2021 HOUSE APPROPRIATIONS

HB 1015

Department 110 - Office of Management and Budget
House Bill No. 1015

Executive Budget Comparison to Prior Biennium Appropriations

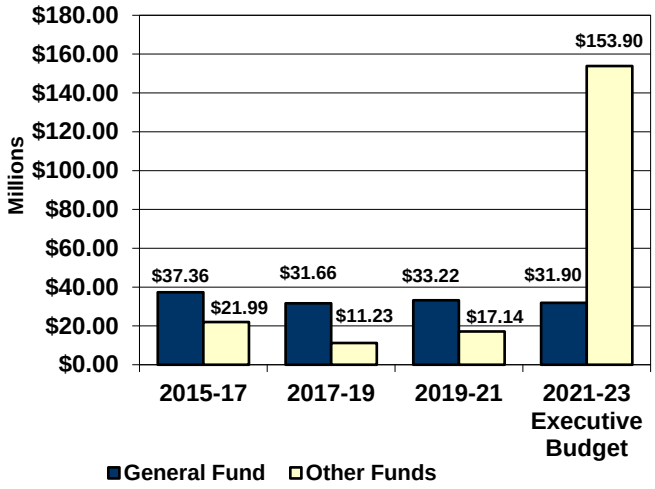
	FTE Positions	General Fund	Other Funds	Total
2021-23 Executive Budget	108.00	$31,896,780	$153,897,412	$185,794,192
2019-21 Legislative Appropriations[1]	112.00	33,215,852	17,136,515	50,352,367
Increase (Decrease)	(4.00)	($1,319,072)	$136,760,897	$135,441,825

[1]The 2019-21 biennium agency appropriation amounts have not been adjusted for additional federal Coronavirus (COVID-19) funds authority of $7,003,055 and for additional federal emergency education relief funding of $5,932,707 resulting from Emergency Commission action during the 2019-21 biennium.

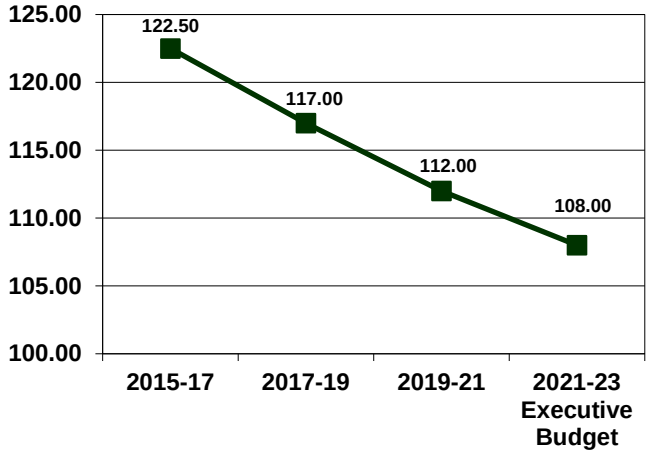
Ongoing and One-Time General Fund Appropriations

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2021-23 Executive Budget	$28,095,476	$3,801,304	$31,896,780
2019-21 Legislative Appropriations	32,915,852	300,000	33,215,852
Increase (Decrease)	($4,820,376)	$3,501,304	($1,319,072)

Agency Funding



FTE Positions



Executive Budget Comparison to Base Level

	General Fund	Other Funds	Total
2021-23 Executive Budget	$31,896,780	$153,897,412	$185,794,192
2021-23 Base Level	32,915,852	8,746,515	41,662,367
Increase (Decrease)	($1,019,072)	$145,150,897	$144,131,825

Attached as an appendix is a detailed comparison of the executive budget to the agency's base level appropriations.

Executive Budget Highlights

	General Fund	Other Funds	Total
1. Provides funding for state employee salary and benefit increases of which $506,220 is for salary increases, $5,150 is for health insurance increases, and $97,051 is for retirement increases	$521,684	$86,737	$608,421
2. Transfers 4 FTE positions to the Information Technology Department (ITD) for an information technology (IT) unification initiative resulting in a decrease in salaries and wages of $846,547 and an increase in operating expenses of $846,547	$0	$0	$0
3. Adds funding for a human resources officer	$110,869	$0	$110,869
4. Increases funding for procurement officers	$104,824	$0	$104,824
5. Increases funding for temporary salaries related to risk management	$0	$20,000	$20,000

6. Changes the funding source for salaries and wages associated with the Facility Management Division from the general fund to special funds	($5,245,161)	$5,245,161	$0
7. Decreases funding for operating expenses primarily related to IT costs	($701,000)	($20,000)	($721,000)
8. Increases funding for a maintenance agreement associated with new budget software	$403,000	$0	$403,000
9. Adds funding for a maintenance agreement associated with new electronic procurement software	$152,000	$0	$152,000
10. Increases funding for Microsoft Office 365 licensing expenses	$8,505	$197	$8,702
11. Adds funding for the Capitol complex rental proposal	$488,055	$0	$488,055
12. Removes funding for the Emergency Commission contingency fund	($500,000)	$0	($500,000)
13. Reduces funding for bond payments	($2,610)	$0	($2,610)
14. Removes funding for grants related to boys' and girls' clubwork and the Council of State Employees	($54,000)	$0	($54,000)
15. Decreases funding for Prairie Public Broadcasting grants to provide a total of $1,020,000	($180,000)	$0	($180,000)
16. Decreases funding for community services supervision grants to provide a total of $297,500	($52,000)	$0	($52,000)
17. Adds **one-time funding** for a facility consolidation study	$350,000	$0	$350,000
18. Adds **one-time funding** from the Capitol building fund for special assessments associated with road work on Fourth Street adjacent to the Capitol grounds ($300,000), extraordinary repairs ($900,000), Capitol building automation ($518,800), and interior and exterior signage ($1,000,000)	$0	$2,718,800	$2,718,800
19. Adds **one-time funding** from bond proceeds for various state agency extraordinary repairs and building projects	$0	$137,100,000	$137,100,000
20. Adds **one-time funding** for electronic procurement software	$2,021,204	$0	$2,021,204
21. Adds **one-time funding** for state budgeting software	$1,230,100	$0	$1,230,100
22. Adds **one-time funding** for the state student internship program	$200,000	$0	$200,000
23. Transfers 2 FTE positions and $424,739 from ITD for a human resources services unification initiative, but the FTE positions and appropriation authority are not included in the budget (See the "Other Sections Recommended to be Added in the Executive Budget")	$0	$0	$0

The following is a comparison of funding from the general fund for statewide dues and memberships:

Statewide Dues and Memberships			
	2019-21 Biennium Legislative Budget	**2019-21 Biennium Revised Estimate**	**2021-23 Biennium Executive Budget**
Commission on Uniform State Laws (This budget includes travel costs, conference registration, and annual dues.)	$155,200	$148,000	$148,000
Council of State Governments	213,864	213,864	230,889
Western Governors' Association	72,000	79,200	79,200
National Governors Association	75,800	75,800	75,800
National Lieutenant Governors Association	2,000	2,000	2,000
Education Commission of the States	106,200	106,200	106,200
Western Interstate Commission for Higher Education[1]	0	0	0
Total dues and memberships	$625,064	$625,064	$642,089

[1]Funding for the Western Intrastate Commission for Higher Education is included in the higher education budget. The 2019-21 biennium budget included $294,000, and the 2021-23 biennium executive budget does not include funding for the dues.

Other Sections Recommended to be Added in the Executive Budget (As Detailed in the Attached Appendix)

Tax relief fund to social services finance fund - Section 3 would transfer $174,380,767 from the tax relief fund to the social services finance fund during the 2021-23 biennium.

2019-21 biennium legacy fund earnings - Section 4 would designate the 2019-21 biennium for the general fund ($335,630,000 and any additional legacy fund earnings), the common schools trust fund ($64,370,000), ITD's cybersecurity initiatives ($25,000,000), the unmanned aircraft systems fund ($27,000,000), the innovation loan fund to support technology advancement ($30,000,000), the housing incentive fund ($8,000,000), state park infrastructure ($10,000,000), the environmental quality restoration fund ($5,000,000), the state parks gift fund ($10,000,000), and the North Dakota University System challenge grant program ($10,000,000).

Bond proceeds - Section 5 would authorize the Office of Management and Budget (OMB) to transfer bond proceeds of $130.5 million for extraordinary repair projects to other state agencies.

State student internship program - Section 6 would authorize OMB to transfer student internship funding to other state agencies. Section 8 would allow 2019-21 biennium appropriation authority for the state student internship program to continue to be available in the 2021-23 biennium.

Fiscal management exemption - Section 7 would allow 2019-21 biennium appropriation authority for the Fiscal Management Division of OMB to continue to be available in the 2021-23 biennium.

Assessment of state lands and facilities exemption - Section 8 would allow 2019-21 biennium appropriation authority for the assessment of state lands and facilities to continue to be available in the 2021-23 biennium.

Grant and expense designations - Section 9 would identify the funding designated for statewide memberships and dues, unemployment insurance, and the Capitol Grounds Planning Commission.

State employee compensation adjustments - Section 10 would provide guidelines for an average salary increase of 2 percent to eligible state employees in 1st year and an average salary increase of 2 percent in the 2nd year of the 2021-23 biennium. Additional salary increases would be available if state agencies have savings in their current budget. Employees whose documented performance does not meet standards would not be eligible for compensation adjustments.

Infrastructure revolving loan fund - Section 11 would amend the infrastructure revolving loan fund to increase the loan limits; to allow additional types of infrastructure projects; to designate specific amounts from bond proceeds deposited in the fund for water projects, bridges, and other projects; and to require approval from the Department of Transportation and State Water Commission for certain projects.

Bonding authorization - Sections 12, 13, 14, 32, and 33 would authorize the Public Finance Authority to issue up to $1,250,000,000 of bonds, including $700,000,000 for the infrastructure revolving loan fund, $302,400,000 for state road and bridge projects, $30,500,000 for state park projects, $45,000,000 for career academies, $19,000,000 for higher education challenge grants, $137,100,000 for state building projects, $14,000,000 for a North Dakota State University agriculture center, and $2,000,000 to Dakota College at Bottineau for an Old Main renovation project.

Political subdivision bonding authority - Sections 15, 16, and 28 would allow political subdivisions to issue bonds for up to 30 years, rather than the current law limit of 20 years, and would authorize political subdivisions to use additional sources of mill levy authority to repay bonds.

Legacy fund earnings funds - Section 17 would create two new sections to North Dakota Century Code Chapter 21-10 relating to the deposit of legacy fund earnings for projects.

Emergency Commission borrowing authority - Sections 18 and 19 would amend Section 54-16-04 and create Section 54-16-04.4 to authorize the Emergency Commission to borrow from the Bank of North Dakota to address a state contingency.

Capitol complex rental program - Section 20 would amend Section 54-21-19 to authorize agency rental payments for space used on the Capitol grounds by agencies funded by appropriations from the general fund.

Shared services fund - Section 21 would create a new section to Chapter 54-27 to establish a shared services fund to allow state agencies to make payments to each other for shared services, including equipment, operating expenses, or salaries.

Budget stabilization fund limit - Section 22 would amend Section 54-27.2-01 to decrease the maximum balance of the budget stabilization fund from 15 to 10 percent of the most recent general fund budget.

Facility management operating fund - Section 23 would amend Section 54-44-11 to authorize OMB to create an operating fund for facility management operations to fund the operations of the Facility Management Division from the proposed Capitol complex rental program.

Political subdivision budgets - Section 24 would amend Section 54-44.1-18 to remove the requirement for OMB to publish political subdivision budgets to OMB's website if a political subdivision submits the budget to OMB.

Environmentally preferable products - Sections 25 and 26 would amend Sections 54-44.4-07 and 54-44.4-08 to remove the requirement to specify the amount of recycled content included in the items purchased by the state.

Business improvement projects - Section 27 would create Section 54-49-40 to authorize state agencies to borrow funds for business improvement projects if the projects are estimated to provide savings to the state agency within 6 years.

County deficiency borrowing - Section 29 would amend Section 57-47-02 to allow counties to borrow for up to 20 years, rather than the current 5-year limit, if the county tax levies are insufficient to pay mandatory expenses.

State share of oil and gas tax revenue allocations ("buckets") - Section 30 would increase the allocation of oil and gas tax revenues to the general fund by $100 million, from $400 million to $500 million, per biennium.

Transfer of water project loans - Section 31 would transfer loans for water projects held in an infrastructure revolving loan fund within the resources trust fund to the infrastructure revolving loan fund. Section 34 would transfer loans from the community water facility loan fund to the infrastructure revolving loan fund. Section 36 would repeal the community water facility loan fund and an infrastructure revolving loan fund within the resources trust fund.

Human resources services unification - Section 35 would provide for OMB to transfer 2 FTE positions and $424,739 from ITD for a human resources services unification initiative. Section 38 would make the transfer effective on July 1, 2022.

State Employee Compensation Commission - Section 37 would repeal Section 54-06-25 relating to the State Employee Compensation Commission.

State Personnel Board - Section 37 would repeal Section 54-44.3-03 to eliminate the State Personnel Board.

Deficiency Appropriation

House Bill No. 1025 provides a deficiency appropriation of $400,000 from the general fund for costs related to an election lawsuit.

Continuing Appropriations

Risk management fund - Chapter 32-12.2 - Risk fund used to timely settle claims and lawsuits.

Risk management workers' compensation fund - Section 65-04-03.1 - Provides workers' compensation for state employees.

Human Resource Management Services training fund - Section 54-44-11 - State personnel training and development operating fund.

Capitol building fund - Chapter 48-10 - Income and interest of the fund may be used for Capitol grounds projects approved by the Capitol Grounds Planning Commission. The continuing appropriation amount is limited to 50 percent of the unencumbered balance of the fund on the 1st day of the biennium subject to a maximum amount of $175,000.

Preliminary planning revolving fund - Section 54-27-22 - Preliminary planning revolving fund for state agencies to study and plan for capital projects.

Postage revolving fund - Chapter 48-06 - Used to purchase postage for postage machines in central mailroom.

Indigent civil legal services fund - Section 54-06-20 - Used for distributions to legal services programs that provide civil legal assistance to indigent individuals.

State purchasing operating fund - Section 54-44-11 - Used for the procurement and maintenance of an equipment and supply inventory for state agencies.

Significant Audit Findings

The operational audit for OMB conducted by the State Auditor's office during the 2019-20 interim identified a significant audit finding regarding a lack of oversight related to the alternative procurement process.

Major Related Legislation

House Bill No. 1030 - Appropriates $750,000 from the Capitol building fund to OMB for accessibility improvements on the state Capitol grounds.

House Bill No. 1057 - Increases the state's liability limits resulting in increased costs for the risk management fund.

House Bill No. 1058 - Consolidates the sick leave and annual leave sharing programs into one new leave sharing program.

Senate Bill No. 2129 - Increases the state's liability limits resulting in increased costs for the risk management fund.

Senate Bill No. 2146 - Appropriates $750,000 for the Capitol building fund to OMB for accessibility improvements on the state Capitol grounds.

Office of Management and Budget - Budget No. 110
House Bill No. 1015
Base Level Funding Changes

	Executive Budget Recommendation			
	FTE Positions	General Fund	Other Funds	Total
2021-23 Biennium Base Level	112.00	$32,915,852	$8,746,515	$41,662,367
2021-23 Ongoing Funding Changes				
Base payroll changes		$125,958	$2	$125,960
Salary increase		434,053	72,167	506,220
Retirement contribution increase		83,215	13,836	97,051
Health insurance increase		4,416	734	5,150
Transfers 4 FTE positions for IT unification	(4.00)			0
Adds funding for a human resource officer		110,869		110,869
Increases funding for procurement officers		104,824		104,824
Increases funding for temporary salaries			20,000	20,000
Changes funding source for the Facility Management Division		(5,245,161)	5,245,161	0
Decreases funding for operating expenses		(701,000)	(20,000)	(721,000)
Increases funding for budget software contract		403,000		403,000
Adds funding for procurement software contract		152,000		152,000
Increases funding for Microsoft Office 365 licensing expenses		8,505	197	8,702
Adds funding for the Capitol complex rent proposal		488,055		488,055
Removes funding for Emergency Commission contingency fund		(500,000)		(500,000)
Reduces funding for bond payments		(2,610)		(2,610)
Removes funding for grants		(54,000)		(54,000)
Decreases funding for Prairie Public Broadcasting		(180,000)		(180,000)
Decreases funding for community services supervision grants		(52,500)		(52,500)
Total ongoing funding changes	(4.00)	($4,820,376)	$5,332,097	$511,721
One-time funding items				
Adds one-time funding for a facility consolidation study		$350,000	$0	$350,000
Adds one-time funding for special assessments (Capitol building fund)			300,000	300,000
Adds one-time funding for extraordinary repairs (Capitol building fund)			900,000	900,000
Adds one-time funding for building automation (Capitol building fund)			518,800	518,800
Adds one-time funding for signage (Capitol building fund)			1,000,000	1,000,000
Adds one-time funding for various building projects (bond proceeds)			137,100,000	137,100,000
Adds one-time funding for procurement software		2,021,204	0	2,021,204
Adds one-time funding for budget software		1,230,100	0	1,230,100
Adds one-time funding for the state student internship program		200,000	0	200,000
Total one-time funding changes	0.00	$3,801,304	$139,818,800	$143,620,104
Total Changes to Base Level Funding	(4.00)	($1,019,072)	$145,150,897	$144,131,825
2021-23 Total Funding	108.00	$31,896,780	$153,897,412	$185,794,192
Total ongoing changes as a percentage of base level	*(3.6%)*	*(14.6%)*	*61.0%*	*1.2%*
Total changes as a percentage of base level	*(3.6%)*	*(3.1%)*	*1659.5%*	*346.0%*

Other Sections in Office of Management and Budget - Budget No. 110

	Executive Budget Recommendation
Tax relief fund to social services finance fund	Section 3 would transfer $174,380,767 from the tax relief fund to the social services finance fund during the 2021-23 biennium.

Other Sections in Office of Management and Budget - Budget No. 110

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Emergency Commission borrowing authority	Sections 18 and 19 would amend Section 54-16-04 and create Section 54-16-04.4 to authorize the Emergency Commission to borrow from the Bank of North Dakota to address a state contingency.

Other Sections in Office of Management and Budget - Budget No. 110

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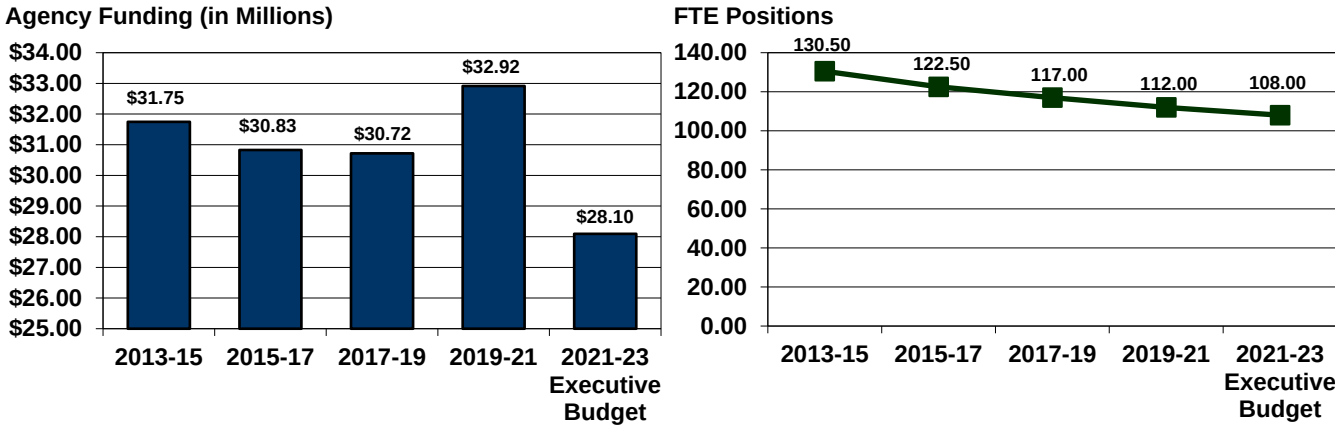
Department 110 - Office of Management and Budget

Historical Appropriations Information

Ongoing General Fund Appropriations Since 2013-15



Ongoing General Fund Appropriations					
	2013-15	2015-17	2017-19	2019-21	2021-23 Executive Budget
Ongoing general fund appropriations	$31,746,688	$30,826,724	$30,720,260	$32,915,852	$28,095,476
Increase (decrease) from previous biennium	N/A	($919,964)	($106,464)	$2,195,529	($4,820,376)
Percentage increase (decrease) from previous biennium	N/A	(2.9%)	(0.3%)	7.1%	(14.6%)
Cumulative percentage increase (decrease) from 2013-15 biennium	N/A	(2.9%)	(3.2%)	3.7%	(11.5%)

Major Increases (Decreases) in Ongoing General Fund Appropriations

2015-17 Biennium

1. Decreased funding for operating expenses ($150,003)
2. Added funding for community supervision grants $125,000
3. Reduced funding for salaries and wages ($230,000), operating expenses ($351,525), the Emergency Commission contingency fund ($200,000), and Prairie Public Broadcasting ($100,000) related to the August 2016 budget reductions ($881,525)

2017-19 Biennium

1. Adjusted funding for FTE positions, including the removal of 1.5 FTE administrative assistant positions, 1 FTE maintenance position, 1 FTE computer and networking specialist position, 1 FTE facility construction engineer, and 1 FTE human resource officer position ($862,713)
2. Adjusted funding for operating expenses $171,178
3. Increased funding for the Emergency Commission contingency fund $100,000
4. Added funding for extraordinary repairs and bond payments $773,477
5. Removed funding for community service supervision grants ($500,000) and reduces funding for other grants ($1,000) ($501,000)
6. Reduced funding for Prairie Public Broadcasting from $1,600,000 to $1,200,000 ($400,000)
7. Removed funding for the state student internship program ($200,000)
8. Added funding for community service supervision grants $350,000

2019-21 Biennium

1. Removed 5 FTE positions, including 3 FTE custodian positions and 2 FTE system mechanic positions ($560,182)
2. Underfunded salaries and wages for anticipated savings from vacant positions and employee turnover ($210,252)
3. Added funding to reclassify positions ($560,678) and for temporary employees ($56,400) $617,078
4. Reduced funding for IT and maintenance costs ($588,483)

5.	Added funding for contract custodians ($640,000), utility costs ($427,650), state accounting software and an employee onboarding project ($483,360), Microsoft Office 365 licensing expenses ($77,308), and statewide memberships and dues ($93,614)	$1,700,208
6.	Reduced funding for the Emergency Commission contingency fund to provide total funding of $500,000	($100,000)
7.	Reduced funding for bond payments to provide total funding of $567,125	($206,352)
8.	Increased funding for guardianship grants by $621,400, from $1,328,600 to $1,950,000	$621,400

2021-23 Biennium (Executive Budget Recommendations)

1.	Adds funding for a human resources officer	$110,869
2.	Increases funding for procurement officers	$104,824
3.	Changes the funding source for salaries and wages associated with the Facility Management Division from the general fund to special funds	($5,245,161)
4.	Decreases funding for operating expenses primarily related to IT costs	($701,000)
5.	Increases funding for a maintenance agreement associated with new budget software	$403,000
6.	Adds funding for a maintenance agreement associated with new electronic procurement software	$152,000
7.	Increases funding for Microsoft Office 365 licensing expenses	$8,505
8.	Adds funding for the Capitol complex rental proposal	$488,055
9.	Removes funding for the Emergency Commission contingency fund	($500,000)
10.	Reduces funding for bond payments	($2,610)
11.	Removes funding for grants related to boys' and girls' clubwork and the Council of State Employees	($54,000)
12.	Decreases funding for Prairie Public Broadcasting grants to provide a total of $1,020,000	($180,000)
13.	Decreases funding for community services supervision grants to provide a total of $297,500	($52,000)

GOVERNOR'S RECOMMENDATION FOR THE OFFICE OF MANAGEMENT AND BUDGET AS SUBMITTED BY THE OFFICE OF MANAGEMENT AND BUDGET

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the office of management and budget for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and Wages	$21,903,816	$ 123,527	$ 22,027,343
Operating Expenses	14,937,426	1,827,304	16,764,730
Contingency Fund	500,000	(500,000)	0
Capital Assets	767,125	142,767,494	143,534,619
Grants	54,000	(54,000)	0
Guardianship Grants	1,950,000	0	1,950,000
Community Service Grants	350,000	(52,500)	297,500
Prairie Public Broadcasting	1,200,000	(180,000)	1,020,000
State Student Internship	0	200,000	200,000
Total All Funds	$41,662,367	$144,131,825	$185,794,192
Less Estimated Income	8,746,515	145,150,897	153,897,412
Total General Fund	$32,915,852	($1,019,072)	$ 31,896,780
Full-time Equivalent Positions	112.00	(4.00)	108.00

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty- sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

One-Time Funding Description	2019-21	2021-23
Capitol South Entrance	$2,000,000	$ 0
Central Services Study	50,000	0
Special Assessments	320,000	300,000
Extraordinary Repairs	1,900,000	900,000
IT Risk Project	170,000	0
Real Estate Plan	500,000	0
Student Internship	250,000	200,000
Litigation Pool	3,500,000	0
State Budget System	0	1,230,100
Building Automation Upgrade	0	518,800
Facility Consolidation Study	0	350,000
Exterior/Interior Wayfinding Signs	0	1,000,000
Bonding Package	0	137,100,000
e-Procurement Software	0	2,021,204
Total All Funds	$8,690,000	$143,620,104
Total Special Funds	8,390,000	139,818,800
Total General Fund	$ 300,000	$ 3,801,304

The 2021-23 one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The office of management and budget shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021 and ending June 30, 2023.

