

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2021

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, 15-19-01.2, 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
Center 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"

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 15-19-01.2 of the North Dakota Century Code is created and enacted as follows:

**15-19-01.2. Distance education courses - Online courses.**

1. The director of the center for distance education may provide new, online, elective courses for credit meeting the following criteria:
  - a. The course is delivered and controlled by the center for distance education.
  - b. The course code limits the delivery and instruction to the center for distance education.
  - c. The course code assignment reflects current department of public instruction code assignment and teacher licensure.
  - d. The course meets or exceeds all applicable course standards.
  - e. The course represents a new and emerging field of study or career.
2. Courses provided under this section are subject to yearly reviews by the superintendent of public instruction.

**SECTION 7.** 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 8. 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 9. 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 10. 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, 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 11. LOAN AUTHORIZATION - APPROPRIATION - ELECTRONIC PAYMENT PROCESSING SYSTEM.** The state agencies named in this section shall 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	<u>21,000</u>
Total	\$375,000

**SECTION 12. 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 11 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	<u>23,000</u>
Total	\$407,000

**SECTION 13. 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 House Action**

	Base Budget	Senate Version	House Changes	House Version
<b>Secretary of State</b>				
Total all funds	\$0	\$0	\$194,000	\$194,000
Less estimated income	0	0	194,000	194,000
General fund	\$0	\$0	\$0	\$0
<b>Information Technology Department</b>				
Total all funds	\$174,619,094	\$216,155,754	\$13,943,568	\$230,099,322
Less estimated income	151,213,039	195,609,843	13,957,145	209,566,988
General fund	\$23,406,055	\$20,545,911	(\$13,577)	\$20,532,334
<b>Workforce Safety and Insurance</b>				
Total all funds	\$0	\$0	\$75,000	\$75,000
Less estimated income	0	0	75,000	75,000
General fund	\$0	\$0	\$0	\$0
<b>Highway Patrol</b>				
Total all funds	\$0	\$0	\$44,000	\$44,000
Less estimated income	0	0	44,000	44,000
General fund	\$0	\$0	\$0	\$0
<b>Game and Fish Department</b>				
Total all funds	\$0	\$0	\$75,000	\$75,000
Less estimated income	0	0	75,000	75,000
General fund	\$0	\$0	\$0	\$0
<b>Parks and Recreation Department</b>				
Total all funds	\$0	\$0	\$88,000	\$88,000
Less estimated income	0	0	88,000	88,000
General fund	\$0	\$0	\$0	\$0
<b>Department of Transportation</b>				
Total all funds	\$0	\$0	\$306,000	\$306,000
Less estimated income	0	0	306,000	306,000
General fund	\$0	\$0	\$0	\$0
<b>Bill total</b>				
Total all funds	\$174,619,094	\$216,155,754	\$14,725,568	\$230,881,322
Less estimated income	151,213,039	195,609,843	14,739,145	210,348,988
General fund	\$23,406,055	\$20,545,911	(\$13,577)	\$20,532,334

**Senate Bill No. 2021 - Secretary of State - House Action**

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

**Department No. 108 - Secretary of State - Detail of House Changes**

	<b>Adds Funding for Electronic Payment Processing System Loan<sup>1</sup></b>	<b>Adds Funding for Electronic Payment Processing System Loan Repayment<sup>2</sup></b>	<b>Total House Changes</b>
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 - House Action**

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

**Department No. 112 - Information Technology Department - Detail of House Changes**

	<b>Adjusts Funding for Health Insurance Increases<sup>1</sup></b>	<b>Reduces Funding for Salaries<sup>2</sup></b>	<b>Adds One-Time Funding for Electronic Payment Processing System<sup>3</sup></b>	<b>Adds Funding for Statewide Interoperability Radio Network<sup>4</sup></b>	<b>Total House Changes</b>
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
Total all funds	(\$72,368)	(\$59,064)	\$375,000	\$13,700,000	\$13,943,568
Less estimated income	(58,791)	(59,064)	375,000	13,700,000	13,957,145
General fund	(\$13,577)	\$0	\$0	\$0	(\$13,577)
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 CDE, to provide new online elective courses, and to establish a clearinghouse for online courses offered by 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 Subsection 1 of Section 54-59-34 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 - House Action**

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

**Department No. 485 - Workforce Safety and Insurance - Detail of House 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 House 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 - House Action**

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

**Department No. 504 - Highway Patrol - Detail of House 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 House 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 - House Action**

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

**Department No. 720 - Game and Fish Department - Detail of House 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 House 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 - House Action**

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

**Department No. 750 - Parks and Recreation Department - Detail of House 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 House 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 - House Action**

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

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