Processing System Loan Repayment <sup>2</sup>	Total Conference Committee Changes
Operating expenses	\$93,000	\$101,000	\$194,000
Total all funds	\$93,000	\$101,000	\$194,000
Less estimated income	93,000	101,000	194,000
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

<sup>1</sup> Funding is added for a loan from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

<sup>2</sup> Funding is added to repay a loan, including interest accrued, from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

**Senate Bill No. 2021 - Information Technology Department - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$58,113,215	\$59,474,408	(\$114,636)	\$59,359,772	\$59,359,772	
Operating expenses	70,927,060	69,552,998	375,000	69,927,998	69,927,998	
Capital assets	8,850,000	8,295,000		8,295,000	8,295,000	
Center for Distance Education	9,091,690	9,085,544	(6,428)	9,079,116	9,079,116	
Statewide longitudinal data system	5,500,661	4,312,013	(1,452)	4,310,561	4,310,561	
Educational Technology Council	1,655,947	1,121,887	(415)	1,121,472	1,121,472	
EduTech	9,052,048	9,759,403	(6,636)	9,752,767	9,752,767	
K-12 wide area network	4,880,862	4,535,107	(829)	4,534,278	4,534,278	
Geographic information system	1,192,978	1,147,923	(207)	1,147,716	1,147,716	
Health information technology office	5,354,633	48,871,471	(829)	48,870,642	48,870,642	
Statewide Interoperability Radio Network			13,700,000	13,700,000	13,700,000	
<b>Total all funds</b>	<b>\$174,619,094</b>	<b>\$216,155,754</b>	<b>\$13,943,568</b>	<b>\$230,099,322</b>	<b>\$230,099,322</b>	<b>\$0</b>
Less estimated income	151,213,039	195,609,843	13,957,145	209,566,988	209,566,988	0
<b>General fund</b>	<b>\$23,406,055</b>	<b>\$20,545,911</b>	<b>(\$13,577)</b>	<b>\$20,532,334</b>	<b>\$20,532,334</b>	<b>\$0</b>
FTE	350.30	344.30	0.00	344.30	344.30	0.00

**Department No. 112 - Information Technology Department - Detail of Conference Committee Changes**

	Adjusts Funding for Health Insurance Increases <sup>1</sup>	Reduces Funding for Salaries <sup>2</sup>	Adds One-Time Funding for Electronic Payment Processing System <sup>3</sup>	Adds Funding for Statewide Interoperability Radio Network <sup>4</sup>	Total Conference Committee Changes
Salaries and wages	(\$55,572)	(\$59,064)			(\$114,636)
Operating expenses			375,000		375,000
Capital assets					
Center for Distance Education	(6,428)				(6,428)
Statewide longitudinal data system	(1,452)				(1,452)
Educational Technology Council	(415)				(415)
EduTech	(6,636)				(6,636)
K-12 wide area network	(829)				(829)
Geographic information system	(207)				(207)
Health information technology office	(829)				(829)
Statewide Interoperability Radio Network				13,700,000	13,700,000
<b>Total all funds</b>	<b>(\$72,368)</b>	<b>(\$59,064)</b>	<b>\$375,000</b>	<b>\$13,700,000</b>	<b>\$13,943,568</b>
Less estimated income	(58,791)	(59,064)	375,000	13,700,000	13,957,145
<b>General fund</b>	<b>(\$13,577)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$13,577)</b>
FTE	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

<sup>2</sup> Funding is further reduced for salaries related to 5 FTE positions removed by the Senate.

<sup>3</sup> One-time funding of \$375,000 is added for developing an electronic payment processing system related

to credit card fees for the following state agencies:

- Department of Transportation - \$147,000
- Secretary of State's office - \$93,000
- Parks and Recreation Department - \$42,000
- Game and Fish Department - \$36,000
- Workforce Safety and Insurance - \$36,000
- Highway Patrol - \$21,000

<sup>4</sup> Funding of \$13.7 million of special funds is added for the statewide interoperability radio network (SIRN). This is the estimated amount to be collected by political subdivisions during the 2017-19 biennium due to increased fees on assessed communications services pursuant to House Bill No. 1178. Amounts received by political subdivisions will be remitted to the State Treasurer to be deposited in the SIRN fund to be used by the Information Technology Department for costs of developing the network.

This amendment also:

- Adds a section to identify the amount of funding included in the bill for the increase in employee health insurance premiums.
- Amends North Dakota Century Code Chapter 15-19 to require the Director of the Centers for Distance Education (CDE) to provide all public schools and districts a list of courses offered by the CDE and to establish a clearinghouse for online courses offered by the CDE.
- Amends Section 37-17.3-02.2(1) to expand membership of the Statewide Interoperable Executive Committee to include the North Dakota Indian Affairs Commission Executive Director and, as appointed by Legislative Management, one member of the House and one member of the Senate.
- Amends Section 54-59-31 to allow certain health care providers participating in the health information exchange to use an electronic health records system that is not certified by the office of the National Coordinator for Health Information Technology if that type of provider is not required to be certified.
- Amends Section 54-59-34(1) to require the Statewide Longitudinal Data System Committee to provide annual reports to education and workforce development programs.
- Adds a section authorizing the Department of Transportation, Parks and Recreation Department, Game and Fish Department, Workforce Safety and Insurance, the Secretary of State's office, and Highway Patrol to obtain loans from the Bank of North Dakota for an electronic payment processing system.
- Adds a section providing an appropriation to each agency receiving loans from the Bank of North Dakota for an electronic payment processing system, to provide for repayment of the loans.
- Adds a section providing legislative intent regarding the Governor achieving efficiencies and budgetary savings within the Information Technology Department and other agencies.