SECTION 3. TRANSFER - TAX RELIEF FUND TO SOCIAL SERVICES FINANCE FUND. The office of management and budget shall transfer the sum of $174,380,767, or so much of the sum as may be necessary, from the tax relief fund to the social services financing fund during the biennium beginning July 1, 2021 and ending June 30, 2023.

SECTION 4. TRANSFER – LEGACY FUND EARNINGS. The office of management and budget shall transfer legacy fund earnings, transferred to the general fund at the end of the 2019-21 biennium in accordance with section 26 of article X of the Constitution of North Dakota, as follows:

1. First $100,000,000 to the general fund
2. Next $64,370,000 to the common school trust fund
3. Next $235,630,000 to the general fund
4. Next $25,000,000 to North Dakota information technology for statewide cyber security
5. Next $27,000,000 to unmanned aircraft systems fund
6. Next $30,000,000 to innovation loan fund to support technology advancement
7. Next $8,000,000 to the housing incentive fund
8. Next $10,000,000 to state parks for infrastructure upgrades
9. Next $5,000,000 to the environmental quality restoration fund
10. Next $10,000,000 to the state parks gift fund
11. Next $10,000,000 to North Dakota university system for the challenge grant program
12. Any remaining amounts to the general fund

SECTION 5. TRANSFER – BONDING PROCEEDS TO STATE AGENCIES - APPROPRIATION. The office of management and budget shall transfer up to $130,500,000 appropriated in section 1 of this Act to eligible state agencies for the purpose of completing extraordinary repair projects identified in the 2019 facilities study. Any amounts transferred pursuant to this section are hereby appropriated.

SECTION 6. STATE STUDENT INTERNSHIP PROGRAM. The office of management and budget may transfer funds from the state student internship program line item appropriated in section 1 of this Act to eligible state agencies for student internships during the biennium beginning July 1, 2021 and ending June 30, 2023.

SECTION 7. EXEMPTION. The amount appropriated for the fiscal management division, as contained in section 1 of chapter 40 of the 2019 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for continued development and operating costs of the statewide systems including accounting, management, and payroll, during the biennium beginning July 1, 2021 and ending June 30, 2023.

SECTION 8. EXEMPTION. The amounts appropriated for the real estate study in the operating line and the student internship program in the student internship line, as contained in section 1 of chapter 40 of the 2019 Session Laws, are not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for the continuation of those projects during the biennium beginning July 1, 2021 and ending June 30, 2023.

SECTION 9. INTENT. Within the authority included in section 1 of this Act are the following grants and special items:

State Memberships and Related Expenses	$ 531,304
Unemployment Insurance	$1,800,000
Capitol Grounds Planning Commission	$ 25,000

SECTION 10. STATE EMPLOYEE COMPENSATION ADJUSTMENT - GUIDELINES.

1. The 2021-23 biennium compensation adjustments for permanent state employees are to average 2 percent for each year of the 2019-21 biennium and are to be based on documented performance.

2. Agencies may use salaries and wages funding available due to vacant positions and employee turnover to provide additional salary increases for selected employees to address salary compression issues or to enhance merit-based increases for employees essential to the effective operations of the agency. The biennial cost of any additional salary increases must be within the agency's current salaries and wages funding level. An agency may not request any additional funding for the 2023-25 biennium to continue the additional salary increases.
3. The office of management and budget shall develop guidelines for use by state agencies for providing compensation adjustments for regular classified employees. The guidelines must follow the compensation philosophy statement under section 54-44.2-01.2.
4. Probationary employees are not entitled to the salary increase. However, at the discretion of the appointing authority, probationary employees may be given all or a portion of the increase effective in July, paid in August, or upon completion of probation. Employees whose overall documented performance level does not meet standards are not eligible for any salary increase.

SECTION 11. AMENDMENT. Section 6-09-49 of the North Dakota Century Code is amended and reenacted as follows:

6-09-49. ~~Infrastructure revolving loan fund - Continuing appropriation.~~

1. ~~The infrastructure revolving loan fund is a special fund in the state treasury from which the Bank of North Dakota shall provide loans to political subdivisions for essential infrastructure projects. The Bank shall administer the infrastructure revolving loan fund. The maximum term of a loan made under this section is thirty years. A loan made from the fund under this section must have an interest rate that does not exceed two percent per year.~~
2. ~~For purposes of this section, "essential infrastructure projects" means capital construction projects for the following:~~
   ~~a. New or replacement of existing water treatment plants;~~
   ~~b. New or replacement of existing wastewater treatment plants;~~
   ~~c. New or replacement of existing sewer lines and water lines; and~~
   ~~d. New or replacement of existing storm water and transportation infrastructure, including curb and gutter construction.~~
3. ~~In processing political subdivision loan applications under this section, the Bank shall calculate the maximum loan amount for which a qualified applicant may qualify, not to exceed fifteen million dollars per loan. The Bank shall consider the applicant's ability to repay the loan when processing the application and shall issue loans only to applicants that provide reasonable assurance of sufficient future income to repay the loan.~~

   ~~4. The Bank shall deposit in the infrastructure revolving loan fund all payments of interest and principal paid under loans made from the infrastructure revolving loan fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay for administrative costs which may not exceed one-half of one percent of the amount of the interest payment. All moneys transferred to the fund, interest upon moneys in the fund, and payments to the fund of principal and interest are appropriated to the Bank on a continuing basis for administrative costs and for loan disbursement according to this section.~~
5. ~~The Bank may adopt policies and establish guidelines to administer this loan program in accordance with the provisions of this section and to supplement and leverage the funds in the infrastructure revolving loan fund. Additionally, the Bank may adopt policies allowing participation by local financial institutions.~~

Infrastructure evolving loan fund - Bank of North Dakota - Continuing appropriation.

1. The infrastructure revolving loan fund is a special fund in the state treasury administered by the Bank of North Dakota. The Bank shall use moneys in the fund to provide loans to political subdivisions for eligible infrastructure projects pursuant to subsections 6, 7 and 8.
2. The Bank may adopt policies and establish guidelines to administer the loan program in accordance with this section, including policies to supplement and leverage the moneys in the fund and policies to allow participation by local financial institutions. A loan made from the fund must have an interest rate that does not exceed two percent per year. The maximum term of a loan for an infrastructure project under subsection 6 is thirty years or the useful life of the

project, and the maximum term for a loan for an infrastructure project under Subsections 7 and 8 is forty years or the useful life of the project.

3. All principal and interest payments received on loans made from the infrastructure revolving loan fund must be deposited into the fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay administrative costs, which may not exceed one-half of one percent of the amount of the interest payment. All moneys transferred to the fund, interest upon moneys in the fund, and payments to the fund of principal and interest are appropriated to the Bank on a continuing basis for administrative costs and for loan disbursement according to this section.
4. An applicant shall issue an evidence of indebtedness as authorized by law.
5. In processing loan applications under this section, the Bank shall calculate the maximum loan amount available to a qualified applicant. Each applicant may have up to forty million dollars of outstanding loans from the fund for infrastructure projects under subsection 6. The Bank shall consider the ability of the applicant to repay the loan when processing the application and shall issue loans only to applicants that provide reasonable assurance of sufficient future income to repay the loan.
6. Eligible infrastructure projects are capital construction projects to construct new infrastructure or to replace existing infrastructure, which provide the fixed installations necessary for the function of a political subdivision and are in the public interest. Capital construction projects exclude routine maintenance and repair projects, but include the following:
   a. Water treatment plants;
   b. Wastewater treatment plants;
   c. Sewer lines and water lines, including lift stations and pumping systems;
   d. Water storage systems, including dams, water tanks, and water towers;
   e. Storm water infrastructure, including curb and gutter construction;
   f. Road and bridge infrastructure, including paved and unpaved roads and bridges;
   g. Airport infrastructure;
   h. Electricity transmission infrastructure;
   i. Natural gas transmission infrastructure; j. Communications infrastructure;
   k. Emergency services facilities, excluding hospitals; and
   l. Essential political subdivision buildings and infrastructure.
7. The department of transportation shall approve county road and bridge projects. The department of transportation may adopt policies for the review and approval of loans under this section.
8. The State Water Commission shall review and approve eligible projects to construct new water- related infrastructure or to replace existing water-related infrastructure, which provide the fixed installations necessary for the function of a political subdivision and are in the public interest. The state water commission may adopt policies for the review and approval of loans under this section. Capital construction projects exclude routine maintenance and repair projects, but include the following:
   a. Flood control;
   b. Conveyance projects; c. Rural water supply;
   d. Water supply; and
   e. General water management.
9. Section 32 of this Act authorizes the North Dakota Public Finance Authority to bond for up to $700,000,000 to support the infrastructure revolving loan fund. Of this amount $450,000,000 is allocated to loans for flood control, water supply and water management; $200,000,000 is allocated to loans for infrastructure projects and $50,000,000 is allocated to loans to support the construction and renovation of bridges under the jurisdiction of North Dakota counties.

SECTION 12. AMENDMENT. Section 6-09.4-06 of the North Dakota Century Code is amended and reenacted as follows:

6-09.4-06. Lending and borrowing powers generally.

1. The public finance authority may lend money to political subdivisions or other contracting parties through the purchase or holding of municipal securities which, in the opinion of the attorney general, are properly eligible for purchase or holding by the public finance authority under this chapter or chapter 40-57 and for purposes of the public finance authority's capital financing program the principal amount of any one issue does not exceed five hundred thousand dollars. However, the public finance authority may lend money to political subdivisions through the purchase of securities issued by the political subdivisions through the capital financing program without regard to the principal amount of the bonds issued, if the industrial commission approves a resolution that authorizes the public finance authority to purchase the securities. The capital financing program authorizing resolution must state that the industrial commission has determined that private bond markets will not be responsive to the needs of the issuing political subdivision concerning the securities or, if it appears that the securities can be sold through private bond markets without the involvement of the public finance authority, the authorizing resolution must state reasons for the public finance authority's involvement in the bond issue. The public finance authority may hold such municipal securities for any length of time it finds to be necessary. The public finance authority, for the purposes authorized by this chapter or chapter 40-57, may issue its bonds payable solely from the revenues available to the public finance authority which are authorized or pledged for payment of public finance authority obligations, and to otherwise assist political subdivisions or other contracting parties as provided in this chapter or chapter 40-57.
2. The public finance authority may grant or transfer money as follows:
   a. To the Bank of North Dakota:
      i. Under terms and conditions requiring the Bank to use the proceeds to make loans for agricultural improvements that qualify for assistance under the revolving loan fund program established ~~by~~ under chapter 61-28.2; and
      ii. Under terms and conditions requiring the Bank to use the grants to make loans for infrastructure projects that qualify for assistance under the infrastructure revolving loan fund established under section 6-09-49
   b. To other agencies as authorized by the legislative assembly.
3. Bonds Issues for this purpose are payable in each biennium solely from amounts the legislative assembly may appropriate for debt service for any biennium or from a reserve fund established for the bonds, if necessary, or from the sinking fund established in section 17 of this Act. This section may not be construed to require the state to appropriate funds sufficient to make debt service payments with respect to the bonds or replenish a related reserve fund. The bonds are not a debt of the Bank or the state, and the full faith, credit, and taxing powers of the state are not pledged to the payment of the bonds. In addition to granting funds to the Bank, or other agencies as identified in subsection 2, the public finance authority may use the bond proceeds to pay the costs of issuance of the bonds and establish a reserve fund for the bonds, if necessary.
4. Bonds of the public finance authority issued under this chapter or chapter 40-57 are not in any way a debt or liability of the state and do not constitute a loan of the credit of the state or create any debt or debts, liability or liabilities, on behalf of the state, or constitute a pledge of the faith and credit of the state, but all such bonds are payable solely from revenues pledged or available for their payment as authorized in this chapter. Each bond must contain on its face a statement to the effect that the public finance authority is obligated to pay such principal or interest, and redemption premium, if any, and that neither the faith and credit nor the taxing power of the state is pledged to the payment of the principal of or the interest on such bonds. Specific funds pledged to fulfill the public finance authority's obligations are obligations of the public finance authority.
5. All expenses incurred in carrying out the purposes of this chapter or chapter 40-57 are payable solely from revenues or funds provided or to be provided under this chapter or chapter 40-57 and nothing in this chapter may be construed to authorize the public finance authority to incur any indebtedness or liability on behalf of or payable by the state.

SECTION 13. AMENDMENT. Section 6-09.4-10 of the North Dakota Century Code is amended and reenacted as follows:

6-09.4-10. Reserve fund.

1. The public finance authority, if deemed necessary, shall establish and maintain a reserve fund in which there must be deposited all moneys appropriated by the state for the purpose of the fund, all proceeds of bonds required to be deposited therein by terms of any contract between the public finance authority and its bondholders or any resolution of the public finance authority with respect to the proceeds of bonds, any other moneys or funds of the public finance authority which it determines to deposit therein, any contractual right to the receipt of moneys by the public finance authority for the purpose of the fund, including a letter of credit or similar instrument, and any other moneys made available to the public finance authority only for the purposes of the fund from any other source or sources. Moneys in the reserve fund must be held and applied solely to the payment of the interest on and the principal of bonds and sinking fund payments as the same become due and payable and for the retirement of bonds, including payment of any redemption premium required to be paid when any bonds are redeemed or retired prior to maturity. Moneys in the reserve fund may not be withdrawn therefrom if the withdrawal would reduce the amount in the reserve fund to an amount less than the required debt service reserve, except for payment of interest then due and payable on bonds and the principal of bonds then maturing and payable and sinking fund payments and for the retirement of bonds in accordance with the terms of any contract between the public finance authority and its bondholders and for the payments on account of which interest or principal or sinking fund payments or retirement of bonds, other moneys of the public finance authority are not then available in accordance with the terms of the contract. The required debt service reserve must be an aggregate amount equal to at least the largest amount of money required by the terms of all contracts between the public finance authority and its bondholders to be raised in the then current or any succeeding calendar year for the payment of interest on and maturing principal of outstanding bonds and sinking fund payments required by the terms of any contracts to sinking funds established for the payment or redemption of the bonds.
2. If the establishment of the reserve fund for an issue or the maintenance of an existing reserve fund at a required level under this section would necessitate the investment of all or any portion of a new reserve fund or all or any portion of an existing reserve fund at a restricted yield, because to not restrict the yield may cause the bonds to be taxable under the Internal Revenue Code, then at the discretion of the public finance authority no reserve fund need be established prior to the issuance of bonds or the reserve fund need not be funded to the levels required by other subsections of this section or an existing reserve fund may be reduced.
3. No bonds may be issued by the public finance authority unless there is in the reserve fund the required debt service reserve for all bonds then issued and outstanding and the bonds to be issued. Nothing in this chapter prevents or precludes the public finance authority from satisfying the foregoing requirement by depositing so much of the proceeds of the bonds to be issued, upon their issuance, as is needed to achieve the required debt service reserve. The public finance authority may at any time issue its bonds or notes for the purpose of providing any amount necessary to increase the amount in the reserve fund to the required debt service reserve, or to meet such higher or additional reserve as may be fixed by the public finance authority with respect to such fund.
4. In order to assure the maintenance of the required debt service reserve, there shall be appropriated by the legislative assembly and paid to the public finance authority for deposit in the reserve fund, such sum, if any, as shall be certified by the industrial commission as necessary to restore the reserve fund to an amount equal to the required debt service reserve. However, the commission may approve a resolution for the issuance of bonds, as provided by section 6-09.4-06, which states in substance that this subsection is not applicable to the required debt service reserve for bonds issued under that resolution.
5. If the maturity of a series of bonds of the public finance authority is three years or less from the date of issuance of the bonds, the public finance authority may determine that no reserve fund need be established for that respective series of bonds. If such a determination is made, holders of that respective series of bonds may have no interest in or claim on existing reserve funds established for the security of the holders of previously issued public finance authority bonds and may have no interest in or claim on reserve funds established for the holders of

subsequent issues of bonds of the public finance authority.

6. The industrial commission may determine ~~that~~ this section is inapplicable in whole or in part for bonds ~~issued under~~ section as follows:
   a. Under section 32 of this Act ~~6-09.4-06~~;
   b. Under section 6-09.4-24; or ~~under~~
   c. Under the public finance authority's state revolving fund program.

SECTION 14. Section 6-09.4-28 of the North Dakota Century Code is created and enacted as follows:

6-09.4-28. Debt service requirements - Infrastructure revolving loan fund. Each biennium, the public finance authority shall make debt service payments from the legacy bond sinking fund, or from other funds appropriated by the legislative assembly, for evidences of indebtedness issued by the authority to support the infrastructure revolving loan fund and other infrastructure grants and projects.

SECTION 15. AMENDMENT. Subsection 6 of section 21-03-07 of the North Dakota Century Code is amended and reenacted as follows:

6. The governing body of any county may also by resolution adopted by a two-thirds vote dedicate the tax levy authorized by section 57-15-06.6 and subsection 5 of section 57-15-06.7 and may authorize and issue general obligation bonds to be paid by the dedicated levy for the ~~purpose of providing funds for the purchase, construction, reconstruction, or repair of regional or county correction centers, or parks and recreational facilities~~ purposes identified under section 57-15-06.6 and subsection 5 of section 57-15-06.7; provided, that the initial resolution authorizing the tax levy dedication and general obligation bonds must be published in the official newspaper, and any owner of taxable property within the county may, within sixty days after publication, file with the county auditor a protest against the adoption of the resolution. Protests must be in writing and must describe the property which is the subject of the protest. If the governing body finds such protests to have been signed by the owners of taxable property having an assessed valuation equal to five percent or more of the assessed valuation of all taxable property within the county, as theretofore last finally equalized, all further proceedings under the initial resolution are barred.

SECTION 16. AMENDMENT. Section 21-03-19 of the North Dakota Century Code is amended and reenacted as follows:

21-03-19. Bonds - Terms. Bonds issued under this chapter must be authorized by resolution, bear such date or dates, be in such denomination or denominations, be in such form, be subject to redemption with or without premium, and be subject to such other terms or conditions as in the judgment of the municipality are in the public interest of the municipality, and must provide that the last installment of principal falls due not more than twenty years from the date of the bonds or not more than thirty years for bonds sold to the entities under section 21-03-30. The requirements of this section apply to each new issue of bonds, or if so determined by the governing body, to the bonds of a new issue combined with all of the outstanding bonds of one or more designated issues of bonds previously issued and similarly payable from taxes or other sources of revenues, or both, as the case may be.

SECTION 17. Two new sections to chapter 21-10 of the North Dakota Century Code are created and enacted as follows:

Legacy fund earnings funds – Continuing appropriation. There is hereby created in the state treasury the following special funds which shall be used for the deposit of legacy fund earnings pursuant to this chapter.

1. Economic diversification and strategic initiatives fund. Moneys in the fund may be appropriated for programs and initiatives that support economic diversification, community development and strategic initiatives, expand and develop new businesses and industries, and build healthy and vibrant communities.
2. Research and innovation fund. Moneys in the fund may be appropriated for programs and

initiatives that support research and innovation in higher education and the private sector, support the commercialization of products, and advance new technology to support industries in North Dakota.

3. Government transformation fund. Moneys in the fund may be appropriated for programs and initiatives that transform the delivery of government services, make government more effective and efficient, and reduce ongoing expenses for state government.
4. Legacy projects fund. Moneys in the fund may be appropriated for projects that:
   a. Have a positive impact on current and future generations of North Dakotan's.
   b. Have a positive impact on the state, region, or nation.
   c. Leverage other financial resources and have a positive return on investment.
   d. Do not add ongoing operational costs for state government.
   e. Build and strengthen communities.
   f. Diversify the North Dakota economy.
5. Legacy bond sinking fund. Moneys in the fund are hereby appropriated as a continuing appropriation to the public finance authority for the payment of debt service on any evidences of indebtedness payable from the legacy bond sinking fund.

Legacy fund earnings transfer. Legacy fund earnings transferred to the general fund at the end of each biennium in accordance with section 26 of article X of the Constitution of North Dakota shall immediately be transferred as follows:

1. Twenty percent to the economic diversification and strategic initiatives fund.
2. Ten percent to the research and innovation fund.
3. Ten percent to the government transformation fund.
4. Twenty percent to the legacy projects fund.
5. Forty percent to the legacy bond sinking fund.

SECTION 18. AMENDMENT. Section 54-16-04 of the North Dakota Century Code is amended and reenacted as follows:

54-16-04. May order transfer of moneys between funds - Line item transfers – Order may draw from state treasury. The emergency commission, upon the advice of the office of management and budget, may order money or spending authority transferred from one fund or line item to another fund or line item belonging to or appropriated for the same institution or board or the same state enterprise, may order a transfer of spending authority from the state contingencies appropriation, may order borrowing from the Bank of North Dakota pursuant to section 54-16-04.4, or, in an extremity, may authorize money to be drawn from the state treasury to meet the emergency until the legislative assembly can make an appropriation available. The following transfers, if authorized by the emergency commission, require the approval of the budget section of the legislative management:

1. A transfer of moneys or spending authority which would eliminate or make impossible the accomplishment of a program or objective funded by the legislative assembly.
2. A transfer exceeding fifty thousand dollars from one fund or line item to another fund or line item, unless the transfer is necessary to comply with a court order or to avoid:
   a. An imminent threat to the safety of people or property due to a natural disaster or war crisis; or
   b. An imminent financial loss to the state.

