

**Sixty-eighth Legislative Assembly of North Dakota
In Special Session Commencing Monday, October 23, 2023**

HOUSE BILL NO. 1543
(Legislative Management)

AN ACT to provide an appropriation to the department of health and human services, department of career and technical education, and Bismarck state college for facility-related projects; to authorize the issuance of revenue bonds for a Bismarck state college facility project; to provide for a legislative management report; to provide for retroactive application; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - DEPARTMENT OF HEALTH AND HUMAN SERVICES - DEPARTMENT OF CAREER AND TECHNICAL EDUCATION - LEGISLATIVE MANAGEMENT REPORT - ONE-TIME FUNDING. For the biennium beginning July 1, 2023, and ending June 30, 2025, there is appropriated out of any moneys in the strategic investment and improvements fund in the state treasury, not otherwise appropriated, the following amounts, or so much of the sum as may be necessary:

1. \$8,250,000 to the department of health and human services for the purpose of providing a behavioral health facility grant or other services as provided in this subsection. The department of health and human services shall use the funds as follows:
 - a. A grant of \$8,250,000 must be provided to establish a behavioral health facility in the badlands human service center service region. The grant recipient must provide matching funds of \$1,950,000 to establish the facility.
 - b. The department shall require an entity receiving funding under this subsection to operate the facility for a period of at least ten years and require the grant amount to be repaid if the entity does not operate the facility for at least ten years. The amount repaid must be prorated based on the amount of time the program remains in operation.
 - c. The requirements of chapter 54-44.4 do not apply to the selection of a grant recipient, the grant award, or payments made under this subsection.
 - d. If by June 1, 2024, the department does not have a grant recipient secured to establish a behavioral health facility in the badlands human service center service region, \$6,400,000 of the funds appropriated in this subsection may be used to expand community-based services by transitioning the badlands and northwest human service centers into certified community behavioral health clinics. This funding may be used to expand services provided directly by the department or through contractual relationships with behavioral health providers or organizations.
 - e. The funding provided under this subsection is a one-time funding item.
2. \$26,500,000 to the department of career and technical education for the purpose of defraying inflationary costs of existing projects approved under the statewide area career center initiative grant program during the 2021-23 biennium. The department of career and technical education shall distribute the funding to existing career academy projects proportionally based on funding allocations provided to each project during the 2021-23 biennium. If funding approved in this subsection is provided for a career academy project and the funding becomes uncommitted during the 2023-25 biennium, the department of career and technical education may redistribute the funding for existing projects under the program during the biennium beginning July 1, 2023, and ending June 30, 2025. The department of career and technical education shall report to the legislative management during the 2023-24 interim and to the

appropriations committees of the sixty-ninth legislative assembly regarding the amount of inflationary funding provided for each project and the construction status of each project. The funding provided under this subsection is considered a one-time funding item.

SECTION 2. APPROPRIATION - BISMARCK STATE COLLEGE - MULTIPURPOSE ACADEMIC AND ATHLETIC CENTER CAPITAL FACILITY PROJECT - ONE-TIME FUNDING. There is appropriated from special funds derived from bond proceeds, gifts, grants, donations, and other funds, not otherwise appropriated, the sum of \$8,500,000, or so much of the sum as may be necessary, to Bismarck state college for the purpose of the multipurpose academic and athletic center capital facility project, for the period beginning with the effective date of this Act and ending June 30, 2025. The amount appropriated in this section is in addition to \$31,500,000 appropriated from other funds in House Bill No. 1003, as approved by the sixty-eighth legislative assembly, to Bismarck state college for the multipurpose academic and athletic center. This appropriation is considered a one-time funding item.

SECTION 3. BOND ISSUANCE AUTHORIZATION - PURPOSE. The state board of higher education, in accordance with chapter 15-55, may arrange for the funding of projects authorized in this section, declared to be in the public interest, through the issuance of self-liquidating, tax-exempt evidences of indebtedness under chapter 15-55, beginning with the effective date of this Act and ending June 30, 2025. Evidences of indebtedness issued pursuant to this section are not a general obligation of the state of North Dakota. Any unexpended balance resulting from the proceeds of the evidences of indebtedness must be placed in a sinking fund to be used for the retirement of indebtedness. The evidences of indebtedness may be issued to generate up to \$40,000,000, the proceeds of which are appropriated in section 2 of this Act and section 1 of House Bill No. 1003, as approved by the sixty-eighth legislative assembly, for the Bismarck state college multipurpose academic and athletic center.

SECTION 4. RETROACTIVE APPLICATION. Section 1 of this Act applies retroactively to July 1, 2023.

SECTION 5. EFFECTIVE DATE. This Act becomes effective immediately upon its filing with the secretary of state.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1543.

House Vote: Yeas 81 Nays 8 Absent 5

Senate Vote: Yeas 47 Nays 0 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2023.

Approved at _____ M. on _____, 2023.

Governor

Filed in this office this _____ day of _____, 2023,

at _____ o'clock _____ M.

Secretary of State