**Senate Bill No. 2021 - Workforce Safety and Insurance - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Workforce safety and insurance operation			\$75,000	\$75,000	\$75,000	
Total all funds	\$0	\$0	\$75,000	\$75,000	\$75,000	\$0
Less estimated income	0	0	75,000	75,000	75,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Department No. 485 - Workforce Safety and Insurance - Detail of Conference Committee Changes**

	Adds Funding for Electronic Payment Processing System Loan <sup>1</sup>	Adds Funding for Electronic Payment Processing System Loan Repayment <sup>2</sup>	Total Conference Committee Changes
Workforce safety and insurance operation	\$36,000	\$39,000	\$75,000
Total all funds	\$36,000	\$39,000	\$75,000
Less estimated income	36,000	39,000	75,000
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

<sup>1</sup> Funding is added for a loan from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

<sup>2</sup> Funding is added to repay a loan, including interest accrued, from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

**Senate Bill No. 2021 - Highway Patrol - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Field operations			\$44,000	\$44,000	\$44,000	
Total all funds	\$0	\$0	\$44,000	\$44,000	\$44,000	\$0
Less estimated income	0	0	44,000	44,000	44,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Department No. 504 - Highway Patrol - Detail of Conference Committee Changes**

	Adds Funding for Electronic Payment Processing System Loan <sup>1</sup>	Adds Funding for Electronic Payment Processing System Loan Repayment <sup>2</sup>	Total Conference Committee Changes
Field operations	\$21,000	\$23,000	\$44,000
Total all funds	\$21,000	\$23,000	\$44,000
Less estimated income	21,000	23,000	44,000
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

<sup>1</sup> Funding is added for a loan from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

<sup>2</sup> Funding is added to repay a loan, including interest accrued, from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

**Senate Bill No. 2021 - Game and Fish Department - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Operating expenses			\$75,000	\$75,000	\$75,000	
Total all funds	\$0	\$0	\$75,000	\$75,000	\$75,000	\$0
Less estimated income	0	0	75,000	75,000	75,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Department No. 720 - Game and Fish Department - Detail of Conference Committee Changes**

	Adds Funding for Electronic Payment Processing System Loan <sup>1</sup>	Adds Funding for Electronic Payment Processing System Loan Repayment <sup>2</sup>	Total Conference Committee Changes
Operating expenses	\$36,000	\$39,000	\$75,000
Total all funds	\$36,000	\$39,000	\$75,000
Less estimated income	36,000	39,000	75,000
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

<sup>1</sup> Funding is added for a loan from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

<sup>2</sup> Funding is added to repay a loan, including interest accrued, from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

**Senate Bill No. 2021 - Parks and Recreation Department - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Administration			\$88,000	\$88,000	\$88,000	
Total all funds	\$0	\$0	\$88,000	\$88,000	\$88,000	\$0
Less estimated income	0	0	88,000	88,000	88,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Department No. 750 - Parks and Recreation Department - Detail of Conference Committee Changes**

	Adds Funding for Electronic Payment Processing System Loan <sup>1</sup>	Adds Funding for Electronic Payment Processing System Loan Repayment <sup>2</sup>	Total Conference Committee Changes
Administration	\$42,000	\$46,000	\$88,000
Total all funds	\$42,000	\$46,000	\$88,000
Less estimated income	42,000	46,000	88,000
General fund	\$0	\$0	\$0

FTE 0.00 0.00 0.00

<sup>1</sup> Funding is added for a loan from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

<sup>2</sup> Funding is added to repay a loan, including interest accrued, from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

**Senate Bill No. 2021 - Department of Transportation - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Operating expenses			\$306,000	\$306,000	\$306,000	
Total all funds	\$0	\$0	\$306,000	\$306,000	\$306,000	\$0
Less estimated income	0	0	306,000	306,000	306,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Department No. 801 - Department of Transportation - Detail of Conference Committee Changes**

	Adds Funding for Electronic Payment Processing System Loan <sup>1</sup>	Adds Funding for Electronic Payment Processing System Loan Repayment <sup>2</sup>	Total Conference Committee Changes
Operating expenses	\$147,000	\$159,000	\$306,000
Total all funds	\$147,000	\$159,000	\$306,000
Less estimated income	147,000	159,000	306,000
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

<sup>1</sup> Funding is added for a loan from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

<sup>2</sup> Funding is added to repay a loan, including interest accrued, from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.