SECTION 19. Section 54-16-04.4 of the North Dakota Century Code is created and enacted as follows:

54-16-04.4. Authority to borrow funds. The emergency commission, upon the advice of the office of management and budget, may authorize the office of management and budget to borrow moneys from the Bank of North Dakota for state contingencies as provided in this chapter. Moneys borrowed from the Bank of North Dakota pursuant to this section may not exceed one million dollars during any state biennial period. Moneys borrowed pursuant to this section may be transferred by the office of management and budget to the state agency, board, commission, or officer requesting the funding to address a state contingency as approved by the emergency commission. Any state agency, board, commission, or officer receiving moneys pursuant to this section must return any unspent moneys within the biennium in which it was authorized. The office of management and budget shall request from the legislative assembly a

deficiency appropriation sufficient for the repayment of the amount borrowed plus interest.

SECTION 20. MENDMENT. Section 54-21-19 of the North Dakota Century Code is amended and reenacted as follows:

54-21-19. Director to furnish supplies and maintain capitol, state offices, and executive mansion - Authority to charge for services. The director of the office of management and budget shall provide all necessary fuel, electricity, insurance, janitorial, and other services necessary to maintain the state offices on the capitol grounds as well as all necessary furniture, fuel, electricity, express, freight, drayage, and all other necessary supplies for the executive mansion and the capitol grounds and shall make all necessary repairs. The purchases must be in accordance with chapter 54-44.4. The director shall charge an amount equal to the fair value of the office space and other services rendered to all departments ~~that receive and expend moneys from other than the general fund~~, except that for good cause the amounts charged may be waived by the director for a one-year period of time with the waiver subject to further annual renewals after proper application has been filed with the director.

SECTION 21. A new section to chapter 54-27 of the North Dakota Century Code is created and enacted as follows:

Shared services fund – Creation – Appropriation. There is created in the state treasury a state shared services fund. Any payment to a state agency or institution received from another state agency or institution as a result of a shared services agreement must be deposited in the state shared services fund. Any moneys deposited by a state agency or institution in the state shared services fund are hereby appropriated to that agency or institution for the purposes of defraying the costs of equipment, operating expenses, or salaries relating to the shared services agreement.

SECTION 22. AMENDMENT. Section 54-27.2-01 of the North Dakota Century Code is amended and reenacted as follows:

54-27.2-01. Budget stabilization fund. The budget stabilization fund is a special fund in the state treasury. The state investment board shall supervise investment of the budget stabilization fund in accordance with chapter 21-10. Any interest or other budget stabilization fund earnings must be credited to the fund. Any amounts provided by law for deposit in the fund and any interest or earnings of the fund which would bring the balance in the fund at the end of any fiscal year to an amount greater than ~~fifteen~~ten percent of the current biennial state general fund budget, as finally approved by the most recently adjourned special or regular session of the legislative assembly, may not be deposited in or credited to the fund but must be deposited instead in the state general fund.

SECTION 23. AMENDMENT. Section 54-44-11 of the North Dakota Century Code is amended and reenacted as follows:

54-44-11. Office's operating funds creation - Continuing appropriation.

1. The office of management and budget shall establish a state purchasing operating fund to be used for the procurement and maintenance of an inventory of equipment and supplies for the state departments and agencies. Funds in the state purchasing operating fund are appropriated on a continuing basis and may be spent by the office of management and budget for the procurement and maintenance of an inventory of equipment and supplies as provided in this subsection. The director of the office of management and budget shall transfer any unobligated balance in the fund, in excess of one hundred twenty-five thousand dollars, to the state general fund at the end of each fiscal year.
2. The office of management and budget shall establish a state printing operating fund to be used for the procurement and maintenance of an inventory of printing equipment and supplies for the state departments and agencies.
3. The office of management and budget shall establish a state personnel training and development operating fund to be used for the coordination of employee training and career development data, supplies, equipment, and services and for providing or arranging necessary training and development programs to state departments and agencies. Funds in the state personnel training and development operating fund are appropriated on a continuing basis to

the office of management and budget and may be spent for the purposes identified in this subsection. Any surplus in this fund in excess of twenty-five thousand dollars on June thirtieth of each year must be transferred to the state general fund.

4. The office of management and budget shall establish a facility management operating fund to be used for the salary and operations of the division of facility management. Rental fees collected pursuant to section 54-21-19 shall be deposited into the fund. The director of the office of management and budget shall transfer any unobligated balance in the fund to the state general fund at least once each biennium.

~~4~~5. Each office, agency, or institution provided with printing or personnel training services, unless exempted by law, shall pay to the office of management and budget a proportionate share of the cost of such service as determined by the director of the office of management and budget, based on actual costs and actual usage. The amounts paid to the office of management and budget by the various offices, agencies, and institutions must be deposited in the appropriate operating fund and must be expended in accordance with legislative appropriations.

SECTION 24. AMENDMENT. Section 54-44.1-18 of the North Dakota Century Code is amended and reenacted as follows:

54-44.1-18. Searchable database of expenditures.

1. The director of the budget shall develop and make publicly available an aggregate and searchable budget database website that includes the following information for the biennium:
   a. Each budget unit making expenditures.
   b. The amount of funds expended.
   c. The source of the funds expended.
   d. The budget program of the expenditure.
   e. Any other information determined relevant by the director of the budget.
2. The director of the budget shall include the name and city of the recipient of each expenditure in the budget database website after the director has completed implementation of a business intelligence component to the state's financial reporting system.
3. The director of the budget may not include in the database any information that is confidential or exempt under state or federal law.
4. The director of the budget may update the budget database website as new data becomes available. Each state agency shall provide to the director of the budget any data required to be included in the budget database website no later than thirty days after the data becomes available to the agency.
5. By January first of each even-numbered year, the director of the budget shall add data for the previous biennium to the budget database website. The director of the budget shall ensure that all data added to the budget database website remains accessible to the public for a minimum of ten years.
6. The budget database website may not redirect users to any other government website unless the website has information from all budget units and each category of information required can be searched electronically by field in a single search.
7. ~~The governing body of each political subdivision may submit the annual budget adopted by the governing body to the director of the budget. The director of the budget shall include on the office of management and budget website any information submitted by a participating governing body of a political subdivision. The official who submits the annual budget to the director of the budget may not submit any information that is confidential under state or federal law. In lieu of submitting the annual budget adopted by the governing body to the director, any participating governing body may provide to the director a publicly accessible internet link on which the annual budget adopted by the participating governing body is available.~~

SECTION 25. AMENDMENT. Section 54-44.4-07 of the North Dakota Century Code is amended and reenacted as follows:

54-44.4-07. Procurement of environmentally preferable products.

1. The office of management and budget, the institutions of higher education, and any other state agency or institution that has authority to purchase products are encouraged to purchase environmentally preferable products.
   a. Where practicable, specifications for purchasing newsprint printing services should specify

the use of soybean-based ink. The North Dakota soybean council and the agriculture commissioner shall assist the office of management and budget in locating suppliers of soybean-based inks and in collecting data on the purchase of soybean-based inks.

b. ~~In requesting bids for paper products, the office of management and budget must request information on the recycled content of such products.~~

~~c~~b. Where practicable, biobased products should be specified.

2. The office of management and budget, in coordination with the state board of higher education, shall develop guidelines for a biobased procurement program.

SECTION 26. AMENDMENT. Section 54-44.4-08 of the North Dakota Century Code is amended and reenacted as follows:

54-44.4-08. Purchase of recycled paper products. Where practicable,t~~T~~he office of management and budget, and any state agency or institution that has authority to purchase ~~products, shall ensure that at least twenty percent of the total volume of~~ paper and paper products ~~being purchased for state agencies and institutions contain~~should specify at least twenty-five percent recycled material. ~~The office of management and budget shall implement a methodology to track compliance with this section~~.

SECTION 27. Section 54-59-40 of the North Dakota Century Code is created and enacted as follows:

54-59-40 Business Process Improvement Projects – Borrowing authority for project with qualified return on investment – Appropriation. Any board, agency, commission, or officer of the state may undertake a business process improvement project if it is determined by the department that the estimated savings in capital expenses, operating expenses, and salaries over a period not to exceed six years will meet or exceed the cost of the project plus any associated financing costs for the project. Subject to approval by the emergency commission, and upon determination by the department that the project meets the requirements of this section, the board, agency, commission, or officer of the state may borrow from the Bank of North Dakota or other lender the amount required to implement the project, with a repayment term not to exceed six years. Any moneys borrowed pursuant to this section are hereby appropriated and may be spent by the board, agency, commission, or officer of the state to complete the business process improvement project.

SECTION 28. AMENDMENT. Section 57-15-06.6 of the North Dakota Century Code is amended and reenacted as follows:

57-15-06.6. County capital projects levy.

1. The board of county commissioners of each county may levy an annual tax not exceeding ten mills plus any voter-approved additional levy as provided in subsection 8 of section 57-15-06.7 for the purpose of the following capital projects:

~~1.~~ a. Constructing and equipping and maintaining structural and mechanical components of regional or county corrections centers or for the purpose of contracting for corrections center space capacity from another public or private entity.

~~2.~~ b. Acquiring real estate as a site for public parks and construction and equipping and maintaining structural and mechanical components of recreational facilities under section 11-28-06.

~~3.~~ c. Acquiring real estate as a site for county buildings and operations and constructing and equipping and maintaining structural and mechanical components of county buildings and property.

~~4.~~ d. Acquiring real estate as a site for county fair buildings and operations and constructing and equipping and maintaining structural and mechanical components of county fair buildings and property as provided in section 4-02-26.

~~5.~~ e. Acquiring and developing real estate, capital improvements, buildings, pavement, equipment, and debt service associated with financing for county supported airports or airport authorities.

~~6.~~ f. Expenditures for the cost of leasing as an alternative means of financing for any of the purposes for which expenditures are authorized under ~~subsections 1~~subdivisions a through ~~5~~e.

g. Improvement of the county road system, including the acquisition of land, construction of new paved and unpaved roads and bridges, replacement of existing paved and unpaved

roads and bridges, and maintenance and repair of existing paved and unpaved roads and bridges.

2. Any voter-approved levy for the purposes specified in this section approved by the electors before January 1, 2015, remains effective through 2024 or the period of time for which it was approved by the electors, whichever is less, under the provisions of law in effect at the time it was approved. After January 1, 2015, approval or reauthorization by electors of increased levy authority under this section may not be effective for more than ten taxable years.

SECTION 29. AMENDMENT. Section 57-47-02 of the North Dakota Century Code is amended and reenacted as follows:

57-47-02. County authorized to borrow - Term - Interest rate. Whenever in the judgment of the board of county commissioners all taxes authorized to be levied in any one year for general or special county purposes are insufficient to carry on the primary governmental functions, or to pay the mandatory obligations imposed by law upon a county, then such a county may borrow money in such an amount as the board shall determine to be necessary to meet the deficiencies existing in its general or special funds, or to carry on primary governmental functions, and to pay mandatory obligations. For the purpose of borrowing, a county may issue evidences of indebtedness, which must consist of an agreement by the county to pay a stated sum on a specified date, or on or before a specified date, not more than ~~five~~twenty years in the future, together with interest thereon at a rate or rates resulting in an average annual net interest cost not to exceed twelve percent per annum if sold privately, or with no interest rate ceiling if sold at a public sale or to the state of North Dakota or any of its agencies or instrumentalities. A public sale must comply with the procedures set out in chapter 21-03. There is no requirement for an advertisement for bids if an evidence of indebtedness is sold privately or to the state of North Dakota or any of its agencies or instrumentalities.

SECTION 30. AMENDMENT. Section 57-51.1-07.5 of the North Dakota Century Code is amended and reenacted as follows:

57-51.1-07.5. State share of oil and gas taxes - Deposits. From the revenues designated for deposit in the state general fund under chapters 57-51 and 57-51.1, the state treasurer shall deposit the revenues received each biennium in the following order:

1. The first two hundred fifty million dollars into the state general fund;
2. The next two hundred million dollars into the tax relief fund;
3. The next seventy-five million dollars into the budget stabilization fund, but not in an amount that would bring the balance in the fund to more than the limit in section 54-27.2-01;
4. The next two hundred fifty million dollars into the state general fund;
5. The next ten million dollars into the lignite research fund;
6. The next fifteen million dollars into the state disaster relief fund, but not in an amount that would bring the unobligated balance in the fund to more than fifteen million dollars;
7. The next thirty million three hundred seventy-five thousand dollars, or the amount necessary to provide for the distributions under subsection 2 of section 57-51.1-07.7, into the municipal infrastructure fund;
8. The next four hundred million dollars into the strategic investment and improvements fund;
9. An amount equal to the deposit under subsection 7 into the county and township infrastructure fund;
10. The next one hundred sixty-nine million two hundred fifty thousand dollars or the amount necessary to provide a total of two hundred thirty million dollars into the funds designated for infrastructure development in non-oil-producing counties under sections 57-51.1-07.7 and 57-51.1-07.8 with fifty percent deposited into the municipal infrastructure fund and fifty percent deposited into the county and township infrastructure fund;
11. The next twenty million dollars into the airport infrastructure fund; and
12. Any additional revenues into the strategic investment and improvements fund.

SECTION 31. TRANSFER INFRASTRUCTURE REVOLVING LOAN FUND FOR WATER PROJECTS TO INFRASTRUCTURE REVOLVING LOAN FUND. The state water commission shall transfer any outstanding loans from the infrastructure revolving loan fund under section 61-02-78 to the infrastructure revolving loan fund during the biennium beginning July 1, 2021 and ending June 30, 2023.

SECTION 32. PUBLIC FINANCE AUTHORITY - BOND ISSUANCE LIMITATION. The public finance authority may issue up to $1,250,000,000 of evidences of indebtedness, for bienniums beginning July 1, 2021 and ending June 30, 2025. The term of any evidences of indebtedness issued under this section may not exceed thirty years.

SECTION 33. PUBLIC FINANCE AUTHORITY – TRANSFER OF BOND PROCEEDS. The public finance authority may grant or transfer money as follows:

a. $700,000,000 to the Bank of North Dakota for capitalization of revolving loan funds
b. $302,400,000 to the Department of Transportation:
    i. $15,000,000 for bridge improvements,
    ii. $237,400,000 for the department infrastructure improvement plan, and
    iii. $50,000,000 for Highway 85 improvements.
c. $30,500,000 to the department of parks and recreation
    i. $20,600,000 for infrastructure improvements grants to park districts.
    ii. $9,900,000 for state park system infrastructure upgrades
d. $45,000,000 to the state board for career and technical education for cost-share projects to establish career academies.
e. $19,000,000 to the state board of higher education for Tier II and Tier III infrastructure improvement projects.
f. $137,100,000 to the office of management and budget:
    i. $130,500,000 for critical state building maintenance and repair projects,
    ii. $5,500,000 for capitol complex space utilization improvements
    iii. $600,000 for capitol complex accessibility improvements
    iv. $500,000 for renovation of the Brynhild Haugland room in the state capitol.
g. $14,000,000 to North Dakota state university for construction of the agriculture development center.
h. $2,000,000 to Dakota college for renovation of Old Main.
i. Other agencies as required.

SECTION 34. TRANSFER COMMUNITY WATER FACILITY LOAN FUND TO INFRASTRUCTURE REVOLVING LOAN FUND. The Bank of North Dakota shall transfer the community water facility loan fund under section 6-09.5 to the infrastructure revolving loan fund during the biennium beginning July 1, 2021 and ending June 30, 2023.

SECTION 35. POSITION TRANSFER AUTHORITY. During the 2021-23 biennium the office of management and budget has the authority to transfer two full-time equivalent positions and corresponding salary totaling $424,739 from North Dakota information technology to the office of management and budget for the unification of human resource services.

SECTION 36. REPEAL. Chapter 6-09.5 and section 61-02-78 of the North Dakota Century Code are repealed.

SECTION 37. REPEAL. Sections 54-06-25 and 54-44.3-03 of the North Dakota Century Code are repealed.

SECTION 38. EFFECTIVE DATE. Section 35 of this Act becomes effective July 1, 2022.

2021 HOUSE STANDING COMMITTEE MINUTES

Appropriations - Government Operations Division
Brynhild Haugland Room, State Capitol

HB1015
1/13/2021

A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget; and to provide an exemption.

8:39 **Chairman Vigesaa** brought the meeting to order. Members present: Chairman

Vigesaa, Vice Chairman Brandenburg, Representative Kempenich, Representative

Howe, Representative Meier, Representative Bellew and Representative Mock.

Discussion Topics:

- Appropriation request for the 2021-2023 biennium budget.
- Budget overview

8:40 **Joe Morrisette**, Director, ND Office of Management and Budget – Presentation budget overview – testimony #680.
9:43 Recess
09:57 **Chairman Vigesaa** brought the committee back to order.
09:57 **Joe Morrisette** continued with his overview.
10:23 **Terry Traynor** – ND Association of Counties – NDACo Executive Director – Testimony #679.
10:35 **Audrey Uhrich** – Guardian Protective Services Inc. (GaPS) – Program Director – Testimony #616.
10:39 **Donna Byzewski** – Catholic Charities North Dakota – Guardianship Director – Testimony #610.
10:42 **John Harris** – Prairie Public Broadcasting Inc. – President and CEO – Testimony #659.

Written Testimony – **Margo Hunt**, Founder and Director, Guardian Angels – Testimony #688 submitted but not discussed.

10:53 **Chairman Vigesaa** adjourned the meeting.

Sheri Lewis, Committee Clerk

NORTH Dakota Be Legendary.™ | Management and Budget

#680

Testimony in Support of

House Bill No. 1015

House Approps – Govt Ops Division

January 13, 2021

TESTIMONY OF

Joe Morrissette, Director of OMB

Good morning Chairman Vigesaa and members of the House Appropriations Committee – Government Operations Division. I am Joe Morrissette, the Director of the Office of Management and Budget.

My budget testimony consists of:

- The attached slide deck, which summarizes our current budget, recommended budget, 2019-21 accomplishments, and goals for the 2021-23 biennium
- OMB organizational chart
- Listing of significant statutory references to the Office of Management and Budget
- Spreadsheet summarizing fiscal year 2020 expenditures and 2021-23 recommendation by line item and by ongoing and one-time expenditures
- Spreadsheet summarizing budget changes from the Legislative Base to the Executive Budget Recommendation
- Spreadsheet summarizing the proposed capitol complex rent model change
- Descriptions of the various sections included in the executive bill draft for HB1015 and requested to be incorporated into the House version of HB1015

I look forward to working with all of you this session and am available any time to address your questions regarding the OMB budget and any other aspect of the governor's executive budget.

Feel free to contact me either at jmorrissette@nd.gov, my office number at 701-328-4606, or my cell phone at 701-220-6361.

HB 1015 TESTIMONY
HOUSE APPROPRIATIONS/GOVT OPS

Joe Morrissette, Director
Wednesday, January 13, 2021

NORTH Dakota Be Legendary.™ | Management and Budget

1

WHO WE ARE

Mission Statement

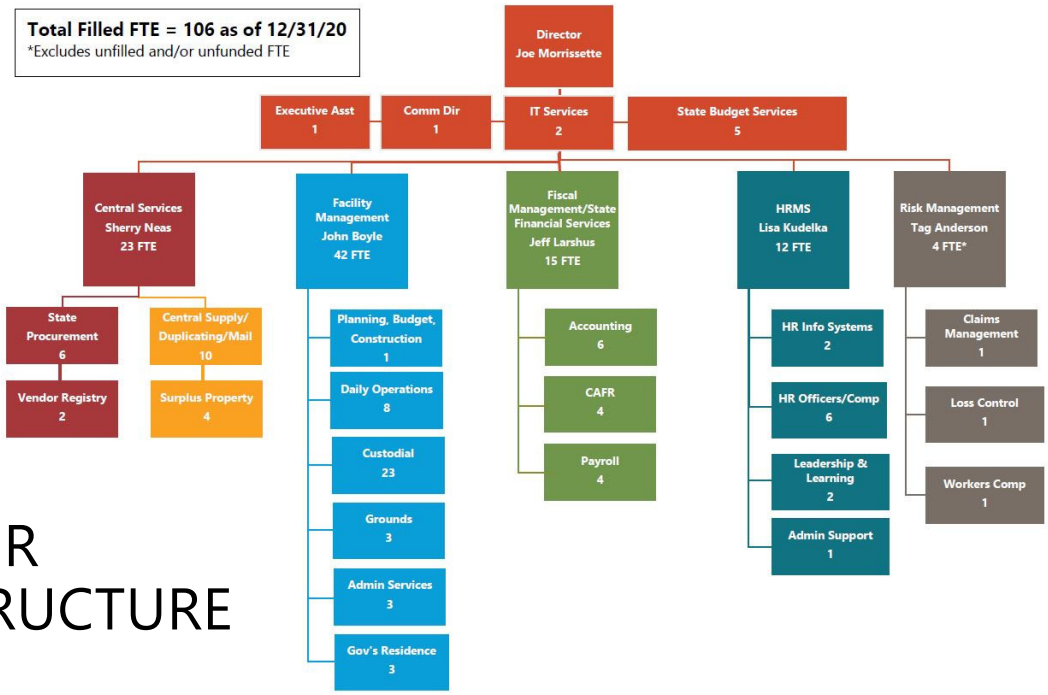
Provide innovative leadership and support to state government.

Structure – Five Divisions

- Central Services
- Facility Management
- Fiscal Management
- Human Resource Management Services
- Risk Management

2

OUR STRUCTURE



3

CENTRAL SERVICES DIVISION

What We Do

- Operate state procurement to obtain needed goods, services, printing and IT through a legal, fair, and competitive process.
- Establish state contracts to save time, money and create efficiency for government entities.
- Provide procurement training and help agencies purchase goods, services, printing and IT.
- Operate a central supply of office products.
- Operate the online vendor registry system which allows online registration to pay vendors and provide IRS 1099 reporting.
- Operate a central printing and mailing service to create efficiency and avoid duplication.
- Distribute state and federal surplus property to eligible entities and manage e-waste.

Who We Serve

- State agencies
- Vendors
- K-12, NDUS and political subdivisions

4

FACILITY MANAGEMENT DIVISION

What We Do

- Maintain the state Capitol complex.
- Approve all leases for space outside the Capitol complex.
- Provide space utilization and facility planning guidance to state agencies.
- Provide Capitol tours.
- Approve and coordinate events held on the Capitol complex.
- Support the Capital Grounds Planning Commission.
- Manage construction projects, major improvements and repairs within the Capitol complex.
- Manage the 2019-21 comprehensive real estate study.
- Plan for the future through the Capitol Grounds Master Plan.

Who We Serve

- State agencies
- The public

5

FISCAL MANAGEMENT DIVISION

What We Do

- Provide financial management and financial services to state government, including:
  - Budgeting ▪ Accounting ▪ Payroll ▪ Financial reporting
- Manage the state purchasing card (P-card) program, creating a simplified and efficient payment process and generating rebates for the general fund and political subdivisions.
- Maintain the state financial transparency portal.
- Maintain the statewide PeopleSoft Financial/HR Enterprise Resource Planning (ERP) system.

Who We Serve

- State agencies
- State team members
- The governor
- The public
- Media
- Political subdivisions
- Legislators

6

HUMAN RESOURCE MANAGEMENT SERVICES

What We Do

- Provide HR guidance, assistance, and comprehensive HR services to state agencies.
- Promote consistent HR policies and practices.
- Establish and maintain the state classification system.
- Provide professional development and leadership training to state team members.
- Support agencies through the talent acquisition process.
- Maintain the state careers website.
- Support PeopleSoft Human Capital Management (HCM), Enterprise Learning Management (ELM) and job description system.

Who We Serve

- State agency HR leaders
- State team members
- Career seekers

7

RISK MANAGEMENT DIVISION

What We Do

- Promote safety and loss control practices.
- Coordinate the management of risk in state governmental activities including:
  - Risk assessment
  - Loss control
  - Risk financing
  - Claims administration
  - Litigation
- Maintain cyber insurance coverage for state government.
- Administer the single joint account for all state entities in cooperation with WSI as part of a large deductible program.

