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PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2015

That the House recede from its amendments as printed on pages 1851-1861 of the Senate Journal and pages 2163-2173 of the House Journal and that Engrossed Senate Bill No. 2015 be amended as follows:

Page 1, line 7, after "exemption" insert "to provide for application"

Page 2, after line 1, insert:

"New and vacant FTE funding pool	0	98,200,000	98,200,000"
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Page 2, replace lines 5 through 8 with:

"Total all funds	\$42,754,708	\$224,300,799	\$267,055,507
Less estimated income	<u>8,828,309</u>	<u>126,182,864</u>	<u>135,011,173</u>
Total general fund	\$33,926,399	\$98,117,935	\$132,044,334
Full-time equivalent positions	108.00	3.00	111.00"

Page 6, after line 3, insert:

**"SECTION 11. NEW AND VACANT FTE FUNDING POOL - GUIDELINES - EXEMPTION - TRANSFER OF APPROPRIATION AUTHORITY - APPLICATION - BUDGET SECTION REPORT.**

1. The new and vacant FTE funding pool line item in section 1 of this Act includes \$40,100,000 from the general fund and \$58,100,000 from special funds derived from federal funds and other income for the purpose of providing funding for hiring new full-time equivalent positions and for agencies that do not realize sufficient savings from vacant full-time equivalent positions in accordance with provisions of this section for the biennium beginning July 1, 2023, and ending June 30, 2025.
2. An executive branch state agency that had funding removed by the sixty-eighth legislative assembly for purposes of the new and vacant full-time equivalent funding pool may submit a request to the office of management and budget for an allocation of funding from the pool:
  - a. To provide funding for the salaries and wages necessary for the 2023-25 biennium for a new full-time equivalent position authorized by the 2023 legislative assembly from the date of hiring through the end of the biennium;
  - b. To provide funding for the salaries and wages necessary for the 2023-25 biennium for filling a full-time equivalent position that was vacant on July 1, 2023, from the date of hiring through the end of the biennium;
  - c. After March 1, 2025, for salaries and wages funding necessary for the 2023-25 biennium if actual salaries and wages savings from vacant positions adjusted for other salaries and wages uses are less than the

estimate used by the sixty-eighth legislative assembly in the development of the agency's appropriation; or

- d. As requested by the department of transportation, the sum of up to \$7,400,000 for salaries and wages funding needs.
3. The office of management and budget may transfer general fund appropriation authority from the pool to an agency only upon the agency certifying to the office of management and budget that special funds from federal or other sources are not available for the salaries and wages of the full-time equivalent position.
4. An agency may not receive more funding from the pool than the amount that was removed from the agency budget for new and vacant full-time equivalent positions as contained in the statement of purpose of amendment of bills approved by the sixty-eighth legislative assembly as printed in the house and senate journals.
5. Notwithstanding any other provision of law, the office of management and budget shall transfer appropriation authority from the new and vacant full-time equivalent funding pool to eligible executive branch state agencies:
  - a. Within fifteen days of receiving an agency request for the hiring of a new full-time equivalent position authorized by the sixty-eighth legislative assembly, along with documentation of the salaries and wages necessary for the position for the remainder of the biennium, limited to the amount identified for the position in the statement of purpose of amendment;
  - b. Within fifteen days of receiving an agency request for filling a full-time equivalent position that was vacant on July 1, 2023, along with documentation verifying that funding available for salaries and wages within the agency's budget is insufficient to provide funding for the position for the remainder of the biennium;
  - c. Within thirty days of receiving an agency request, along with documentation verifying that actual salaries and wages savings from vacant positions through February 2025 and estimates for the remainder of the biennium adjusted for other salaries and wages uses are less than the estimate used by the sixty-eighth legislative assembly in the development of the agency's appropriation; or
  - d. Within fifteen days of receiving a request from the department of transportation to transfer the sum of up to \$7,400,000 for salaries and wages funding needs.
6. The provisions of section 54-27-10 do not apply to the salaries and wages line item of appropriations approved by the sixty-eighth legislative assembly for the biennium beginning July 1, 2023, and ending June 30, 2025.
7. If funding in the new and vacant full-time equivalent funding pool is insufficient to provide the necessary salaries and wages funding for the biennium, the office of management and budget shall request a deficiency appropriation from the sixty-ninth legislative assembly. Any funding

remaining in the funding pool at the end of the biennium must be canceled in accordance with the provisions of section 54-44.1-11.

