

**FIRST ENGROSSMENT  
with Conference Committee Amendments  
ENGROSSED SENATE BILL NO. 2021**

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the information  
2 technology department; to provide appropriations to certain agencies for an electronic payment  
3 processing system; to authorize borrowing authority; to provide for transfers; to provide for a  
4 report; to create and enact sections 15-19-01.1 and 15-19-02.1 of the North Dakota Century  
5 Code, relating to the centers for distance education; to amend and reenact subsection 1 of  
6 section 37-17.3-02.2, section 54-59-31, and subsection 1 of section 54-59-34 of the North  
7 Dakota Century Code, relating to the statewide interoperability executive committee, certified  
8 electronic health information systems, and the statewide longitudinal data system; and to  
9 provide a statement of legislative intent.

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

11 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
12 as may be necessary, are appropriated out of any moneys in the general fund in the state  
13 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
14 other income, to the information technology department for the purpose of defraying the  
15 expenses of the information technology department, for the biennium beginning July 1, 2017,  
16 and ending June 30, 2019, as follows:

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
19 Salaries and wages	\$58,113,215	\$1,246,557	\$59,359,772
20 Operating expenses	70,927,060	(999,062)	69,927,998
21 Capital assets	8,850,000	(555,000)	8,295,000
22 Centers for distance education	9,091,690	(12,574)	9,079,116
23 Statewide longitudinal data system	5,500,661	(1,190,100)	4,310,561
24 Educational technology council	1,655,947	(534,475)	1,121,472

Sixty-fifth  
Legislative Assembly

1	Edutech	9,052,048	700,719	9,752,767
2	K-12 wide area network	4,880,862	(346,584)	4,534,278
3	Geographic information system	1,192,978	(45,262)	1,147,716
4	Health information technology office	5,354,633	43,516,009	48,870,642
5	Statewide interoperability radio network	<u>0</u>	<u>13,700,000</u>	<u>13,700,000</u>
6	Total all funds	\$174,619,094	\$55,480,228	\$230,099,322
7	Less estimated income	<u>151,213,039</u>	<u>58,353,949</u>	<u>209,566,988</u>
8	Total general fund	\$23,406,055	(\$2,873,721)	\$20,532,334
9	Full-time equivalent positions	350.30	(6.00)	344.30

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

13       **SECTION 3. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**  
 14 **SIXTY-SIXTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding  
 15 items approved by the sixty-fourth legislative assembly as adjusted for the 2015-17 biennium  
 16 and the 2017-19 one-time funding items included in section 1 of this Act:

17	<u>One-Time Funding Description</u>	<u>2015-17</u>	<u>2017-19</u>
18	Educational technology council grants	\$912,060	\$0
19	Statewide longitudinal data system	358,280	0
20	Statewide radio coordination	1,401,750	0
21	Health data study	500,000	0
22	Electronic payment processing system	0	375,000
23	Health information network expansion	<u>0</u>	<u>43,555,133</u>
24	Total all funds	\$3,172,090	\$43,930,133
25	Less estimated income	<u>500,000</u>	<u>43,930,133</u>
26	Total general fund	\$2,672,090	\$0

27 The 2017-19 one-time funding amounts are not a part of the entity's base budget for the  
 28 2019-21 biennium. The information technology department shall report to the appropriations  
 29 committees of the sixty-sixth legislative assembly on the use of this one-time funding for the  
 30 biennium beginning July 1, 2017, and ending June 30, 2019.

1       **SECTION 4. TRANSFERS.** Notwithstanding section 54-16-04, the director of the office of  
2 management and budget shall make transfers of funds between line items in section 1 of this  
3 Act for the information technology department as may be requested by the chief information  
4 officer as determined necessary for the development and implementation of information  
5 technology projects.

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

8       **15-19-01.1. Distance education courses - Course lists to school districts -**  
9 **Notification.**

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

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

16       **15-19-02.1. Distance education clearinghouse.**

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

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

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

- 26       1. The statewide interoperability executive committee consists of:
  - 27       a. The director of state radio or a designee;
  - 28       b. The director of the division of homeland security or a designee;
  - 29       c. The superintendent of the highway patrol or a designee;
  - 30       d. The adjutant general or a designee;
  - 31       e. The director of the department of transportation or a designee;

- 1 f. A representative of the North Dakota sheriff's and deputies association;
- 2 g. A representative of the North Dakota emergency managers association;
- 3 h. A representative of the North Dakota fire chiefs association;
- 4 i. A representative of the North Dakota emergency medical services association;
- 5 j. A representative of the North Dakota police chiefs association;
- 6 k. A representative of the North Dakota peace officers association;
- 7 l. A representative of the North Dakota 911 association; ~~and~~
- 8 m. The North Dakota chief information officer or a designee;
- 9 n. The North Dakota Indian affairs commission executive director or a designee;
- 10 and
- 11 o. One member of the North Dakota house of representatives and one member of
- 12 the North Dakota senate appointed by the legislative management.

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

15 **54-59-31. Certified electronic health records systems.**

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

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

- 29 1. The statewide longitudinal data system committee shall manage a statewide  
30 longitudinal data system that:

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

12           **SECTION 10. LOAN AUTHORIZATION - APPROPRIATION - ELECTRONIC PAYMENT**

13 **PROCESSING SYSTEM.** The state agencies named in this section may borrow from the Bank  
14 of North Dakota, the amounts listed below, or so much of the amounts as may be necessary,  
15 which are appropriated to the respective agency for the purpose of defraying the expenses of  
16 implementing a new electronic payment system for the biennium beginning July 1, 2017, and  
17 ending June 30, 2019.

18 <u>Agency</u>	18 <u>Amount</u>
19 Department of transportation	\$147,000
20 Secretary of state's office	93,000
21 Parks and recreation department	42,000
22 Game and fish department	36,000
23 Workforce safety and insurance	36,000
24 Highway patrol	<u>21,000</u>
25 Total	\$375,000

26           **SECTION 11. LOAN REPAYMENT - APPROPRIATION - ELECTRONIC PAYMENT**

27 **PROCESSING SYSTEM.** The funds provided in this section, or so much of the funds as may be  
28 necessary, are appropriated from special funds derived from additional revenue received as a  
29 result of the implementation of a new electronic payment processing system to the agencies  
30 named below for the purpose of repaying the Bank of North Dakota loans authorized in

Sixty-fifth  
Legislative Assembly

1 section 10 of this Act, plus interest for the biennium beginning July 1, 2017, and ending  
2 June 30, 2019.

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

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