Who We Serve

- State agencies and institutions
- State team members
- Citizens

8

2019-21 BIENNIUM ONE-TIME ITEMS

- **$1,900,000 extraordinary repairs**
  - $1,129,995 spent through December 31, 2020
  - Balance will be spent by June 30, 2021
- **$2,0000,000 Capitol south entrance**
  - $1,841,936 spent through December 31, 2020
  - Balance will be spent by June 30, 2021
- **$320,000 special assessments**
  - $160,000 spent through December 31, 2020
  - Balance will be spent by June 30, 2021

9

2019-21 BIENNIUM ONE-TIME ITEMS

- **$3,500,000 litigation funding pool**
  - $1,219,564 spent through December 31, 2020
  - Undetermined amount to be spent by June 30, 2021
  - Unspent balance will be returned to the SIIF
- **$500,000 state real estate study**
  - $196,910 spent through December 31, 2020
  - $250,000 estimated amount to be spent by June 30, 2021
- **$170,000 Risk Management IT system**
  - $154,083 spent through December 31, 2020
  - $170,000 estimated amount to be spent by June 30, 2021

10

2019-21 BIENNIUM ONE-TIME ITEMS

- **$250,000 State Student Internship Program**
  - $83,238 spent through December 31, 2020
  - $90,000 estimated amount to be spent by June 30, 2021
- **$50,000 Study of eProcurement**
  - $49,930 spent through December 31, 2020
  - No remaining expenditures

11

CRF EXPENDITURES

	Amount Appropriated		Amount Spent through 12/31/20
Touchless bath fixtures	$110,000		$110,000
Cleaning contract	34,700		34,700
Automatic doors	83,425		-
HVAC improvements - Ionizers	856,100		856,100
Private K-12 Institutions	918,830		704,070
Private Universities, Tribal Colleges and Trade Schools	5,000,000		3,681,761
Total	**$7,003,055**		**$5,386,631**

12

2019-21 ACCOMPLISHMENTS

Team member communications and training

- ✓ Launched OMB Agency Essentials training program with over 600 participants
- ✓ Launched procurement 2020 communications plan
- ✓ Delivered Leadership Everywhere training to over 3,100 individuals

Efficiency through new technology

- ✓ PeopleSoft Fiscal upgrade
- ✓ Online onboarding process
- ✓ New Surplus Property marketing module
- ✓ Risk Vision software replacement
- ✓ Single use accounts payment process to facilitate electronic vendor payments
- ✓ New careers webpage
- ✓ Budget/actual transparency dashboard
- ✓ Total Rewards statement
- ✓ CARES Act transparency dashboard

Facilities

- ✓ South entrance remodel project
- ✓ Space utilization study/campus master plan
- ✓ Replacement of south Capitol sign
- ✓ Capitol building COVID-19 improvements

Fiscal management

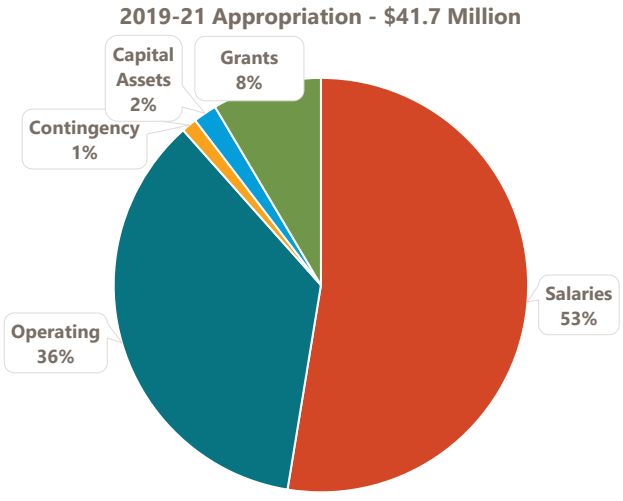
- ✓ Developed 10-year facility maintenance plans
- ✓ Synced budget documents to legislative base for improved clarity
- ✓ Managed distribution and reporting of $1.25 B federal Coronavirus Relief Fund
- ✓ Generated p-card rebate of $2.6 million in FY20

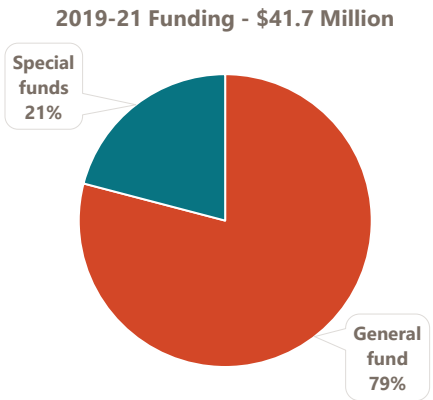
Efficiency through centralization

- ✓ BND and DOT printing
- ✓ Uniform HR policies
- ✓ HFA payroll processing
- ✓ eProcurement study with Higher Ed
- ✓ DEQ HR and payroll administration
- ✓ Small agency payroll administration
- ✓ Dept of Commerce procurement services

13

OMB LEGISLATIVE BASE BUDGET – 2019-21





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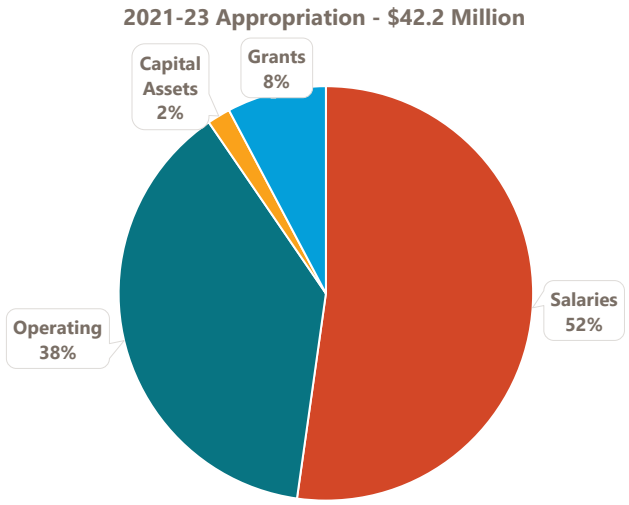
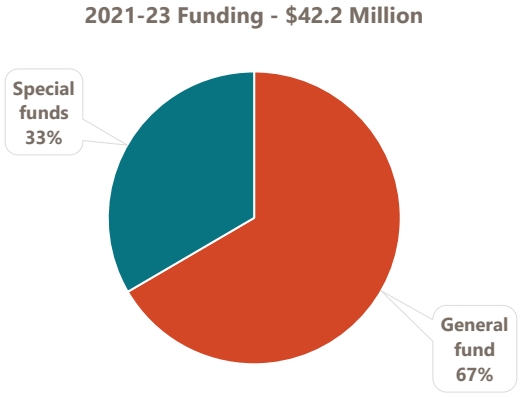
OMB PROPOSED BUDGET – 2021-23 ONGOING EXPENDITURES





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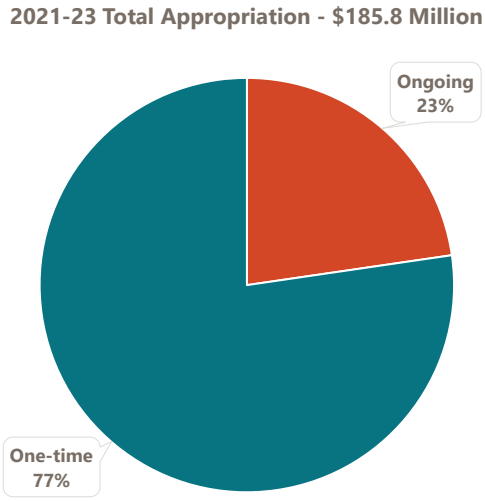
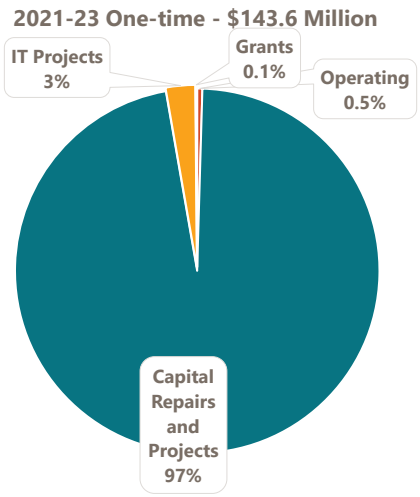
OMB PROPOSED BUDGET – 2021-23 ONGOING AND ONE-TIME EXPENDITURES





16

2021-23 GOALS AND OBJECTIVES

Improve team member communications and training

- ❑ Statewide intranet and communications
- ❑ OMB intranet
- ❑ New OMB website
- ❑ Continued development and delivery of OMB Agency Essentials training
- ❑ Continued development and delivery of Leadership Everywhere training

Improve efficiency through new technology

- ❑ eProcurement system
- ❑ New state budgeting system
- ❑ PeopleSoft travel and expense module

Improve facilities

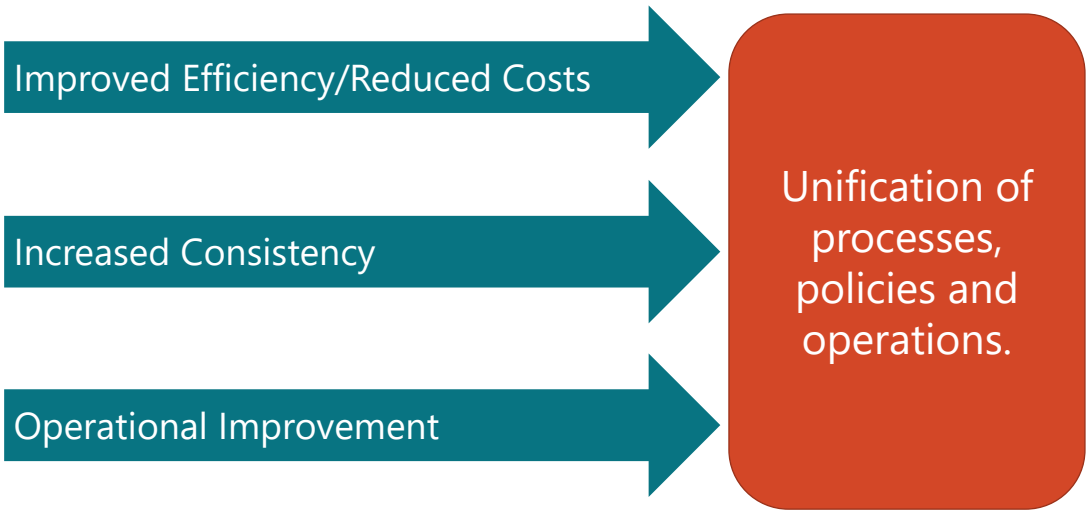
- ❑ Improve utilization of Capitol through space reconfiguration, ADA improvements and Brynhild Haugland Room remodel
- ❑ Improve state facilities by addressing backlog of deferred maintenance

Improve efficiency through unification

- ❑ Printing and mailing consolidation with additional agencies
- ❑ Payroll administration consolidation with additional small agencies
- ❑ HR services consolidation with additional small agencies
- ❑ Procurement consolidation with additional small agencies
- ❑ Conduct study and analysis of facility management consolidation opportunities

17

GOALS AND OUTCOMES



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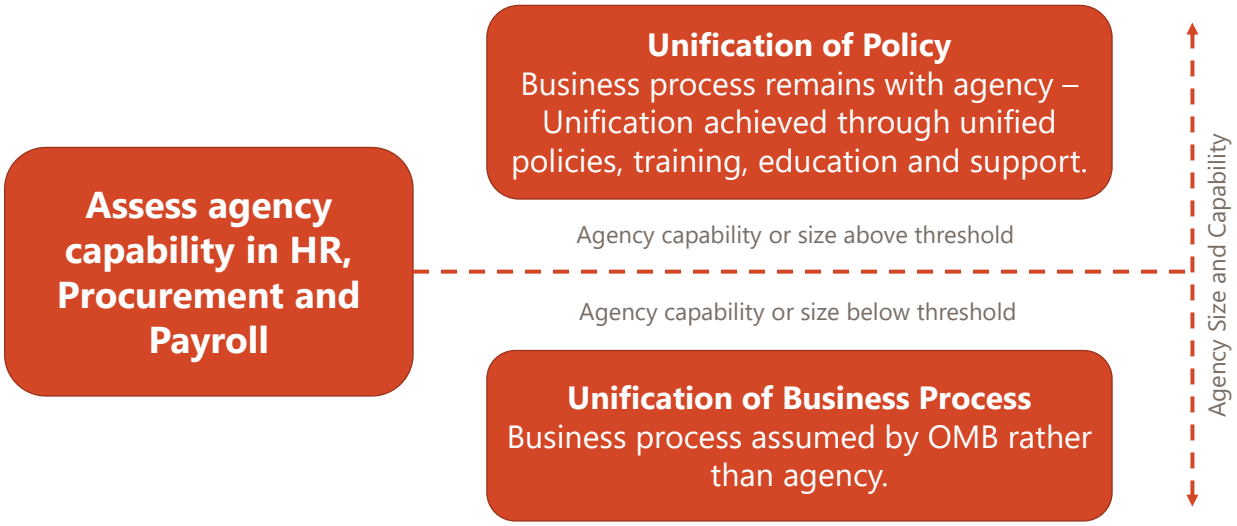
UNIFICATION STRATEGY FOR HR, PAYROLL AND PROCUREMENT



19

BUDGET CHANGES

IT SYSTEM UPGRADES AND REPLACEMENTS

- New state budget system
  - One-time system acquisition and implementation - $1,230,100
  - Ongoing costs for maintenance and updates - $403,000
    - Compared to $429,688 with current budget system
- eProcurement system
  - One-time system acquisition and implementation - $2,021,204
  - Ongoing costs for maintenance and updates - $152,000
- Building access automation system
  - Phase one - one-time system upgrade costs – $518,800
    - Total project cost of $800,000

20

- Transfer of 4 FTE positions from OMB to NDIT
  - Desktop Support Specialist
  - IT Coordinator/Network Specialist
  - Human Resources Information System Manager
  - Business Analyst I
- Transfer of funding within OMB budget
  - Reduction of $845,545 to salaries and wages line item
  - Increase of $845,545 to operating expenses line item to pay NDIT charges for services

BUDGET CHANGES
IT UNIFICATION

21

BUDGET CHANGES
CAPITAL PROJECTS

- Bonding proceeds - $137.1 million
  - $130.5 million for critical state building maintenance and repair projects identified through 2019-2020 real estate study and condition assessment
  - $5.5 million for space reconfiguration to improve utilization of existing space in the Capitol and Judicial wing
  - $600,000 for ADA improvements throughout the Capitol
  - $500,000 for improvements to the Brynhild Haugland Room

22

- Capitol Building Fund projects - $1.9 million
  - $1.0 million for exterior and interior wayfinding signage
  - $300,000 for parking lot and road repairs
  - $600,000 for mechanical repairs

BUDGET CHANGES
CAPITAL PROJECTS

23

BUDGET CHANGES
RENT MODEL CHANGE

- Current model
  - Only non-general fund agencies pay rent
- Proposed model
  - All agencies pay a consistent rental rate per square foot
  - Funding added in executive budget for all general fund agencies to pay rent based on current occupied space
    - Offsetting general fund savings in FM salary budget, which would now be funded from special funds
- Outcome
  - Agencies will be incentivized to efficiently manage space utilization and benefit from future rent savings if space is reduced
  - Better utilization of existing space has positive return by minimizing use of offsite space and makes best use of state resources

24

- Rent model change results in additional rent collection
- Provides opportunity to fund Facility Management from facility rent payments and move toward self-funded facility services model

- Net amount deposited in general fund remains nearly unchanged:
  - 2019-21 biennium rent deposited in general fund $2,545,000
  - 2021-23 biennium:
    - Total rent collected $7,762,000
    - Less amount used to fund FM salaries $5,245,000
    - Net amount deposited in general fund $2,517,000

BUDGET CHANGES

FACILITY MANAGEMENT FUNDING SOURCE CHANGE

25

BUDGET CHANGES

UNIFICATION OF SERVICES

Repurposing of 4 vacant FTE to expand OMB services:

- Additional funding of $165,693 needed to fully fund positions for the 2021-23 biennium
- 1 additional HR officer to provide services to small agencies without dedicated internal HR staff, centralize the state leave sharing program and better meet the demands from agencies requesting help with HR issues
- 3 additional procurement officers to expand procurement services, manage the eProcurement system, provide additional services to small agencies without dedicated internal procurement staff, and provide more oversight of the procurement process

26

RESPONSE TO RECENT AUDIT FINDING

Fiscal year 2019 audit of OMB resulted in one finding:

- OMB should ensure all vendor responses to alternative procurement are received by OMB to provide better oversight of the procurement process
- OMB agrees this approach would provide more control but would require additional staffing to manage the alternate procurement process centrally rather than through the current approach where authority is delegated to agencies

27

LINE-ITEM CHANGES

SALARIES

Increased by $123,527 due to the following:

- Reduction of $845,545 for the transfer of 4 FTE to ITD as part of IT unification process
- Reduction of $558,589 for two HR manager positions that are repurposed
- Addition of $724,282 to repurpose four currently vacant FTE to add an HR officer and three procurement officers to centralize and improve services
- Addition of $608,421 for the executive compensation package

28

LINE-ITEM CHANGES
OPERATING

Increased by $1,827,304:

- Ongoing expenses are increased by $1,177,304 for:
  - Various reductions totaling $298,000 based on analysis of current spending, including IT contractual services, professional development, printing and travel
  - Increase of $846,545 for ITD charges to support positions transferred from OMB to ITD as part of unification
  - Increase of $488,055 for change in the rent model
- One-time expenses are increased by $650,000 for:
  - $350,000 for a facility management consolidation study
  - $300,000 to pay special assessments

29

LINE-ITEM CHANGES
CONTINGENCY

- Reduced by $500,000, to $0
- Section 19 proposes authority for the Emergency Commission to authorize OMB to borrow up to $1 million from the Bank of North Dakota as a line of credit to respond to state contingencies
- Any funds borrowed under this proposed authority would be repaid with a deficiency appropriation requested from the subsequent Legislative Assembly

30

Increased by $142.8 million for the following:

- $137.1 million in bonding proceeds:
  - $130.5 million for critical maintenance and repair projects identified in the 2019-2020 real estate assessment
  - $5.5 million for reconfiguring space in the capitol building and Judicial wing
  - $600,000 for ADA improvements throughout the capitol
  - $500,000 for improvements to the Brynhild Haugland
- $2.5 million for projects in the capitol complex funded from the Capitol Building Fund, including building automation upgrade, exterior and interior wayfinding signage, parking lot and road repairs and mechanical repairs
- $1.2 million for a new state budget system
- $2.0 million for a new eProcurement system

LINE-ITEM CHANGES
CAPITAL ASSETS

31

LINE-ITEM CHANGES
LITIGATION POOL

- The 2019 legislature appropriated $3.5 million from the Strategic Investment and Improvements fund for a centralized litigation pool.
- Rather than provide separate appropriations to each of these agencies for unknown costs, the most efficient approach is a central pool. Through December 31, 2020, $952,125 has been utilized for litigation costs.
- Any amount remaining unspent as of June 30, 2021 will be returned to the Strategic Investment and Improvements Fund.
- Although the 2019-21 appropriation was provided to OMB, the 2021-23 executive budget proposes this funding be included in the budget for the Attorney General to simplify the administration and allocation of the funding pool.

32

- **Grants** – The grants line is decreased by $54,000 from the general fund by removing the following appropriations:
  - Boys and Girls Clubs - $53,000
  - COSE - $1,000
- **Guardianship Grants** – Guardianship grants are continued at the current level of $1,950,000.
- **Community Service Grants** – Grants to community service programs are reduced by 15%, from the current biennium level of $350,000 to $297,500.
- **Prairie Public Broadcasting** - The grant to Prairie Public Broadcasting is reduced by 15%, from the current level of $1,200,000 to $1,020,000.
- **State Student Internship** – The executive recommendation includes $200,000 from the general fund to continue the state internship program. The current biennium budget includes a one-time appropriation of $250,000 for the program.