8. The office of management of budget shall report to each meeting of the budget section regarding salaries and wages and vacant position information and use of funding in the pool including:
  - a. The number of agency requests submitted, amounts transferred from the pool, and information on:
    - (1) New full-time equivalent positions, including the date hired; and
    - (2) Vacant full-time equivalent positions, including dates the positions were vacated and filled;
  - b. Salaries and wages savings to date resulting from vacant positions by agency; and
  - c. Each agency's use of salaries and wages funding, including amounts spent for accrued leave payouts, salary increases in addition to general salary increases provided by the sixty-eighth legislative assembly, bonuses, incentive or location pay adjustments, reclassifications, funding used for temporary salaries or overtime in excess of amounts provided by the sixty-eighth legislative assembly, or other purposes."

Page 8, line 17, replace "14" with "15"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2015 - Summary of Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
<b>Office of Management and Budget</b>						
Total all funds	\$42,754,708	\$168,855,507	\$98,200,000	\$267,055,507	\$290,735,783	(\$23,680,276)
Less estimated income	8,828,309	76,911,173	58,100,000	135,011,173	147,378,954	(12,367,781)
General fund	\$33,926,399	\$91,944,334	\$40,100,000	\$132,044,334	\$143,356,829	(\$11,312,495)
FTE	108.00	111.00	0.00	111.00	108.00	3.00
<b>Legislative Council</b>						
Total all funds	\$0	\$0	\$0	\$0	\$500,000	(\$500,000)
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$0	\$0	\$0	\$500,000	(\$500,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00
<b>Bill total</b>						
Total all funds	\$42,754,708	\$168,855,507	\$98,200,000	\$267,055,507	\$291,235,783	(\$24,180,276)
Less estimated income	8,828,309	76,911,173	58,100,000	135,011,173	147,378,954	(12,367,781)
General fund	\$33,926,399	\$91,944,334	\$40,100,000	\$132,044,334	\$143,856,829	(\$11,812,495)
FTE	108.00	111.00	0.00	111.00	108.00	3.00

**Senate Bill No. 2015 - Office of Management and Budget - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$21,926,979	\$24,859,054		\$24,859,054	\$23,158,830	\$1,700,224
Operating expenses	15,663,214	19,261,293		19,261,293	19,392,793	(131,500)
Capital assets	764,515	15,533,155		15,533,155	9,182,155	6,351,000
Emergency commission contingency fund	400,000	400,000		400,000	400,000	
Guardianship grants	2,450,000	6,100,000		6,100,000	6,100,000	
Targeted market equity pool		75,000,000		75,000,000	75,000,000	
Prairie Public Broadcasting	1,200,000	2,992,450		2,992,450	2,992,450	
Community service supervision grants	350,000	350,000		350,000	350,000	
State student internship		700,000		700,000	500,000	200,000
Governor's emergency education relief		3,659,555		3,659,555	3,659,555	
Deferred maintenance funding pool		20,000,000		20,000,000	20,000,000	
New and vacant FTE funding pool			\$98,200,000	98,200,000	130,000,000	(31,800,000)
<b>Total all funds</b>	<b>\$42,754,708</b>	<b>\$168,855,507</b>	<b>\$98,200,000</b>	<b>\$267,055,507</b>	<b>\$290,735,783</b>	<b>(\$23,680,276)</b>
Less estimated income	8,828,309	76,911,173	58,100,000	135,011,173	147,378,954	(12,367,781)
<b>General fund</b>	<b>\$33,926,399</b>	<b>\$91,944,334</b>	<b>\$40,100,000</b>	<b>\$132,044,334</b>	<b>\$143,356,829</b>	<b>(\$11,312,495)</b>
FTE	108.00	111.00	0.00	111.00	108.00	3.00

**Department 110 - Office of Management and Budget - Detail of Conference Committee Changes**

	Adds Funding for Funding Pool <sup>1</sup>	Total Conference Committee Changes
Salaries and wages		
Operating expenses		
Capital assets		
Emergency commission contingency fund		
Guardianship grants		
Targeted market equity pool		
Prairie Public Broadcasting		
Community service supervision grants		
State student internship		
Governor's emergency education relief		
Deferred maintenance funding pool		
New and vacant FTE funding pool	\$98,200,000	\$98,200,000
<b>Total all funds</b>	<b>\$98,200,000</b>	<b>\$98,200,000</b>
Less estimated income	58,100,000	58,100,000
<b>General fund</b>	<b>\$40,100,000</b>	<b>\$40,100,000</b>
FTE	0.00	0.00

<sup>1</sup> Funding of \$98.2 million is added for a new a vacant FTE funding pool, including \$40.1 million from the general fund and \$58.1 million from other funds. A section is added providing guidelines for use of funding in the pool. The House provided funding of \$130 million, of which \$60 million was from the general fund, for the pool.