LINE-ITEM CHANGES
GRANTS

33

OTHER TESTIMONY IN SUPPORT OF PASS-THROUGH GRANTS

- **Guardianship grants**
  - Terry Traynor, Executive Director, North Dakota Association of Counties
- **Prairie Public Broadcasting**
  - John Harris, President and CEO, Prairie Public Broadcasting

34

OTHER SECTIONS IN BILL DRAFT

- Section 3 – Transfer from Tax Relief Fund
- Section 4 – Transfer of June 30, 2021 Legacy Fund earnings
- Section 5 – Transfer of bonding proceeds to state agencies
- Section 6 – State internship program
- Section 7 – Turnback exemption for Fiscal Management
- Section 8 – Turnback exemption for real estate study and state internship program
- Section 9 – Intent for grants

35

OTHER SECTIONS IN BILL DRAFT

- Section 10 – State employee compensation adjustments
- Sections 11-16, 28-29, 31-34, 36, 38 – Bonding proposal
- Section 17 – Allocation of future Legacy Fund earnings
- Section 18 – State contingency borrowing
- Section 19 – Emergency Commission borrowing authority
- Section 20 – New Capitol rent model
- Section 21 – Shared services fund
- Section 22 – Budget stabilization fund maximum balance

36

OTHER SECTIONS IN BILL DRAFT

- Section 23 – Facility Management operating fund
- Section 24 – Political sub information on transparency site
- Sections 25-26 – Recycled paper requirements
- Section 27 – Business process improvement borrowing
- Section 30 – General fund share of oil and gas taxes
- Section 35 – HR positions transfer from NDIT to OMB
- Section 37 – Repeal of SECC and State Personnel Board

37

OPTIONAL REQUESTS NOT INCLUDED

Description	Amount
Additional FTE for administration of eProcurement system	$204,471
Increase in dues for Council of State Governments	17,025
Virtual Capitol tour IT project	100,000
Capitol mall enhancements	400,000
Capitol perimeter landscaping enhancements	1,100,000
Capitol south entrance landscaping	450,000
Prairie Public Broadcasting pass-through grant – One-time capital projects	2,350,000
Restore 15% reduction to pass-through grants	286,500

38

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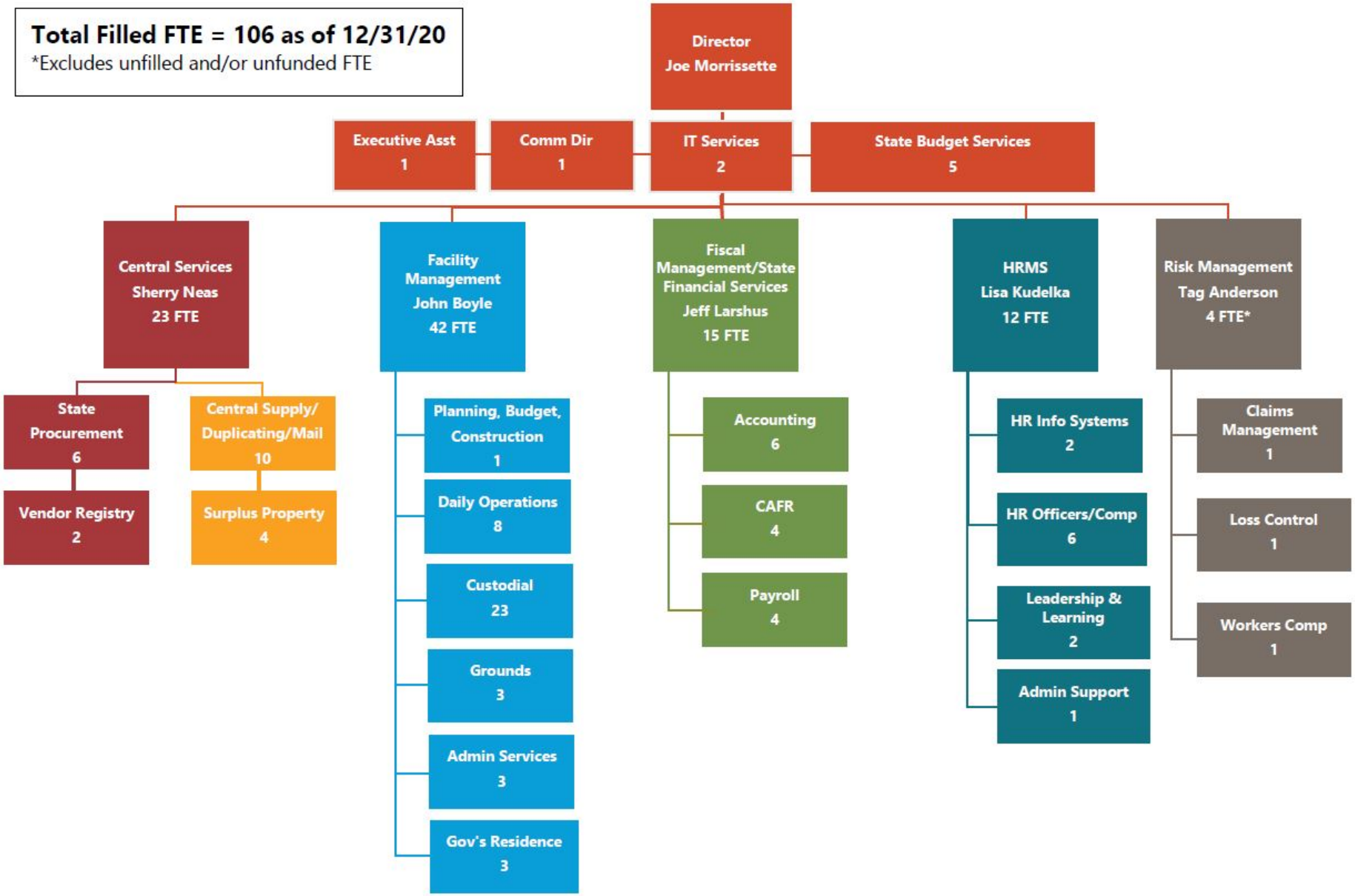
Total Filled FTE = 106 as of 12/31/20
*Excludes unfilled and/or unfunded FTE



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Significant Statutory References Relating to the Office of Management and Budget

6-09-15.1 – BND loans to general fund

15-10-47 – Receipt of construction variance reports from Higher Education

32-12-04 – Collection of judgments against the State

32-12.2 – Claims Against the State

44-08-05.1 – Purchasing Card authority

46-01 – Supervision of State printing

46-02 – Printing and Binding

46-05-03 – Fees for legal notices

48-06 – Capitol Central Mailing Bureau

54-06-09 – Mileage and travel reimbursement policies

54-07-01.4 – Administration of statutory responsibilities not otherwise placed with a specific agency

54-21-18 – Office building part of capitol building – Director control of capitol grounds

54-21-19 – Director to furnish supplies and maintain capitol, state offices, and executive mansion – Authority to charge for services

54-21-28 – Space utilization studies – Office space allocation

54-27-11 – Records and limitation on expenditure of appropriation

54-27-23 – Cash flow financing

54-27-27 – Report on federal grant applications by state agency

54-35-15.3 – IT project suspension of expenditure authority

54-44 – Office of Management and Budget

54-44.1 – Office of the Budget

54-44.3 – Central Personnel System

54-44.4 – State Purchasing Practices

65-04-03.1 – Single State entities account with WSI

Office of Management Budget
2019-21 and 2021-23 Biennium Budget

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2019-21 and 2021-23 Biennium Comparison

	Actual Expenditures FY 2020	Remaining Appropriation for FY 2021	2019-21 Appropriation	2019-21 Base Level	Change from 19-21 to 21-23	2021-23 Budget Recomm.	On-going	One-time
Salaries and wages	$10,908,526	$10,995,290	$21,903,816	$21,903,816	$123,527	$22,027,343	$22,027,343	$0
Operating expenses	$7,068,589	$8,738,837	$15,807,426	$14,937,426	$1,827,304	$16,764,730	$16,114,730	$650,000
Contingency fund	$0	$500,000	$500,000	$500,000	($500,000)	$0	$0	$0
Capital assets	$1,376,157	$3,460,968	$4,837,125	$767,125	$142,767,494	$143,534,619	$764,515	$142,770,104
Grants	$27,000	$27,000	$54,000	$54,000	($54,000)	$0	$0	$0
Guardianship grants	$975,000	$975,000	$1,950,000	$1,950,000	$0	$1,950,000	$1,950,000	$0
Community service grants	$175,000	$175,000	$350,000	$350,000	($52,500)	$297,500	$297,500	$0
Prairie Public Broadcasting	$600,000	$600,000	$1,200,000	$1,200,000	($180,000)	$1,020,000	$1,020,000	$0
Litigation pool	$736,076	$2,763,924	$3,500,000	$0	$0	$0	$0	$0
State student internship	$67,591	$182,409	$250,000	$0	$200,000	$200,000	$0	$200,000
Total Funding	**$21,933,939**	**$28,418,428**	**$50,352,367**	**$41,662,367**	**$144,131,825**	**$185,794,192**	**$42,174,088**	**$143,620,104**
General Fund	$15,318,145	$17,897,707	$33,215,852	$32,915,852	($1,019,072)	$31,896,780	$28,095,476	$3,801,304
Other Funds	$6,615,794	$10,520,721	$17,136,515	$8,746,515	$145,150,897	$153,897,412	$14,078,612	$139,818,800
FTE			112.00	112.00	(4.00)	108.00		

2021-23 Budget Changes Summary

		Ongoing Budget Changes							
	Legislative Base	Budget Reductions	IT Unification	Additional Staffing for Centralization of Services	Rent Model Change	Executive Compensation Package	Ongoing IT Project Costs	Other	Ongoing Budget
Salaries	$21,903,816	($508,589)	($846,547)	$724,282		$608,421		$145,960	$22,027,343
Operating	$14,937,426	($298,000)	$846,547		$488,055		$152,000	($11,298)	$16,114,730
Contingency	$500,000	($500,000)							$0
Capital	$767,125							($2,610)	$764,515
Grants	$3,554,000	($286,500)							$3,267,500
Total	**$41,662,367**	**($1,593,089)**	**$0**	**$724,282**	**$488,055**	**$608,421**	**$152,000**	**$132,052**	**$42,174,088**

		One-Time Budget Changes				
	Ongoing Budget	One-time IT	One-time Capital	FM Consolidation Study	Other	Total
Salaries	$22,027,343					$22,027,343
Operating	$16,114,730			$350,000	$300,000	$16,764,730
Contingency	$0					$0
Capital	$764,515	$3,770,104	$139,000,000			$143,534,619
Grants	$3,267,500				$200,000	$3,467,500
Total	**$42,174,088**	**$3,770,104**	**$139,000,000**	**$350,000**	**$500,000**	**$185,794,192**

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Capitol Complex Rent Model Change Proposal

Agency	Building	Office SF	Rate Per SF (office)	Storage SF	Rate Per SF (storage)	Total Office Rent Annual	Total Office Rent Biennial	Current Billable Rent	Additional Rent Amount	Amounts to use for Budget Adjustments
Governor's Office	Capitol/Jwing	5,142.00	$14.38	252	$1.10	$74,219.16	$148,438.32		$148,438.32	$148,438.00
Secretary of State	Capitol/Jwing	6,851.00	$14.38	943	$1.10	$99,554.68	$199,109.36	$6,248.66	$192,860.70	$192,861.00
Office of Management & Budget	Capitol/Jwing	6,419.00	$14.38	1,931	$1.10	$94,429.32	$188,858.64	$103,151.20	$85,707.44	$85,707.00
Facility Management	Capitol/Jwing	4,185.00	$14.38	3,171	$1.10	$63,907.76	$127,815.52		$127,815.52	$127,816.00
Facility Management	State Office Building			128	$1.87		$0.00		$0.00	$0.00
Human Resource Management Services	Capitol/Jwing	2,478.00	$14.38			$35,633.64	$71,267.28		$71,267.28	$71,267.00
Central Services Division	Capitol/Jwing	6,934.00	$14.38	1,747	$1.10	$101,632.62	$203,265.24		$203,265.24	$203,265.00
Information Technology	Capitol/Jwing	6,211.00	$14.38			$89,314.18	$178,628.36	$178,628.36	$0.00	$0.00
Auditor's Office	Capitol/Jwing	5,753.00	$14.38			$82,728.14	$165,456.28		$165,456.28	$165,456.00
Treasurer's Office	Capitol/Jwing	2,665.00	$14.38	170	$1.10	$38,509.70	$77,019.40		$77,019.40	$77,019.00
Attorney General	Capitol/Jwing	11,563.00	$14.38	370	$1.10	$166,682.94	$333,365.88	$43,864.86	$289,501.02	$289,501.00
Tax Department	Capitol/Jwing Liberty Memorial	19510.00 2,157.00	$14.38 $15.58	4,652	$1.10	$319,277.06	$638,554.12		$638,554.12	$638,554.00
Legislative Council	Capitol/Jwing	11,517.00	$14.38			$165,614.46	$331,228.92		$331,228.92	$331,229.00
Supreme Court	Capitol/Jwing	26,216.00	$14.38	890	$1.10	$377,965.08	$755,930.16		$755,930.16	$755,930.00
Public Instruction	Capitol/Jwing	15,960.00	$14.38	1,004	$1.10	$230,609.20	$461,218.40	$323,768.16	$137,450.24	$137,450.00
North Dakota University Systems	Capitol/Jwing	4,623.00	$14.38	184	$1.10	$66,681.14	$133,362.28		$133,362.28	$133,362.00
State Library	Liberty Memorial	12,660.00	$11.18	12,741	$1.12	$155,808.72	$311,617.44	$30,924.18	$280,693.26	$280,693.00
Career & Technical Education	Capitol/Jwing	6,730.00	$14.38	257	$1.10	$97,060.10	$194,120.20	$24,807.52	$169,312.68	$169,313.00
Health Department	Capitol/Jwing	28,943.00	$14.38	798	$1.10	$417,078.14	$834,156.28	$497,757.32	$336,398.96	$336,399.00
Indian Affairs	Capitol/Jwing	1,050.00	$14.38	29	$1.10	$15,130.90	$30,261.80		$30,261.80	$30,262.00
Human Services	Capitol/Jwing	30,041.00	$14.38	3,434	$1.10	$435,766.98	$871,533.96	$397,248.24	$474,285.72	$474,286.00
Insurance Department	Capitol/Jwing	5,236.00	$14.38	308	$1.10	$75,632.48	$151,264.96	$151,437.44	($172.48)	$0.00
Industrial Commission	Capitol/Jwing	635.00	$14.38	184	$1.10	$9,333.70	$18,667.40	$18,770.44	($103.04)	$0.00
ND Department of Labor & Human Rights	Capitol/Jwing	3,720.00	$14.38			$53,493.60	$106,987.20	$11,458.32	$95,528.88	$95,529.00
Public Service Commission	Capitol/Jwing	10,373.00	$14.38	473	$1.10	$149,684.04	$299,368.08	$89,080.88	$210,287.20	$210,287.00
Securities Commission	Capitol/Jwing	1,504.00	$14.38	644	$1.10	$22,335.92	$44,671.84	$45,032.48	($360.64)	$0.00
Highway Patrol	Capitol/Jwing	4,008.00	$14.38	425	$1.10	$58,102.54	$116,205.08	$19,411.06	$96,794.02	$96,794.00
Agriculture	Capitol/Jwing	7,357.00	$14.38	466	$1.10	$106,306.26	$212,612.52	$46,172.24	$166,440.28	$166,440.00
Historical Society	Heritage Center	13,732.00				$0.00	$0.00		$0.00	$0.00
Water Commission	State Office Building	21,435.00	$12.98	210	$1.87	$278,619.00	$557,238.00	$557,351.40	($113.40)	$0.00
Total for Current Capitol Occupants						**$3,881,111.46**	**$7,762,222.92**	**$2,545,112.76**	**$5,217,110.16**	**$5,217,858.00**

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Requested Sections to be Added to HB1015

Section 3 – Transfer from Tax Relief Fund to Social Services Finance Fund – This section provides for the transfer of $174.4 million from the Tax Relief Fund to the Social Services Finance Fund for costs associated with the redesign of regional social services and continuation of the transfer of social services administration from counties to the state.

Section 4 – Transfer of June 30, 2021 Legacy Fund earnings – This section proposes an allocation strategy for Legacy Fund earnings that will be deposited in the general fund at the end of the current biennium:

1. First $100,000,000 to the general fund
2. Next $64,370,000 to the common school trust fund
3. Next $235,630,000 to the general fund
4. Next $25,000,000 to North Dakota information technology for statewide cyber security
5. Next $27,000,000 to unmanned aircraft systems fund
6. Next $30,000,000 to innovation loan fund to support technology advancement
7. Next $8,000,000 to the housing incentive fund
8. Next $10,000,000 to state parks for infrastructure upgrades
9. Next $5,000,000 to the environmental quality restoration fund
10. Next $10,000,000 to the state parks gift fund
11. Next $10,000,000 to North Dakota university system for the challenge grant program
12. Any remaining amounts to the general fund

Section 5 – Transfer of bonding proceeds to state agencies – This section provides authority for OMB to transfer $130.5 million of bonding proceeds to various state agencies for maintenance and repair projects identified in the 2019-2020 facilities assessment.

Section 6 – Authority to allocate funding appropriated for state internship program – This section provides authority for the Office of Management and Budget to transfer funds from the state internship line to any state agency participating in the state student internship program.

Section 7 – Turnback exemption for Fiscal Management Division – This section continues authority that has been provided by previous Legislative Assemblies for any unspent funds in the Fiscal Management division to be carried forward for use in the development and operation of state financial systems.

Section 8 – Turnback exemption for 2019-21 appropriations for the comprehensive real estate study and the state internship program – This section would allow unspent funds to be carried forward to the 2021-23 biennium to continue these initiatives. It is estimated that approximately $250,000 will be unspent from the real estate study and $160,000 will be unspent from the state internship program.

Section 9 – Intent for grants and other items – This section, which has been included in the OMB bill in the past, provides direction for certain grants and other items included in Section 1 of the bill. Amounts that should be included in this section are:

- State memberships $642,089
- Unemployment insurance $1,800,000
- Capital Grounds Planning Commission $25,000

Section 10 – State employee compensation adjustment guidelines – This section provides direction for distribution of state employee salary increases. Funding adjustments for all state agencies and institutions are recommended to average 2% each year of the 2021-23 biennium. Compensation increases are to be distributed based on performance. Additional increases can be provided to address salary compression or to enhance merit-based increases, if funded within the agency's current salary budget and offset by future salary savings.

Bonding Sections

Section 11 Amends the section of NDCC related to the Infrastructure Revolving Loan Fund.

- Adds "or useful life" to the maximum 30-year term for essential infrastructure projects
- Increases maximum loan term to 40 years, or useful life of the project, for water-related or bridge infrastructure
- Expands the definition of eligible infrastructure projects to match the definition in Operation Prairie Dog

- Subsection 7 provides the Department of Transportation authority to approve county road and bridge projects
- Subsection 8 adds provides the State Water Commission authority to review and approve water-related infrastructure projects
- Subsection 9 authorizes ND Public Finance Authority to issue up to $700 million of bonds for infrastructure revolving loan funds:
    - $450 million for flood control, water supply and water management loans
    - $200 million for infrastructure project loans
    - $50 million for loans to construct and renovate county bridges

Section 12 Amends the lending and borrower powers of the ND Public Finance Authority (PFA). This will allow the PFA to grant or transfer money to the Bank of North Dakota for making loans for infrastructure projects, per to NDCC 6-09-49. This section also adds language to allow the PFA to make debt service payments from the sinking fund established in Section 17.

Section 13 Amends the reserve fund language for the PFA, to allow the industrial commission to determine if the reserve fund will be required for bonds issued under Section 32.

Section 14 Creates a new section of NDCC directing PFA to make bond debt service requirements from the sinking fund, established in Section 17, or from other funds appropriated by the legislative assembly.

Sections 15, 16, 28 and 29 Amend NDCC to allow counties to utilize tax levies for repayment of loans, from the Infrastructure Revolving Loan Fund, for a maximum term of 30 years.

Sections 31, 34, and 38 Transfers the State Water Commission Revolving Loan Fund (Section 61-02-78) and the Community Water Revolving Loan Fund (Chapter 6-09.5) to the Infrastructure Revolving Loan Fund (6-09-49). Repeals the sections of code related to the State Water Commission Revolving Loan Fund and Community Water Revolving Loan Fund and provides an effective date of July 1, 2022.

Section 32 Authorizes the PFA to issue up to $1.25 billion of evidences of

indebtedness during the bienniums beginning July 1, 2021 and ending June 30, 2025, and establishes a 30-year maximum term.

Section 33 Directs the PFA to transfer the bond proceeds, per the dollar amounts specified in the Bill.

Section 36 Repeals NDCC Chapter 6-09.5, relating to community water facility loans and section 61-02-78, relating to the current infrastructure revolving loan fund.

Section 17 – Legacy Fund earnings allocations – June 30, 2023 and future bienniums – This section proposes five new funds to be used for the deposit of future Legacy Fund earnings:

- Economic diversification and strategic initiatives fund – *20% of Legacy earnings* - Moneys in the fund may be appropriated for programs and initiatives that support economic diversification, community development and strategic initiatives, expand and develop new businesses and industries, and build healthy and vibrant communities.
- Research and innovation fund – *10% of Legacy earnings* - Moneys in the fund may be appropriated for programs and initiatives that support research and innovation in higher education and the private sector, support the commercialization of products, and advance new technology to support industries in North Dakota.
- Government transformation fund – *10% of Legacy earnings* - Moneys in the fund may be appropriated for programs and initiatives that transform the delivery of government services, make government more effective and efficient, and reduce ongoing expenses for state government.
- Legacy projects fund – *20% of Legacy earnings* - Moneys in the fund may be appropriated for projects that have a positive impact on current and future generations of North Dakotan's; have a positive impact on the state, region, or nation; leverage other financial resources and have a positive return on investment; do not add ongoing operational costs for state government; build and strengthen communities; diversify the North Dakota economy.
- Legacy bond sinking fund – *40% of Legacy earnings* - Moneys in the fund are appropriated as a continuing appropriation to the Public Finance Authority for the payment of debt service on any evidences of indebtedness payable from the legacy bond sinking fund.

Section 18 – State contingency borrowing authority – This section proposes a statutory change related to the state contingency borrowing authority in Section 19.

Section 19 – Emergency Commission borrowing authority – This section proposes authority for the Emergency Commission to authorize OMB to borrow up to $5 million from the Bank of North Dakota, as a line of credit to respond to state contingencies. The current and past appropriations of $500,000 to $700,000 are rarely used in their entirety but would be inadequate to respond to a significant event. Any funds borrowed under this proposed authority would be repaid with a deficiency appropriation requested from the subsequent Legislative Assembly.

Section 20 – Creation of new rent model for capitol complex – This section amends NDCC Section 54-21-19 to remove the provision that only non-general fund agencies pay rent for space in the capitol complex. This statutory change will allow all agencies, regardless of the source of their funding, to pay their fair share of rent for space they occupy in capitol complex buildings. All agencies will be equally incentivized to efficiently manage their space utilization. The result will be long-term savings to the state and the best use of existing space.

Section 21 – Shared services fund – This section creates a new state fund, called the Shared Services Fund. Creation of this fund would facilitate sharing between state agencies and has the potential to create long-term savings for the state. Without the creation of this fund, agencies have no incentive to create efficiency through shared service agreements. For example, if two agencies are collocated and could find cost savings through sharing costs for a copier, this fund could create a needed incentive to encourage purchase of one shared copier. Without this fund, if Agency A purchases the copier and Agency B wants to share the costs, any payments made to Agency A typically must be deposited into the general fund and the agency receives no benefit and is unable to offset any costs. Creation of this fund would allow Agency A to accept payments from Agency B, deposit those moneys in the Shared Services Fund, then use those moneys to offset costs associated with the copier.

Section 22 – Budget Stabilization Fund maximum balance – This section would reduce the maximum balance of the budget stabilization fund from 15% of general fund appropriations to 10% of general fund appropriations. Prior to the

2017-19 biennium, the maximum balance was set at 9.5%. In order to access the balance of the fund, general fund allotments of 6% would be required. Consequently, with a 10% balance in the fund and the required allotments, a total shortfall of 16% could be managed. This change in the maximum balance will allow for a one-time transfer of $244.5 million to the general fund during the 2021-23 biennium.

Section 23 – Creation of Facility Management Operating fund – This section establishes a new special fund: the facility management operating fund. The fund will be used to deposit rent collected from the state capitol complex. Facility management salaries will be paid from the fund, within the limits of legislative appropriations. The remaining balance will be transferred each biennium to the general fund.

Section 24 – Elimination of political subdivision information from state Transparency site - This section amends NDCC Section 54-44.1-18 to remove the requirement that OMB publish political subdivision budget information for those political subdivisions that choose to submit information to OMB. Only two counties submitted budget information for 2018; none for 2019. Most political subdivisions publish budget information on their own web sites, making this requirement unnecessary and duplicative.

Sections 25 and 26 – Recycled paper requirements for state procurements – These sections remove the requirement that OMB must request information on the recycled paper content for all bids for paper products and adds flexibility to the requirement that paper products purchased by the state include at least 25% recycled material. These amendments will simplify the administration of the procurement process, eliminate unnecessary reporting, and save time and effort on the part of the vendors and OMB team members.

Section 27 – Business process improvement borrowing – This section creates a new section to the NDCC modeled after existing language that allows borrowing for energy savings building improvements. This proposed language would allow agencies to borrow from BND to finance a business process improvement project, if NDIT certifies the savings from the project will pay for the project costs, plus interest, within at least six years. The repayments would come from existing appropriation levels; long-term savings would benefit the state in subsequent bienniums.

Section 30 – General fund share of oil and gas taxes – This section amends NDCC Section 57-51.1-07.5 increasing the general fund share of oil and gas taxes from $400 million per biennium to $500 million per biennium, increasing ongoing general fund revenues, and helping balance ongoing revenues and spending.

Section 35 – HR positions transfer from NDIT to OMB – This section allows the transfer of 2 FTE and related funding from NDIT to OMB for the unification of HR services within the HRMS division of OMB.

Section 37 – Repeal of SECC and State Personnel Board– This section repeals:

- NDCC Section 54-06-25 relating to the State Employee Compensation Commission (SECC). The SECC consists of the OMB director as the governor's designee, four legislators, and four state employees. The purpose of the commission is to make recommendations on appropriate salary and benefits for state team members. Although the purpose is admirable, the recommendations of the commission carry little weight in the executive budget or legislative budget process.
- NDCC Section 54-44.3-03 relating to the State Personnel Board. The Office of Administrative Hearings (OAH) now performs most of the functions originally performed by the State Personnel Board, including hearing all grievances relating to state agency employer actions. Currently, the two functions of the State Personnel Board are to approve changes to the state salary ranges and to hear appeals of reclassification requests. In the past two years the Board has only heard two appeals. There is currently a multiple step process to review reclassification requests prior to going to the Board. These appeals are handled by an internal committee of Human Resource professionals who have received training regarding the classification system.

Testimony Prepared for the
House Appropriations Committee – Government Operations
January 13, 2019
By: Terry Traynor, NDACo Executive Director

NDACo
NORTH DAKOTA ASSOCIATION OF COUNTIES

RE: House Bill 1015 – OMB Budget/Public Guardianship Funding

Thank you, Mr. Chairman, for the opportunity to communicate our Association's support for the public guardianship funding in the OMB budget, and to urge your consideration and approval of an appropriation level of $2,500,000 to fully fund the actual guardianship need.

Since 2013, the legislature has appropriated General Funds in the OMB budget for distribution to the private agencies and private individuals that serve as Public Guardians for indigent adults. (This does not include individuals served under the Developmental Disabilities program as their guardians are contracted and funded through DHS).

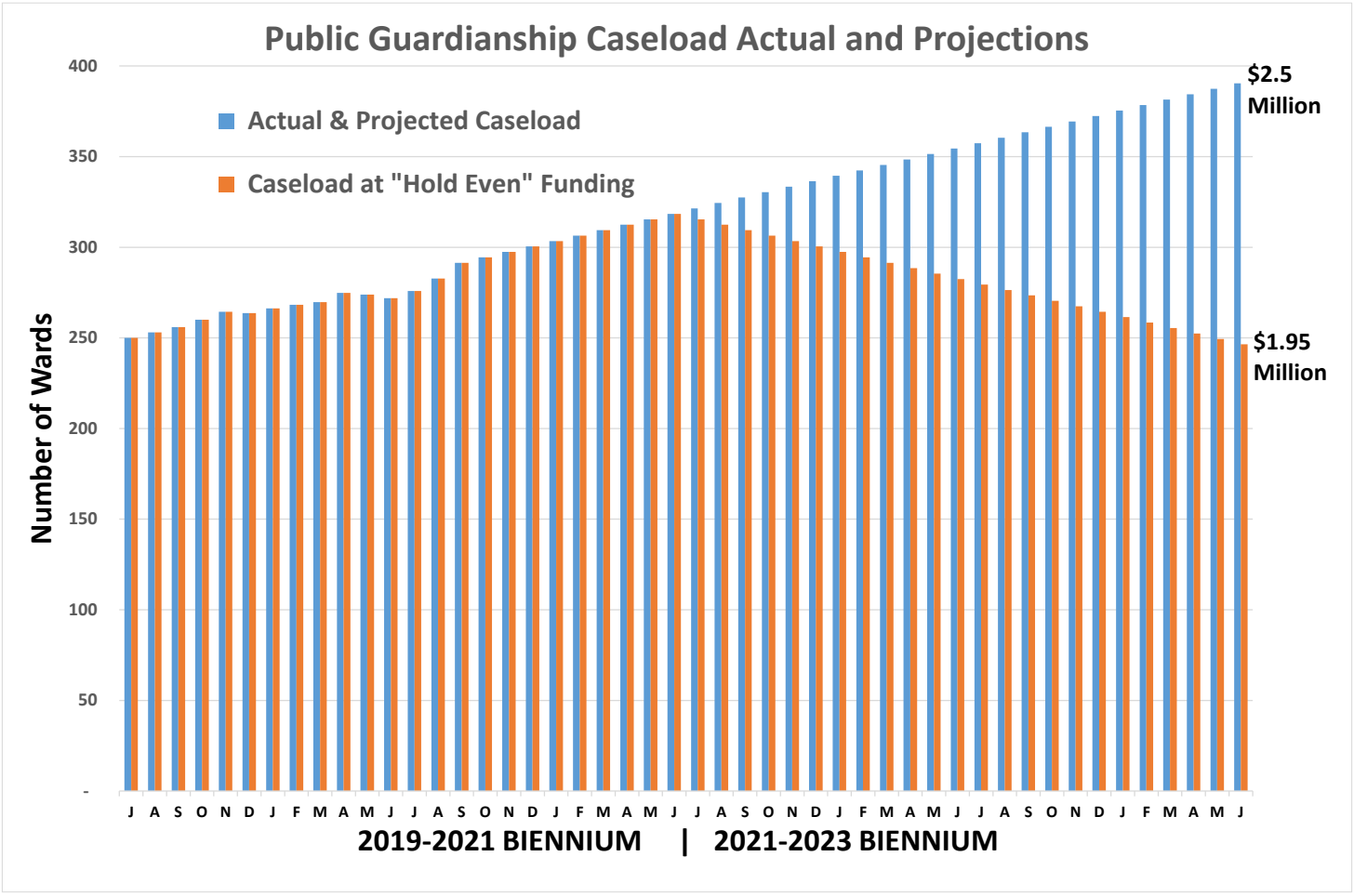
These wards are individuals that the District Court has determined are incapacitated and cannot adequately look after their own affairs due to age/dementia, physical disability, mental illness, addiction, etc. An advisory group (Courts, OMB, DHS, 1 Provider, & NDACo) directs the reimbursement of public guardians for (non-DD) wards whose resources total less than 100% of poverty and/or are receiving Medicaid-funded services.

As the North Dakota's population of elderly and disabled individuals has grown, the number of those that lack resources has grown as well. This has steadily increased the need for public guardians.

- The current biennial funding supports a **$10/day per ward stipend** to the persons and charitable entities that are ordered by the State Court to serve these vulnerable individuals. Their collective **caseload has grown from 250 to 300 over the first 18 months of the biennium**. Each month we see the termination of 2-3 cases and the addition of 5-6 cases statewide. With a monthly net growth of three, the **caseload is projected to reach 320 by the end of the biennium**, and we expect the current appropriation amount ($1,950,000) to be sufficient to meet THIS biennium's need.

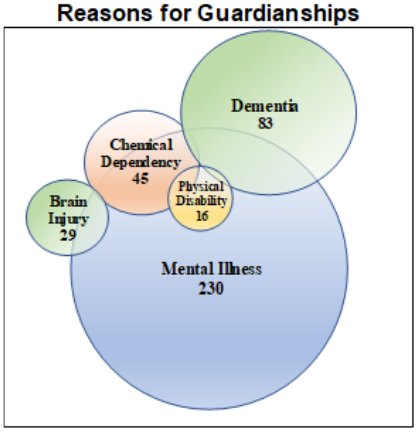
- **The Executive Budget, however, recommends flat funding for 2021-23**, and that would only be sufficient if caseloads were immediately frozen and cases dropped by 3 per month until the total was back down to 250 – **leaving a projected 150 incapacitated adults without guardian support.** We expect the State Court will continue to seek guardians for a net increase of 3 wards per month for the upcoming biennium, and **to support this caseload, an appropriation of $2,500,000 is necessary.**

Public guardianships are a critical support for our most vulnerable citizens. Their ability to monitor and represent their wards not only benefits the wards, but serves the hospitals, clinics and nursing homes where critical medical decision-making cannot take place for an incapacitated person without a legally appointed guardian. Thank you, Mr. Chairman, and committee members, for your consideration of this request.



FUNDING OF PUBLIC GUARDIANSHIPS - BACKGROUND

In response to a previous interim study of guardianship issues by the Legislature's consultant, Dr. Winsor Schmidt, the 2013 Legislature began a process of reforming the Public Administrator "system." The haphazard and unequally funded public guardianships throughout the State were set on a course for greater uniformity, better training, and limited, but consistent, funding. This initiative was supported by a broad cross-section of medical and social service entities, recognizing the personal and financial impact caused by the existing system's deficits.



October 2020 Caseload	
Catholic Charities	29
DKK, Inc.	70
Guardian & Protective Services	56
Guardian Angels	52
Lighthouse Associates	12
Lutheran Social Services	59
Opportunity Inc	10
Veronica Miller	6

The legislature provided financial support to guardians serving indigent individuals that are not served separately by the developmentally disabilities system for guardianships. As the bubble chart indicates, many of those served are incapacitated due to several issues. Currently, seven agencies and one individual provide public guardianship services supported by this funding.

An Average of 350 Cases x $10/day x 730 days = $2,555,000

House Bill 1015
Government Operations Division, House Appropriations
Testimony by Audrey Uhrich, Program Director,
Guardian and Protective Services (GaPS) Bismarck, ND
January 13, 2021

Chair Vigesaa and members of the Committee.

I am Audrey Uhrich, the Program Director for Guardian and Protective Services.

We are a non-profit agency that can be appointed by the court to serve as a public guardian for vulnerable adults.

As a public guardian our responsibility to these vulnerable individuals is to:

- Address the financial, medical, care, and housing needs
- Apply for appropriate benefits and access available resources and services
- And be available 24/7 for all emergent needs.

The services of public guardians are necessary to assist vulnerable adults in our state who are in need of a decision maker in their life.

- They may be unsafe in their home
- They may be being financially exploited
- They may be remaining in terrible situations because they have no decision maker or guardian to advocate for them, stop exploitation, manage bills, set up needed services or find a safe setting for them

Guardian and Protective Services and other public guardian agencies across the State depend on payments from the PASS progam in order to provide these necessary services.

Public guardians are an essential piece in the continuum of care for vulnerable adults. We ask your support to ensure that public guardianship services are available for vulnerable adults in North Dakota by approving the public guardianship funding in the OMB budget and the requested increase to appropriately fund the actual guardianship need.

Thank you for your time and consideration of this request.

House Appropriations – Government Operations Division
Testimony on House Bill 1015
Representative Don Vigesaa – Chairman
January 13, 2021

Chairman Vigesaa and members of the House Appropriations – Government Operations Division, my name is Donna Byzewski and I am one of the guardianship directors at Catholic Charities North Dakota (CCND) and I am respectfully asking your committee to support an adjustment to Public Administrators Support Services (PASS) funding to $2.5 million which would result in an increase in the funded caseload to 320 wards.

In February 2020, Catholic Charities North Dakota began providing guardianship services on behalf of individuals with mental health issues, vulnerable elderly persons and people with a traumatic brain injury. A guardianship program in Devils Lake made the decision to no longer provide guardianship services and Catholic Charities ND stepped up to fill this need. Thirty guardianship cases were transferred to Catholic Charities ND of which 25 were funded by the PASS program. Catholic Charities ND would not have been able to assume responsibility for these cases had it not been for PASS funding. Since inception, we have had 9 ward losses and 13 new admissions, bringing the number of guardianship cases served to 34 people. Services are provided by Shannon Henrickson, full time Director, and Crystal Keller, a full time Guardianship Worker, and they serve individuals who live in Fargo, Arthur, Jamestown, Devils Lake, Rugby, Lakota, Minot, Bottineau, Cando, Valley City, Carrington, Maddock, and Grand Forks.

Currently, our guardianship program receives PASS funding for 29 individuals. We also have 5 people who are on our waiting list for services. Many of our referrals have come from judges, Vulnerable Adult Protective Services, hospitals, Veterans Administration and families. To continue to meet the guardianship needs of indigent people in North Dakota, it is vital that funding for the PASS program be increased. It would be devastating to vulnerable people to languish on a waiting list because of limited funding. Often the circumstances in their life place them at risk of harm and they need the support of a guardian. Increased PASS funding is extremely important to ensure that our most vulnerable people do not fall through the cracks and go without needed services. Thank you for your time and consideration.

Testimony on HB 1015
House Appropriations
Government Operations Division
John Harris, President & CEO
Prairie Public Broadcasting
January 13th, 2021

Mr. Chairman and members of the committee, thank you for the opportunity to speak with you today about the budget request for Prairie Public Broadcasting, North Dakota's public broadcasting network.

For the record, I am John Harris, President and CEO of Prairie Public Broadcasting.

Prairie Public began service to the citizens of North Dakota in 1964 with a single broadcast tower and since then has grown to provide public media services that impact the citizens of our entire state—from childhood through all phases of life.

Prairie Public provides public media services that educate, involve, and inspire the people of the prairie region. Public media strengthens communities and helps them to prosper. The citizens of North Dakota know the importance of a strong and viable public broadcasting entity for our community.

We are committed to respect for our audience, civil discourse, and lifelong learning.

Education is the cornerstone of Prairie Public's mission. We provide researched, high-quality digital resources and learning materials to students, educators, parents, counselors, librarians, and tech coordinators, and we conduct professional training opportunities to help them use those tools in our region's classrooms.

Public media served as a vital resource for 2020's changing educational needs. Prairie Public's educational services shifted focus from in-person events and stepped up to promote At Home Learning Resources. PBS LearningMedia saw a doubling in users, WORLD CHANNEL altered their schedule to broadcast classroom programs, and webchats served K-12 teachers in a peer-supported environment.

We're combining public media's greatest assets with outreach to make a positive impact on the lives of our children. No one provides a more valued educational experience for children than Prairie Public.

In addition, Prairie Public has embraced our public safety mission to maximize our spectrum for the public good. Public television stations are the backbone of the WARN system of presidential alerts in times of national emergency. Prairie Public is vital to our state as a locally owned and operated media organization that can serve in times of crisis.

Even as public distrust of national institutions and media is at an all-time high, studies show that public broadcasters retain the trust of the American people as an essential resource for well-informed citizens.

Prairie Public is a reliable source for international, regional, and local news from the worlds of politics, business, science, and the arts. In fact, our network of television, radio, and online services was one of the most comprehensive and trusted sources for statewide election coverage and debates during the 2020 election—vital for thoughtful citizens and healthy societies. Our coverage of the North Dakota legislature helps you to serve your constituents and communicate the good work you accomplish.

In addition to broadcasting nationally produced television and radio programs such as *PBS NewsHour, Nature, NOVA, Masterpiece, Morning Edition,* and *All Things Considered*, Prairie Public produces an extraordinary amount of quality programming that reflects North Dakota's history, culture, and concerns.

Our local productions cover topics ranging from community events to rural health care issues to legislative news. We partner with many local agencies to help inform our citizens of critical issues that affect each and every one of us.

Prairie Public looks at the history and cultural aspects of our region with shows like *Women Behind the Plow* and *Basketball, Water and the Lost City of Elbowoods*. We celebrate local artists with our series *Prairie Musicians*. We interview newsmakers every weekday on *Main Street* and weekly on *Prairie Pulse*.

The state of North Dakota has, for years, played a vital supporting role in the operation of our public media services. While the appropriation from the state of North Dakota does not cover all the expenses, many of the services would not be possible without state funding, which provides a foundation for support from many other sources. It is important that North Dakota sustain its public broadcasting system.

I cannot express enough the thanks Prairie Public and its members extend to you for your past support. In the 57-plus years Prairie Public has been broadcasting, technology has changed, but our mission to provide services that educate, involve, and inspire has not.

Our most recent Annual Report and a sample of our quarterly newsletter are included in your handout.

In House Bill 1015 of this biennium's budget, we ask that you support the recommended amount for Prairie Public, as it enables us to continue to operate the infrastructure required to maintain services. Prairie Public provides a vast array of public media services to homes, schools, and workplaces throughout the state.

We do respectfully request that you remove the language in Section 4 of House Bill 1015 that requires Prairie Public to match $200,000 for essential equipment needs. This was originally intended to be additional support that was not received but the language stayed in the Bill.

In closing, let me remind you that Prairie Public belongs to the citizens of our region, and with your support Prairie Public will continue to be a community leader and assist the state in achieving its goals of economic strength, educational quality, and pride in our rich heritage.

Mr. Chairman and Members of the Committee, thank you for your time and consideration.

Valued

Essential

Trusted

Educational

Inspiring

Accurate

Independent

Transparent

Fair

Inclusive

Accountable

Credible

Honest

Respectful

Prairie Public

Prairie Public Broadcasting, Inc.

Community Impact Report 2019

Fiscal Year 2019 began October 1, 2018, and ended September 30, 2019

Prairie Public Broadcasting is a trusted public media service dedicated to building an exciting and productive future for our region and its people by offering a window on the world and creating a forum for discussion of important issues.

When you support Prairie Public, your contribution goes to work to make great television and radio programs happen. It works to secure the very best of PBS and NPR programming, along with high-quality, original productions created to meet your interests and needs.

Individual and community support is a crucial part of Prairie Public's success, and this annual report celebrates our dedicated partners and contributors.

Prairie Public is a member of the Public Broadcasting Service, a private, nonprofit corporation that provides quality television programming and related services.

Prairie Public is a member of NPR, a privately supported, nonprofit membership organization that serves its audience in partnership with independently operated, noncommercial public radio stations.

Award-winning radio, television, and education services from **Prairie Public**

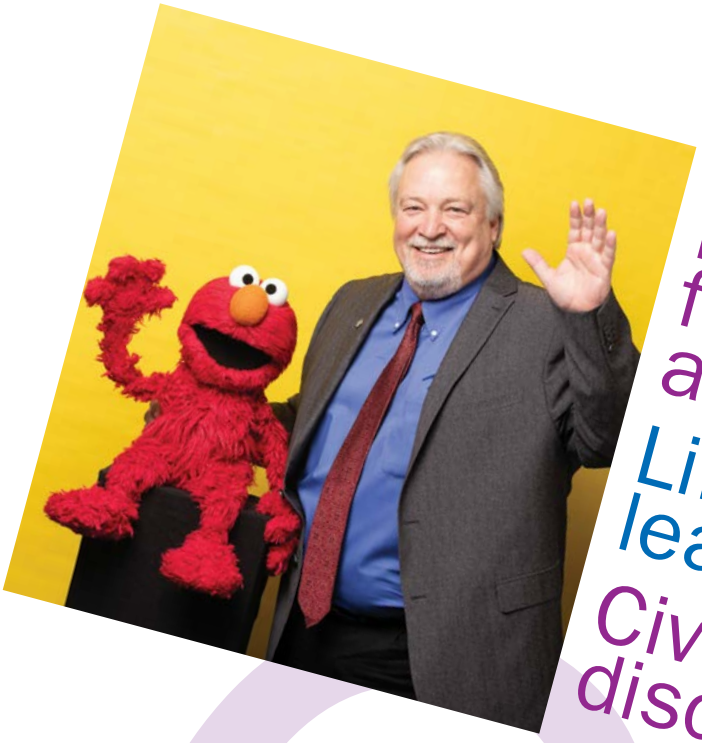
2019 National Educational Telecommunications Award

Media Integration and Creation Workshop

2019 Telly Awards

Coal: Engine of Change
Silver Award: Education
Bronze Award: History

2019



Respect for our audience. Lifelong learning. Civil discourse.

It's been sixty years since Dr. Ted Donat gathered some like-minded individuals together to form The North Central Educational Television Association—now known as Prairie Public.

Six decades later, technology has changed dramatically. You may be using smart speakers, apps, tablets, online streams, or a smart phone to watch our television programs or listen to our radio network.

We're innovating and embracing these changes. We're at the forefront of technology—delivering educational, involving, inspiring programming wherever our audience is.

But we're staying true to our fundamental ideology. The Prairie Public staff and I are committed to respect for our audience, to lifelong learning, to civil discourse. We're creating content that not only educates, but also fosters citizen participation, and builds understanding and trust. Just as Dr. Donat envisioned all those decades ago.

In this community impact report, we boast a little about our programming, and we publish our financial standing. But we use most of this report to acknowledge those who have made it all possible.

We are grateful for our strong member base, whose generous contributions allow us to broadcast programming that is relevant. We're grateful for our partners, our corporate supporters, and the legislators who understand that public media is essential for a healthy, strong community.

We are steadfast in our commitment to be an environment for the arts, for hard-hitting documentaries, for science, nature, and history programming. And, of course, for the award-winning children's programming that parents can trust. And we'll continue to look for those stories that may not find their way into the mainstream, being a voice for those who otherwise would not be heard.

Thank you for your trust.
Thank you for your support.

John E. Harris III
Prairie Public
President & CEO

20 Year in R

Public media is an essential part of the media landscape—serving the public interest and preserving the public's trust while presenting programs that address a broad range of beliefs, philosophies, and viewpoints.

Accuracy means more than merely verifying information. Prairie Public's news reporters put the facts in context, are mindful of the language used to frame the facts, and report in a respectful manner without favoritism or discrimination.

People believe that public media has integrity, proven by study after study. Our viewers and listeners become members because they expect the highest professional standards from us. They know Prairie Public will deliver radio, television, and educational programming they can trust.

Our listeners and viewers are curious about the culture and history of our region. Prairie Public original television productions that debuted in 2019, **Basketball, Water and the Lost City of Elbowoods**, **Women Behind the Plow**, and **Minnesota's Unsung History** document stories rarely told.

2019 Review

Throughout the year, Prairie Public offers radio, television, and educational programming that educates, involves, and inspires. As an independent, locally supported media network, Prairie Public is an essential civic partner that works to address the needs of our communities.

We are accountable and responsive to our audience—especially to our educators and our youngest viewers. In 2019, Prairie Public debuted **Weekly Web Chats** and the **Media Integration and Creation Workshop** to offer free professional development and networking to the teachers who guide those youngsters.

Our audience is open to a wide variety of ideas and perspectives, so our content is informed and informative to reflect those perspectives. **Breaking Barriers: Harvesting LGBTQ Stories on the Northern Plains**, **Hunger Free ND**, and **Dakota Datebook: Remembering Theodore Roosevelt** radio specials and podcasts foster engagement, and are also refreshingly smart and authentic.

Thought-provoking music and arts can offer an optimistic view of the world. **Prebys on Classics**, **Into the Music with Mike Olson**, **Prebys on Jazz**, and other music programming on radio and television bring the stage to you.

Prairie Public Broadcasting Boards 2018–2019

The Prairie Public Broadcasting family is fortunate to have dedicated, hardworking, and enthusiastic people to guide the organization and serve on its boards and advisory councils.

Prairie Public Broadcasting Board of Directors

The Board of Directors is the governing body of the organization, and members are appointed to serve two three-year terms.

Cesareo Alvarez, New Town, ND
Joshua Boschee, Fargo, ND
Ken Bull, Winnipeg, MB
Kathy Coyle, Detroit Lakes, MN
Greg Dandewich, Winnipeg, MB
Heidi Demars, Bismarck, ND
Paul Ebeltoft, Dickinson, ND
Bethlehem Gronneberg (Treasurer), Fargo, ND
John E. Harris III (President & CEO), Fargo, ND
Britt Jacobson (Chair), Park River, ND
Phyllis Johnson, Grand Forks, ND
Dick Kloubec, Fargo, ND
Jim Kotowich (Secretary), Winnipeg, MB
Karen Kreil, Bismarck, ND
Lisa Kudelka, Hensler, ND
Jerry Nagel (Past Chair), Apple Valley, MN
Crysta Parkinson, Williston, ND
John Petrik, Minot, ND
Connie Triplett, Grand Forks, ND
Nick Vogel, Fargo, ND
Sarah Smith Warren (Vice Chair), New Rockford, ND
Ken Zealand (President of Prairie Public Manitoba), Winnipeg, MB

Television Community Advisory Board

The Television Community Advisory Board reviews the programming goals established and the services provided by Prairie Public and advises the Board of Directors whether the programming and other policies are meeting the specialized educational and cultural needs of the communities served.

Mike Benson, Fargo, ND
Stephanie Blumhagen, Bottineau, ND
Craig Whippo (Chair), Dickinson, ND

Radio Council

The Radio Council was established to allow the partners in the service—Prairie Public and North Dakota State University—to be informed about the network's progress and plans and to provide input to management.

Jeff Dick, Minot, ND
John E. Harris III (President & CEO), Fargo, ND
Joe Mocnik (NDSU), Fargo, ND
Peter Morowski, Dickinson, ND
Paul Nyren (Chair), Garrison, ND
Fred Remer, Grand Forks, ND

North Central Council for Educational Media Services

NCCEMS is an organization of public schools in North Dakota and Northwest Minnesota that contracts with Prairie Public to create a virtual educational service unit and to provide links between educators and educational resources.

Nancy Bollingberg (Chair), Fessenden-Bowdon 25
Dr. Terry Brenner, Grand Forks Public Schools
Dr. Rupak Gandhi, Fargo Public Schools
Tonya Greywind (Vice Chair), ND Center for Distance Education
Dr. Robert Grosz, Fargo Public Schools
Tracy Hanzal, Hazelton/Moffit/Braddock Schools
John Harris, President & CEO Prairie Public
Dr. Sherlock Hirning, Divide Country Schools
Jason Hornbacher, Bismarck Public Schools
Rick Jacobson, Wahpeton Public Schools
Dr. Bruce Jensen, Northwest Service Cooperative
Michael Kaiser, Ellendale Public School
Jeremy Kovash, Lakes Country Service Cooperative
Jeff Manley, Cavalier Public School
Rep. David Monson, ND House of Representatives
Beth Slette, West Fargo Public Schools
Dr. Mark Vollmer, Minot Public Schools
Dr. Tim Wollenzien, Prairie Public

Prairie Public seeks people to serve on the Prairie Public Broadcasting boards. Anyone interested in serving is encouraged to inquire.

Prairie Public Broadcasting, Inc.
Annual Financial Report
for the Year Ending 9/30/19

	Television		Radio		
	Amount	*%*	*Amount*	*%*	*Total*
Sources					
Membership	$1,462,173	20%	$590,952	32%	$2,053,125
Underwriting	$165,762	2%	$191,383	10%	$357,145
Corporation for Public Broadcasting	$1,344,169	18%	$170,065	9%	$1,514,234
Local Production Funding	$110,129	2%	$23,087	1%	$133,216
State of North Dakota	$409,500	5%	$165,500	9%	$575,000
State of Minnesota	$603,231	8%	$0	0%	$603,231
Grants [1]	$1,338,983	18%	$0	0%	$1,338,983
Fees, Rents	$751,825	10%	$263,804	14%	$1,015,629
Charitable Gaming	$647,112	9%	$251,654	14%	$898,766
Planned Giving [2]	$244,271	3%	$50,500	3%	$294,771
Other	$397,076	5%	$142,050	8%	$539,126
TOTAL SOURCES	**$7,474,231**	**100%**	**$1,848,995**	**100%**	**$9,323,226**
Uses					
Programming & Production	$2,367,386	36%	$1,113,170	48%	$3,480,556
Engineering	$1,224,702	18%	$313,646	13%	$1,538,348
Administration	$1,047,622	15%	$407,409	17%	$1,455,031
Fundraising	$354,630	5%	$94,818	4%	$449,448
System Upgrade & Other	$1,549,625	23%	$330,287	14%	$1,879,912
Change in Prairie Public Endowment	$215,389	3%	$83,762	4%	$299,151
TOTAL USES	**$6,759,354**	**100%**	**$2,343,092**	**100%**	**$9,102,446**
EXCESS (DEFICIT) SOURCES OVER USES	$714,877		($494,097)		$220,780

Financial data provided from Eide Bailly LLP audited financial statements of Prairie Public Broadcasting, Inc.

Note 1. Grants include unrestricted support for operations and grants for capital construction and equipment, from the Federal Communication Commission totaling $950,042 for television.

Note 2. Planned giving includes contributions to Endowment Funds, Interest Earnings, and Realized and Unrealized Gains from Endowment Funds.

Local membership and underwriting is the largest source of unrestricted support for Prairie Public Broadcasting, Inc.

Investors Circle Support

Prairie Public Broadcasting gratefully thanks its Investors Circle members, a dedicated group of donors who have made annual gifts of $1,000 or more.

Platinum Investors • $10,000

Mr. and Mrs. Allen Arvig, Perham, MN
Corwin Wilson LLC, Fargo, ND
M Jean Fisher Donor Advised Fund, Seabeck, WA
Anonymous, Alamo, ND

Gold Investors • $5,000 to $9,999

Frederick P Baker, Bismarck, ND
Drs. Juliette E. and John Cooper, Winnipeg, MB
Mr. and Mrs. Gary Sorenson, Keene, ND

Silver Investors • $2,500 to $4,999

Jennifer, Cindy and Jay Anderson, Lloyd E. Anderson Ltd Partnership, Bismarck, ND
Margaret-Lynne and Jim Astwood, Winnipeg, MB
Fred Branch, Fargo, ND
Senator Kent Conrad and Lucy Calautti, Sarasota, FL
Dr. David R. Field and Mrs. Sherri Field, Bismarck, ND
Drs. Kimberly T. Krohn and John A. Fishpaw, Eastborough, KS
Dr. Walter and Carolyn Frank, Bismarck, ND
Dr. Rosanne Gasse, Brandon, MB
Mary Ann Johnson, Bismarck, ND
David Nygaard, Bowman, ND
Tim and Claudette Peterson, West Fargo, ND
Donna Plant, Winnipeg, MB
Al and Carol Samuelson, Bismarck, ND
Paul and Sylvia Steffens, Winnipeg, MB
Jack Trueman, La Salle, MB
Anonymous (1), Minot, ND
Anonymous (1), Winnipeg, MB
Anonymous (1), Bismarck, ND

Bronze Investors • $1,000 to $2,499

Mr. Dean Anagnost, Bismarck, ND
Robert Wayde Anderson, Grand Forks, ND
Robert Arusell, Fargo, ND
Howard and Dorothy Barlow, Fargo, ND
MacDonald and Taylor Barnes, Jamestown, ND
Mike and Jan Benson, Fargo, ND
Claudia Berg and Robert Matz, Bismarck, ND
Rodney Biggs, Winnipeg, MB
David and Myrna Blackstead, Bismarck, ND
Marjorie Blankstein, Winnipeg, MB
Paul Bonaime, Neche, ND
Kim and Barbara Booth, Fargo, ND
David and Ruth Borlaug, Washburn, ND
Andrew and Amy Brown, Bismarck, ND
Gloria Brown, Fargo, ND
Dr. Julie Bryant, Bismarck, ND
Ken Bull and Ann Klassen, Winnipeg, MB
Julie Burgum, Casselton, ND
Carol A. Christianson, Bismarck, ND
Dr. Yvonne C. Condell, Moorhead, MN
Patricia Crary, Fargo, ND
Troy Davis, Fargo, ND
Jane Dynes, Fargo, ND
Helen Elijah, Lisbon, ND
Terracon Development Ltd., Winnipeg, MB
Dr. Calvin K. Fercho, Fargo, ND
Dr. Marcus and Margaret Fiechtner, Bismarck, ND
John Gast, Fargo, ND
Mrs. J Gaynor, Winnipeg, MB
Jim and Sharon Geyer, Horace, ND
Edward Glass and Ann Buettner Glass, Fargo, ND
Adam Glazier, Fargo, ND
Ofe Obias Glazier, Fargo, ND
Bernice Goodman, Grand Forks, ND
Thomas and Barb Groutt, Minot, ND
Rev. Carl Hansen, Thief River Falls, MN
John and Suzanne Harris, Fargo, ND
Dr. Jonathan and Maniphone Haug, Grand Forks, ND
Curtiss L. Hegg and Judy Quam, Detroit Lakes, MN
Lloyd Hein, Winnipeg, MB
Senator John Hoeven and Mikey Hoeven, Bismarck, ND
Andrew and Kathleen Imes, Williston, ND
Sally and Cameron Inglis, Winnipeg, MB
Ruth Iversen, Sidney, MT
Christie Iverson, Bismarck, ND
Gene and Sue Jackson, Bismarck, ND
Michael and Debra Jensen, Glenburn, ND
Sonja Jensen, Fargo, ND
Phyllis Johnson, Grand Forks, ND
Sharon R. Ervin Johnson, Minot, ND
Dr. Myron and Muriel Johnsrud, Fargo, ND
Johnston Family Foundation, Hawley, MN
Paul and Gloria Kaste, Fertile, MN
Duane Keller, Fargo, ND
Rita F. Kelly, Bismarck, ND
James Kotowich and Lynne Guicheret, Winnipeg, MB
Marianne Krahn, Winnipeg, MB
Randy and Karen Kreil, Bismarck, ND
Jesse Hanson and Lisa Kudelka, Hensler, ND
Carol Jean Larsen, Bismarck, ND
Carl and Esther Larson, Dickinson, ND
Emile J Laurin, Winnipeg, MB
Jenette Leblang, Bismarck, ND
Reuben and Clarice Liechty through the Gwendolyn Ruth Liechty Memorial Endowment Donor Advised Fund, Jamestown, ND
Paul and Sharon Madson, Audubon, MN
Russell and Christina Martin, Mandan, ND
Chris and Janell Martin, Grand Forks, ND
Todd and Janet Mathistad, Minot, ND
Karen McBride, Bismarck, ND
Cheryl and George Mizell, Bismarck, ND
Jerry Nagel, Apple Valley, MN
Kathy Neugebauer, West Fargo, ND
Jerry and Jean Newborg, Bismarck, ND
Pastor John and Cheryl Nilsen, Minot, ND
Emelia Nyarku, Winnipeg, MB
Paul and Anne Nyren, Garrison, ND
Dr. Wayne and Linda Paquin, Winnipeg, MB
Jack and Kristen Paris, Bismarck, ND
Harry and Irene Pellaers, Winnipeg, MB
Richard and Virginia Portmann, Fergus Falls, MN
Richard and Arlette Preston, Fargo, ND
Joslyn Putnam, West Fargo, ND
Sanda Putnam, Bismarck, ND
Ken and Marcia Retzer, Fargo, ND
Richard Riha, Bismarck, ND
John and Kathleen Risch, Bismarck, ND
Jim and Cyndy Robinson, Garrison, ND
Dennis and Anita Rohde, New Town, ND
June Rowell, Winnipeg, MB
Dawn Rustad, Williston, ND
Joe and Katherine Satrom, Bismarck, ND
Robert Scheel, Fargo, ND
Mike and Kathy Schneider, Bismarck, ND
Bruce and Julie Schwartz, Bismarck, ND
James J. and Darlene Schwartz, Dickinson, ND
Elmer and Arlene Schwarz, Washburn, ND
Richard J. and Mary Scott, Winnipeg, MB
Mukund and Sungja Sibi, Fargo, ND
Nadeane Silbernagel, Bismarck, ND
Dr. and Mrs. Stephen Spellman, Fargo, ND
Debbie Spracklin, Winnipeg, MB
Drs. D. Sprunger and C. Siemens, Fargo, ND
Thomas Osborne Stair and Lucy H Caldwell-Stair, Newton, MA
Rodney Steiman, Winnipeg, MB
Richard Stevens, Grand Forks, ND
Karen Stoker, Fargo, ND
Kenneth and Nola Storm, Fargo, ND
Dale Summers, Fargo, ND
Charles Tax, Winnipeg, MB
Dave Thompson, Bismarck, ND
Dr. William D.B. Pope and Dr. Elizabeth Tippett Pope, Winnipeg, MB
Devan Towers, Winnipeg, MB
Constance Triplett and Gerald Groenewold, Grand Forks, ND
Susan and Bob Wefald, Bismarck, ND
Patrick and Becky Wheeler, Fairview, MT
Herbert Wildeman, Winnipeg, MB
Tina and Christopher Young, Fargo, ND
Kenneth and Pat Zealand, Winnipeg, MB
Anonymous (2), Bismarck, ND
Anonymous (1), Fargo, ND
Anonymous (1), Fergus Falls, MN
Anonymous (2), Grand Forks, ND
Anonymous (1), Hazen, ND
Anonymous (1), Jamestown, ND
Anonymous (1), Mandan, ND
Anonymous (1), Minot, ND
Anonymous (2), Moorhead, MN
Anonymous (1), Richardton, ND
Anonymous (1), Stanley, ND
Anonymous (1), Towner, ND
Anonymous (1), Watford City, ND
Anonymous (1), Wilton, ND
Anonymous (3), Winnipeg, MB

If we have inadvertently omitted or incorrectly acknowledged your support, please contact us at 800-359-6900, ext. 510.

Visionary Circle Support

Visionary Circle honors those who have demonstrated visionary philanthropic leadership and cumulative lifetime annual giving of $25,000 or more in support of Prairie Public's services. We are grateful for the steadfast, substantial commitment of these Visionary Circle members.

Stewards • $50,000+

Joyce* and Margaret* Beggs, Winnipeg, MB

Founders • $25,000 to $49,999

Idatonye and Linda Afonya, Crookston, MN
Gloria Y. Anderson,* Sun City, AZ
Mr. and Mrs. Allen Arvig, Perham, MN
Frederick P. Baker, Bismarck, ND
Ray* and Barbara Bailey, Winnipeg, MB
Bill Battershill,* Winnipeg, MB
Claudia Berg and Robert Matz, Bismarck
Julie Burgum, Casselton, ND
J. W. Burns, Winnipeg, MB
Kent Conrad and Lucy Calautti, Washington, DC
Drs. Juliette E. and John Cooper, Winnipeg, MB
Bob and Virginia Dambach, Fargo, ND
Jane Dynes, Fargo, ND
Paul and Gail Ebeltoft, Corning, NY
Noel and Judith Fedje, Fargo, ND
Dr. and Mrs. Calvin K. Fercho, Fargo, ND
Dr. David R. Field and Mrs. Sherri Field, Bismarck, ND
Dr. Walter and Carolyn Frank, Bismarck, ND
Dr. Rosanne Gasse, Brandon, MB
Jane Groves, Winnipeg, MB
Richard and Audrey Kloubec, Fargo, ND
Drs. Kimberly T. Krohn and John A. Fishpaw, Minot
Carol Jean Larsen, Bismarck, ND
Paul and Anne Nyren, Garrison, ND
Richard and Barbara Owens, Minneapolis, MN
Donna Plant, Winnipeg, MB
John and Rebecca Petrik, Minot, ND
John* and Jean* Rockey, Winnipeg. MB
Al and Carol Samuelson, Bismarck, ND
Mary and Richard Scott, Winnipeg, MB
Gus and Mary Staahl, Fargo, ND
Terracon Development Ltd., Winnipeg, MB
Jack Trueman, La Salle, MB
Joe Westby* and Rita Kelly, Bismarck, ND
Patricia and Kenneth Zealand, Winnipeg, MB
Anonymous, Jamestown, ND
Anonymous, Richardton, ND
Anonymous, Towner, ND

** Deceased*

T. L. Donat Legacy Circle

Prairie Public Broadcasting extends special appreciation to members of the T. L. Donat Legacy Circle. Named for Dr. Ted Donat, Prairie Public's founder, the Legacy Circle provides an opportunity for donors to leave a thoughtful legacy to our region by making a provision for Prairie Public in their wills, trusts, or other estate plans.

Geoff Chambers, Winnipeg, MB
Daniel Christ, Bismarck, ND
Apryl Davenport, Deering, ND
Marcus Fiechtner, Bismarck, ND
Margaret Fiechtner, Bismarck, ND
Carolyn Y. Frank, Bismarck, ND
Margaret Garr, East Grand Forks, MN
Rev. Carl Hansen, Thief River Falls, MN
Paul Hunter, Winnipeg, MB
Joanna Koulouriotis, Winnipeg, MB
Carol Jean Larsen, Bismarck, ND
R. Douglas and Sally Larsen, Fargo, ND
Mary Catherine Miller, Henning, MN
Dr. Douglas C. Munski, Grand Forks, ND
Dr. Laura Munski, Grand Forks, ND
Jacqueline Nelson, Winnipeg, MB
Barbara Owens, Minneapolis, MN
Richard Owens, Minneapolis, MN
Robin Reynolds, Hebron, ND
Bruce Schwartz, Bismarck, ND
Julie Schwartz, Bismarck, ND
Neil Souther, Mandan, ND
Alan D. and Phyllis Ann Thoren Fund
through The Winnipeg Foundation, Winnipeg, MB
Anonymous, Scottsdale, AZ
Anonymous, Surry, BC
Anonymous, Brandon, MB
Anonymous, Winnipeg, MB (4)
Anonymous, Detroit Lakes, MN
Anonymous, Moorhead, MN
Anonymous, Sabin, MN
Anonymous, Billings, MT
Anonymous, Bismarck, ND
Anonymous, Fargo, ND (4)
Anonymous, Grand Forks, ND (2)
Anonymous, Kenmare, ND
Anonymous, McVille, ND
Anonymous, Richardton, ND
Anonymous, Towner, ND
Anonymous, Charleston, SC

If you have provided for Prairie Public Broadcasting in your will or other estate plans, please let us know. By doing so, you will help us to plan for the future and will allow us to thank you for your outstanding commitment to the mission of public broadcasting.

Endowment: Funding the Future

Through endowed gifts from many donors, Prairie Public has established the Prairie Public Broadcasting Endowment Fund, a North Dakota tax-qualified endowment at Bremer Trust. Other endowment funds that are held on Prairie Public's behalf reside at Fargo-Moorhead Area Foundation, North Dakota Community Foundation, and The Winnipeg Foundation.

These professionally managed funds provide annual interest income that helps to ensure the future of Prairie Public and enhances the quality of programming, education services, and outreach services Prairie Public provides to those in our region.

Prairie Public thanks all donors who have contributed to these endowed funds. Endowment gifts of $5,000 or more are listed below.

$100,000+

Lucien C. Barnes and Edna Barnes Fund, a component of the Fargo-Moorhead Area Foundation, Fargo, ND

$50,000 to $99,999

Paul and Gail Ebeltoft, Dickinson, ND
Anonymous,* Winnipeg, MB

$25,000 to $49,999

Ruth Landfield,* Fargo, ND
Lloyd and Margaret Thilmony, Valley City, ND
John and Kathleen Risch, Bismarck, ND
Anonymous, Minot, ND

$10,000 to $24,999

Arnold L. Johnson, Garrison, ND
Duane Slovarp,* in memory of Alfred E. Slovarp, Bismarck, ND
Gus and Mary Staahl, Fargo, ND
Anonymous, Fargo, ND
Anonymous, Minot, ND

$5,000 to $9,999

Barbara and Steven Andrist, Bismarck, ND
Andrew and Amy Brown, Bismarck, ND
Arthur and Shirley Carlson, Bismarck, ND
William O. Chubb,* Winnipeg, MB
Gerald and Jean Newborg, Bismarck, ND
John and Rebecca Petrik, Minot, ND
Ron and Nancy Saeger, Fargo, ND
Myron Sommerfeld, Valley City, ND
Nicholas and Ene Vogel, Fargo, ND
Anonymous, Bismarck, ND (4)
Anonymous, Blanchard, ND
Anonymous, Minot, ND
Anonymous, West Fargo, ND

** Deceased*

If we have inadvertently omitted or incorrectly acknowledged your support, please contact us at 800-359-6900, ext. 510.

Board-Directed Endowment Fund

This fund, established in fiscal year 2007, comprises unrestricted assets allocated to the fund in accordance with policies adopted by Prairie Public's board of directors. The fund provides long-term general support to meet the financial needs of Prairie Public, and is managed by Bremer Trust based upon the investment policies approved by Prairie Public's board of directors.

Bequests

During fiscal year 2019, the following honored Prairie Public with gifts in their estates. With deep regard, we remember these friends for their special commitment to sustaining Prairie Public for future generations.

Estate of Mark Bernstein
Estate of John Bruce Delikatny
Estate of Dorothy Hayward
Estate of Carole M. Horne
Estate of Barbara Schaffer
Estate of Lois Selberg

Matching Gifts

Many businesses encourage their employees to be philanthropic by offering matching gift programs. We salute the companies listed below that matched their employees' contributions to Prairie Public.

Advanced Engineering and Environmental Services, Inc
Canadian Pacific
Catepillar Foundation
GE Foundation
IBM Corporation
Microsoft
Midland National Life Insurance Company
Thrivent Financial
United Health Group Foundation
US Bancorp

Matching Grants

Your gift to Prairie Public helps us to qualify for matching grants from sources including the National Endowment for the Humanities. When you make a contribution to Prairie Public, it is often matched dollar-for-dollar by these grants.

Additional Support

A broad base of individual, corporate, and foundation support generates substantial municipal, state, and federal support for Prairie Public's services. Funds support operations, capital improvements, and specific outreach programs and productions. Prairie Public received support from the following in fiscal year 2019.

AARP
Allegiance Fundraising Group
Altrusa International of Fargo
Benevity
Berdie and Irvin Cohen Memorial Fund through the Jewish Foundation of Manitoba
Casey's General Store
Chef's Table Catering
Corporation for Public Broadcasting
Energy and Environmental Research Center—U.S. Department of Energy NETL Program
Fargo, Moorhead, and West Fargo through an Arts Partnership grant
Humanities North Dakota
Jade Presents
Jewish Foundation of Manitoba
Lincoln High School Choir Department
Mandan, Hidatsa and Arikara Nation (MHA)
McIntosh County Bank
Opp Mertz Family
Floyd and Harriet Miller Endowment Fund through West Central Initiative
Michael M. Miller
The Minnesota Arts and Cultural Heritage Fund
Moore Engineering
Newman's Own Foundation
North Dakota Community Foundation
North Dakota Council on the Arts
North Dakota State University
PCOR Partnership
Public Broadcasting Service
State of Minnesota
State of North Dakota
Dr. Ken and Lorna Thorlakson
Thrivent Choice through Thrivent Financial for Lutherans
Twist
United Sugars Corporation
University of North Dakota
WGBH
The Winnipeg Foundation
The Winnipeg Foundation—Dr. Ken and Lorna Thorlakson Fund
The Winnipeg Foundation—Lampe Family Fund

NORTH Dakota Be Legendary. | Council on the Arts

HUMANITIES NORTH DAKOTA

CLEAN WATER LAND & LEGACY AMENDMENT

Many Prairie Public original television productions are funded in part by the following:

Minnesota Arts & Cultural Heritage Fund with money from the voters on November 4, 2008, North Dakota Council on the Arts, North Dakota Humanities Council, and by the members of Prairie Public. Thank you!

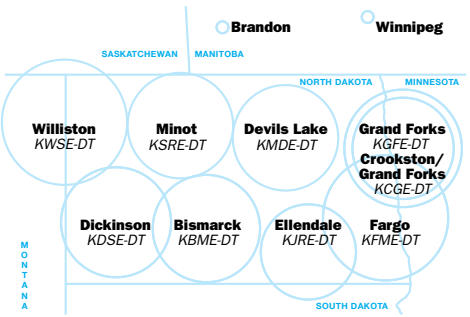
If we have inadvertently omitted or incorrectly acknowledged your support, please contact us at 800-359-6900, ext. 536.

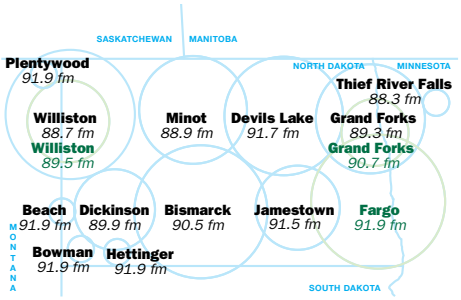
Sponsor Support

Prairie Public thanks the following for investing in underwriting support for television and radio program services in fiscal year 2019.

AARP North Dakota
Abalon Construction
Arts Center
Aspen Institute
Avant Hair & Skin Care Studio
Badger Dental Group
Badlands Opera Project
Basin Electric Power Cooperative
Bell Bank
Benedictine Health System
Bethany Retirement Living
Bismarck-Mandan Civic Chorus
Bismarck-Mandan Symphony
BNC National Bank
Books on Broadway
Bryant Clinic of Chiropractic & Acupuncture
Bush Foundation
Carellan Sewing Centre
Cass County Electric Coop
Children's Hospital Foundation
Children's Museum
Cinema 100
Classic 107fm Winnipeg
Cottonwood Productions
Creative Kitchen
Cross Ranch State Park
Cruise World Inc.
Dakota Stage Ltd.
Detroit Deli Cafe
Dickinson State University
Direct Travel
Easter Seals Goodwill ND, Inc.
Eide Bailly
Empire Arts Center
Erickson Motors
Exceptional Artists
Fargo Blues Fest
Fargo Moorhead Area Foundation
Fargo Moorhead Visual Artists Studio Crawl
Fargo-Moorhead Choral Artists
Fargo-Moorhead Convention & Visitors Bureau
Fargo-Moorhead Opera
Farmers Union
Foss Swim School
Great River Energy
Greater Grand Forks Community Theatre
Greater Grand Forks Symphony Orchestra
Greencrest Pharmacy
Hartz Foundation
Henning Landmark Center
Heritage Education Commission
High Plains Reader
Home of Economy
Hornbacher's
International Artists Series of Minot
International Music Camp
Jade Presents
Jamestown Choralaires
JAQ's Garage
Jazz Winnipeg
Joshua Boschee-Hatch Realty
Life 97.9fm
Livewire
Lundeen Foundation/Victor Lundeen Company
Lutheran Social Service of Minnesota
Manitoba Chamber Orchestra
Manitoba Gardener
Manitoba Opera
Manitoba Theatre for Young People
McPhillips Hearing & Audiology Centre Inc.
Medora Chamber of Commerce
Midco Communications
Mike's Pizza & Pub
Minot Chamber Chorale
Minot Symphony Orchestra
Minuk Denture Clinic
Missouri Valley Chamber Orchestra
Mohr Family-Dacotah Paper
Moore Engineering
MSUM College of Arts, Media and Communication
MSUM School of Performing Arts
ND Farmers Market & Growers Association
NDSU Division of Performing Arts
Nichole's Fine Pastry
Nodak Insurance Co
North Country Trail Association
North Dakota Academy of Nutrition and Dietetics
North Dakota Association of Rural Electric Cooperatives
North Dakota Horizons Magazine
North Dakota Humanities Council
North Dakota Living
North Dakota Museum of Art
North Dakota United
Northern Plains Dance
Oak Grove Lutheran School
Old Red Old Ten Scenic Byway
Otter Tail Power Company
Plain and Fancy Antique Mall
Plains Art Museum
Planned Parenthood of MN, ND, SD
Prairie Airwaves
Quilter's Guild of ND
Radisson Hotel Bismarck
Radisson Hotel Fargo
Ramkota Hotel of Bismarck
Red River Exhibition
Retina Consultants Ltd.
River City Jewelers
Ron Paul Garden Centre
San Francisco Falun Buddha Study Association
Scheels Arena
Sleepy Hollow Summer Theatre
Starion Financial
Stonehill National
Stoneridge Software
Temanson Law Office
Theatre B
Theodore Roosevelt Medora Foundation
Thrivent Financial
Trollwood Performing Arts School
UND Department of Aerospace
Under Brew Skies Beer Festival
University of Mary
UrgentMED
Valley City State University
Vogel Law Firm
West Acres Shopping Center
West Fargo Educational Foundation
Western Minnesota Steam Threshers Reunion
Western Plains Opera Company
Winnipeg Goldeyes Baseball Club
Winnipeg Montessori School
Wood House Restaurant
World of Sheepskin
Zandbroz Variety

If we have inadvertently omitted or incorrectly acknowledged your support, please contact us at 800-359-6900, ext. 510.





Television

Bismarck	*KBME*
Crookston/Grand Forks	*KCGE*
Devils Lake	*KMDE*
Dickinson	*KDSE*
Ellendale	*KJRE*
Fargo	*KFME*
Grand Forks	*KGFE*
Minot	*KSRE*
Williston	*KWSE*
Manitoba, Canada	*Via cable*

Prairie Public broadcasts four television program streams. Viewers who use a rooftop antenna receive all four. Viewers who use cable, dish, or satellite services will receive Prairie Public's primary schedule, and perhaps one or more additional program streams.

1 **Prairie Public** Prairie Public's high-definition schedule.

2 **World** Nonfiction, science, nature, news, and public affairs programs.

3 **The MN Channel** High-definition programs produced in and about North Dakota, Manitoba, Minnesota, and the region.

4 **PBS Kids** The number one educational media brand for kids offers opportunities to explore new ideas and new worlds through television.

Radio

Beach	**91.9 fm**
Bismarck	**90.5 fm**
Bowman	**91.9 fm**
Crosby	**91.9 fm**
Devils Lake	**91.7 fm**
Dickinson	**89.9 fm**
Fargo*	**91.9 fm**
Grand Forks	**89.3 fm**
Grand Forks*	**90.7 fm**
Hettinger	**91.9 fm**
Jamestown	**91.5 fm**
Minot	**88.9 fm**
Thief River Falls	**88.3 fm**
Williston	**88.7 fm**
Williston*	**89.5 fm**
Plentywood MT	**91.9 fm**

**Roots, rock, and jazz*

Listeners can choose from three radio formats and can access them all with an HD radio, online at *prairiepublic.org*, or with the Prairie Public app.

FM1 Classical music featuring **Prebys on Classics** plus public radio's signature news and entertainment programs.

FM2 Roots, rock, and jazz featuring **Into the Music with Mike Olson** and **World Café**, plus two hours of **Morning Edition** on weekdays and **Sounds Eclectic**, **Mountain Stage**, and **Acoustic Cafe** on the weekends.

FM3 Roots, rock, and jazz with **Morning Edition** and **All Things Considered**, **Marketplace**, and interviews and discussion on **Main Street**.

Like us
facebook.com/prairiepublic

Subscribe
youtube.com/prairiepublic

Download
Our app for your mobile device

Follow us
twitter.com/prairiepublic

Prairie Public

Prairie Public Broadcasting, Inc.
Television
Radio
Education Services
Enterprises

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800-359-6900

Bismarck Office
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Bismarck ND 58501
701-224-1700

Prairie Public Television (Manitoba), Inc.
PO Box 2640
Winnipeg MB R3C 4B3

prairiepublic.org
info@prairiepublic.org

Prairie Public

cue

WINTER 2020

A quarterly newsletter for members and friends of Prairie Public

COMING *in* JANUARY!

James Herriot's adventures as a veterinarian in 1930s Yorkshire get a glorious new adaptation in a seven-part series based on his beloved stories.

MASTERPIECE

ALL CREATURES GREAT & SMALL

THE HEARTWARMING STORY COMES TO LIFE.

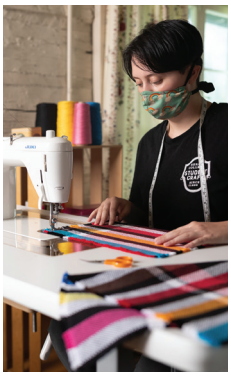
JANUARY 10 AT 8 PM

Television Highlights

The Horse Relative introduces us to the historic art of horse regalia—and its revival and reinterpretation by Dakota communities for a new generation. *Thursday, December 10, at 9 pm*

Charlie Russell's Old West chronicles his art and life as he witnessed—and documented—the end of the Wild West open range, and America entered the 20th century. *Monday, December 28, at 8 pm*

Two episodes from **Craft in America** highlight artists who use narrative to communicate universal truths and explore how craft is intertwined with the nation's defining principles. *Friday, December 11, at 8 pm and 9 pm*



American Masters—Laura Ingalls Wilder: Prairie to Page presents an unvarnished look at the unlikely author whose autobiographical fiction helped shape American ideas of the frontier and self-reliance. *Tuesday, December 29, at 7 pm*

Ella Wishes You A Swinging Christmas, with Vanessa Williams features her holiday classics presented by the American Pops Orchestra with many special guests. *Tuesday, December 15, at 7 pm*

NOVA calculates *Prediction by the Numbers*, considers entertaining real-world challenges, and asks experts to tackle that age-old question: Can we forecast the future? *Wednesday, January 6, at 8 pm*

This year's **Call the Midwife Holiday Special** promises snow, tinsel, Christmas dinner, and babies, but "beyond that it's a secret!" *Friday, December 25, at 8 pm*

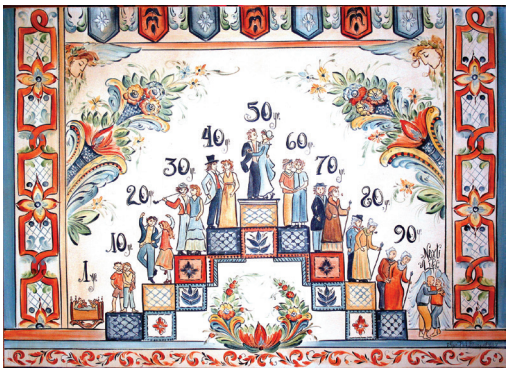
Masterpiece's *Miss Scarlett and the Duke* follows private eye Eliza Scarlet, Victorian England's first-ever female sleuth, as she solves crimes in six thrilling episodes. *Sundays beginning January 17, at 7 pm*

Are you receiving Prairie Public's weekly and monthly e-newsletters? Sign up at *prairiepublic.org* to get programming schedules and highlights.

Watch

Find Prairie Public's television schedules at *prairiepublic.org/schedule.*

Radio Highlights



Blizzards! The man who climbed atop a windmill to play his accordion. The fate of Poker Jim. **TellTale: Dakota Folklife and Stories** is a compilation of narratives from senior citizens as a part of the *Art for Life Program*, which seeks to improve the emotional and physical health of elders. Listen for the narratives throughout the radio schedule and in Prairie Public's podcast collection. **TellTale** is produced in partnership with Dakota Legacy, elder care and service organizations statewide, and North Dakota Council on the Arts.

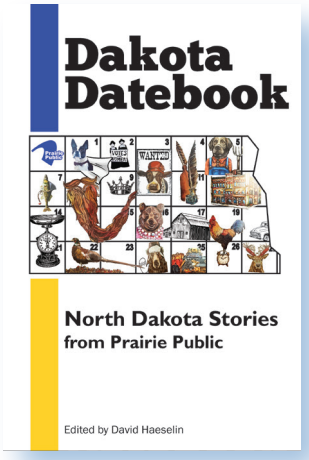
Don't miss a single **Main Street** conversation. Listen weekdays at 3 pm and 7 pm, subscribe to the podcast, or search through for topics at *prairiepublic.org/mainstreet*

Agriculture **Arts** Business
Folklore Food **Health**
MAIN STREET
History **Literature** Movies
Nature News **Travel**

FM1 FM2 FM3

FM1 or FM2 or FM3? Your choice! Choose your musical style, or change it up from day to day. You'll find classical music on **FM1**, roots rock and jazz on **FM2**, and more variety on **FM3**. Listen online or ask your smart speaker to "play Prairie Public."

The **NPR Student Podcast Challenge**, which has drawn more than 35,000 students around the country into the world of audio storytelling, is back with a big new addition: It's kicked up a notch to include college students. NPR has provided a host of training materials, guides for sound recording and audio production—even a podcast about making a good podcast! Find it all at *npr.org*.



The Dakota Datebook book is a great holiday gift!

shopprairiepublic.org

Greetings and welcome to the Winter issue of Cue!

We're excited about the upcoming season of radio and television programming that will take us through the holidays and into a new year. The months of winter often force us northerners toward indoor activities, and I'm pleased that you've chosen Prairie Public's world-class entertainment as a part of those activities. Thank you for welcoming us into your homes.

Your advocacy for Prairie Public and its programming is always so important—and we can't say "thank you" enough. I, our governing board (some members are in the photo below) and the television, radio, engineering, education, and development staff are grateful for you and for the opportunity to offer you exceptional programming that stands proud in a sea of media choices.

Sending you best wishes for a happy and healthy 2021,

John E. Harris III
President & CEO

Thanks go out to our board members past and present—volunteers from across our broadcast area who serve as Prairie Public's essential governing board.

Pictured here are Prairie Public President and CEO John Harris, Jim Kotowich (Chair), Sarah Smith Warren (Past Chair), Prairie Public Administrative Assistant Tina Young, Nick Vogel, Ken Zealand (President of Prairie Public Manitoba), Phyllis Johnson, Sandra Holmberg (Treasurer), Connie Triplett, Kjersti Armstrong (Secretary), Lisa Kudelka, Greg Dandewich, Kathy Coyle, Britt Jacobson, Crysta Parkinson, and Cesareo Alvarez. Not pictured are Joshua Boschee (Vice Chair), Judy Anderson, Carolyn Becraft, and Melissa Johnson.

If you are interested in serving on Prairie Public's Board or Advisory Council, contact Tina Young at 701-241-6900.

Esta Es Mi Casa—This is My Home

Television Premiere *Thursday, January 28, at 9 pm*

Join us for a Premiere Screening and Panel Discussion

Thursday, January 21, at 7 pm
Follow Prairie Public on Facebook
or watch in our email newsletters for your Zoom Invitation

Starting in the 1930s and continuing for decades, farmers in our region depended on Hispanic field workers—migrant laborers from Texas and Mexico who arrived to help with hoeing beet fields, tending crops, and bringing in the harvest.

These families' migration stories are as compelling as those of the families that migrated centuries earlier. They took extensive risks and experienced culture clashes, climate shock, and language barriers.

Now, one and two generations later, these hard-working people have assimilated and settled in the region. Their children and grandchildren are attending local universities and working as professionals. They have contributed their own cultural stamp to our region's art, cuisine, diversity, and economy.

Join us as we examine the amazing journey of the Red River Valley's Hispanic community with the 30-minute documentary **Esta Es Mi Casa—This is My Home**.

Add Your Story

Esta Es Mi Casa—This is My Home is Prairie Public's contribution to the **Moving Lives Minnesota: Stories of Origin & Immigration** television and online project.

The project brings people from our entire region together to recognize our backgrounds and experiences and to build understanding across our communities. You can add your family's story and photos to the project at *movinglivesmn.org*—no matter where you or your family is from.

A Charitable End to a Complicated Year

We all know that 2020 has been a year like no other.

Throughout all of the challenges, our public media network provided essential services—trusted news, educational children's programs, music to calm you, and entertainment to transport you to other times and places.

As we navigate the uncertainty together, we hope you continue to choose and support Prairie Public.

- Donate online at *prairiepublic.org*
- Make a qualified charitable distribution from your IRA
- Grow our endowment by making a legacy gift
- Donate your truck, boat, RV, or car
- Or, use the enclosed envelope

Thank you for making a tax-deductible, year-end gift to Prairie Public.

Troy Davis
Director of Development
800-359-6900, ext 510
tdavis@prairiepublic.org

P.S. Download your 2020 tax receipt today with your Prairie Public **MyAccount**. Create your online secure member account today at *prairiepublic.org/myaccount*.

Thank you, Prairie Public,

for the great educational resources available for families!

We started homeschooling this fall and found the educational materials for at-home learning to be high-quality, relevant, and interesting for our 3rd grader and our 6th grader. From interactive health lessons to science concepts and more, these materials should be on every parent's list of go-to educational resources. Your ongoing and continued support of children and families in the prairie region is appreciated.

Britt Jacobson,
Prairie Public member
Park River ND

Please remember Prairie Public Broadcasting in your will, trust, or general estate plans.

We value your membership in Prairie Public and strive to provide you with excellent service. Switchboard hours at Prairie Public are **Monday—Friday, 8 am to 5 pm CT**. After hours, you may leave a message and your call will be returned. Call us at **701-241-6900** or **800-359-6900**. Fax us at **701-239-7650** or use a TTY in North Dakota at **800-366-6888**. E-mail your questions and comments to **info@prairiepublic.org** and find Prairie Public on the web at **prairiepublic.org**

Prairie Public Broadcasting is a member of the Public Broadcasting Service, a private, nonprofit corporation. PBS provides quality television programming and related services to Prairie Public Broadcasting. Prairie Public is also a member of NPR, a network owned by its member stations.

Many Prairie Public local television productions are funded in part by the following:
Minnesota Arts & Cultural Heritage Fund with money from the voters on November 4, 2008, North Dakota Council on the Arts, North Dakota Humanities Council, and by the members of Prairie Public. Thank you!

CONGRATULATIONS

to Prairie Public's **More Than Just the Music**
and to **Prairie Mosaic** *Tim Pierce, Knife Maker*
Nominated for *Midwest Regional Emmy Awards*!

SO MANY WAYS TO **WATCH!**

You've enjoyed watching Prairie Public on your television for years—perhaps you have fond childhood memories of watching **Mister Rogers' Neighborhood** or **Sesame Street**.

In the past few years, we've added more options for watching our original productions on demand and on any device, so you choose when and how to watch. We added the special member benefit of Passport (now available in Canada!) for members who like to binge watch their favorite series.

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House Appropriations – Government Operations Division |Representative Don Vigesaa – Chairman | Testimony per House Bill 1015| January 13, 2021

Chairman Vigesaa and Members of the House Appropriations-Government Operations Division, my name is Margo Haut.
I come before you, today to testify and respectfully request your support of House Bill 1015 per approval of the Public Administrators Support Services (PASS) Funding via the OMB Budget to include the requested increase allowing Guardianship Agencies to serve additional Protected Persons throughout ND in need of Guardianship Services.

Introduction

I am Founder & Director of "Guardian Angels, Inc" a nonprofit located in Jamestown, ND. ". Our slogan is "Putting People First" with the vision of providing services, being available 24/7 and giving a voice to those who cannot advocate for themselves.
I am a National & State Certified Guardian.
I am President & Member of GAND - Guardianship Association of ND and the ND State Affiliate & Member of the National Guardianship Association.

Stories of Success of a Few Protected Persons served by "Guardian Angels, Inc" via PASS Funds

- **Randy** is a 71-year-old man who lived on the streets in Fargo or a homeless shelter over the course of 40 years. Upon becoming Guardian, Randy experienced a significant change in health resulting in End of Life decisions and admission to Hospice. Randy transitioned from the Medical Hospital to a Nursing Home, with support of Hospice and Staff of SNF, Randy transitioned and continues to reside at a Basic Care facility in Fargo. A professional relationship assures Randy that he is not isolated nor alone with Randy expressing appreciation. Monthly visits and/or communication occurs on a regular basis.
- **Matt** is a 30-year-old who grew up in the system transitioning to an Adult Group Home at age 18. Per our continued involvement and assistance of Matt's Team of Professionals, Matt was able to transition to his own apartment via a less restrictive environment with wrap-around services. Matt is very appreciative of the continued support consisting of availability via phone, text and email to assist in meeting any potential needs allowing continued communication.

- **Melissa** is a 42-year-old woman who resided in a Transitional Living Group Home experiencing readmissions to NDSH due to medication non-compliance. Numerous meetings occurred with Melissa, staff of the TL Group Home and potential resources. Medication monitoring was established resulting in a successful transition to her own apartment. Meeting directly with Melissa occurs on a monthly basis with weekly calls and/or availablity to assist Melissa at any time. Over the course of this past year, Melissa obtained a valid driver's license; with the assistance of her family, a vehicle was obtained allowing more independence.

These are just a few examples of many Protected Persons served by Guardian Angels, Inc. throughout ND via PASS Funds. PASS Funds allow Guardian Angels, Inc to serve Protected Persons who lack a funding source to pay for services.
PASS Funds are crucial, allocating funds to Guardianship agencies offering services for the Protected Persons throughout ND. PASS Funds directly affect Guardian Angels, Inc.'s and other Guardianship agencies ability to serve not only our current caseloads, but those we hope to serve in the future.

Chairman Vigesaa and Members of the House Appropriations-Government Operations Division, I respectfully ask support of House Bill 1015.

Thank you for your time and consideration.

2021 HOUSE STANDING COMMITTEE MINUTES

Appropriations - Government Operations Division
Brynhild Haugland Room, State Capitol

HB1015
1/21/2021

A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget; and to provide an exemption.

08:33 **Chairman Vigesaa** called the meeting to order. Members present: Chairman Vigesaa, Vice Chairman Brandenburg, Representative Kempenich, Representative Howe, Representative Meier, Representative Bellew, Representative Mock.

Discussion Topics:

- Brynhild Haugland Remodel.
- Appropriation request for the 2021-2023 biennium budget.
- Explanation of green sheet.

08:34 **Joe Morrissette, Director, ND Office of Management and Budget**- Introduction.

08:36 **John Boyle, Director, Facilities Management, ND Office of Management and Budget**. Testimony #2110.

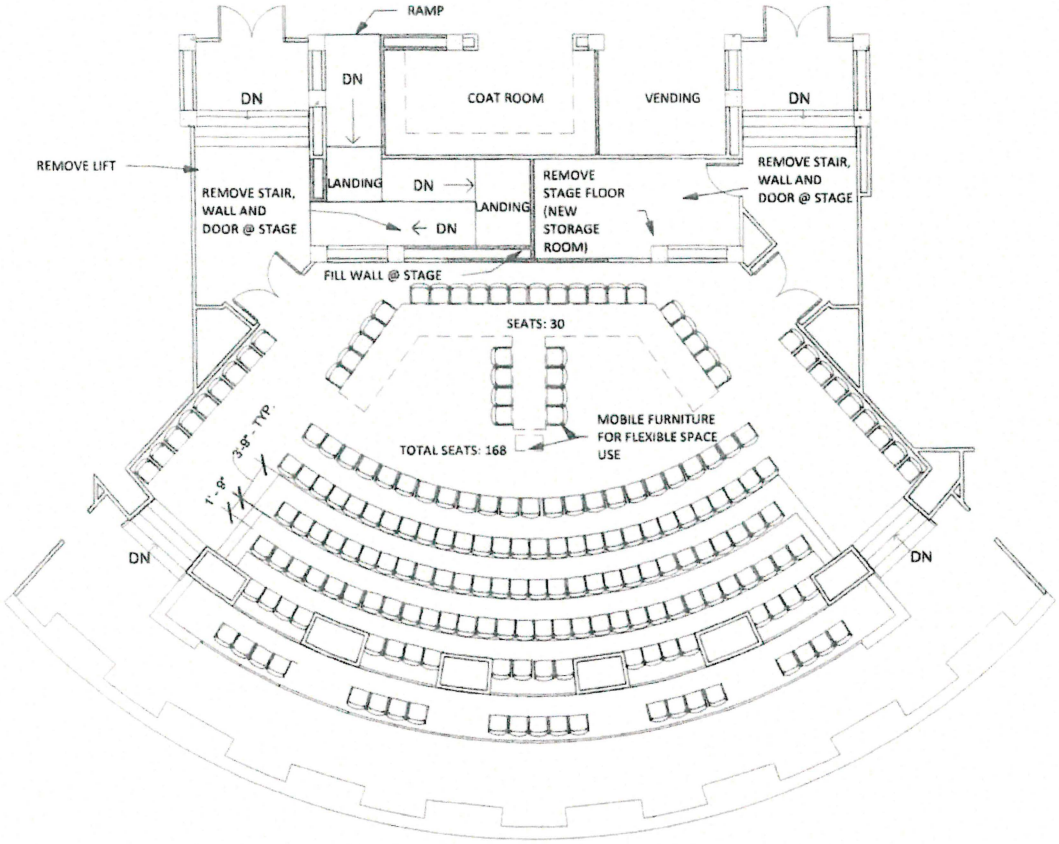
09:19 **Lisa Kudelka, Chief People Officer, ND Office of Management and Budget**. Testimony #2117.

09:31 **Joe Morrissette, Director, ND Office of Management and Budget**. Testimony #2118.

09:53 **Sherry Neas, Director, Central Services, ND Office of Management and Budget**. Explained appropriation request for her department.

10:14 **Chairman Vigesaa** adjourned the meeting.

Sheri Lewis, Committee Clerk



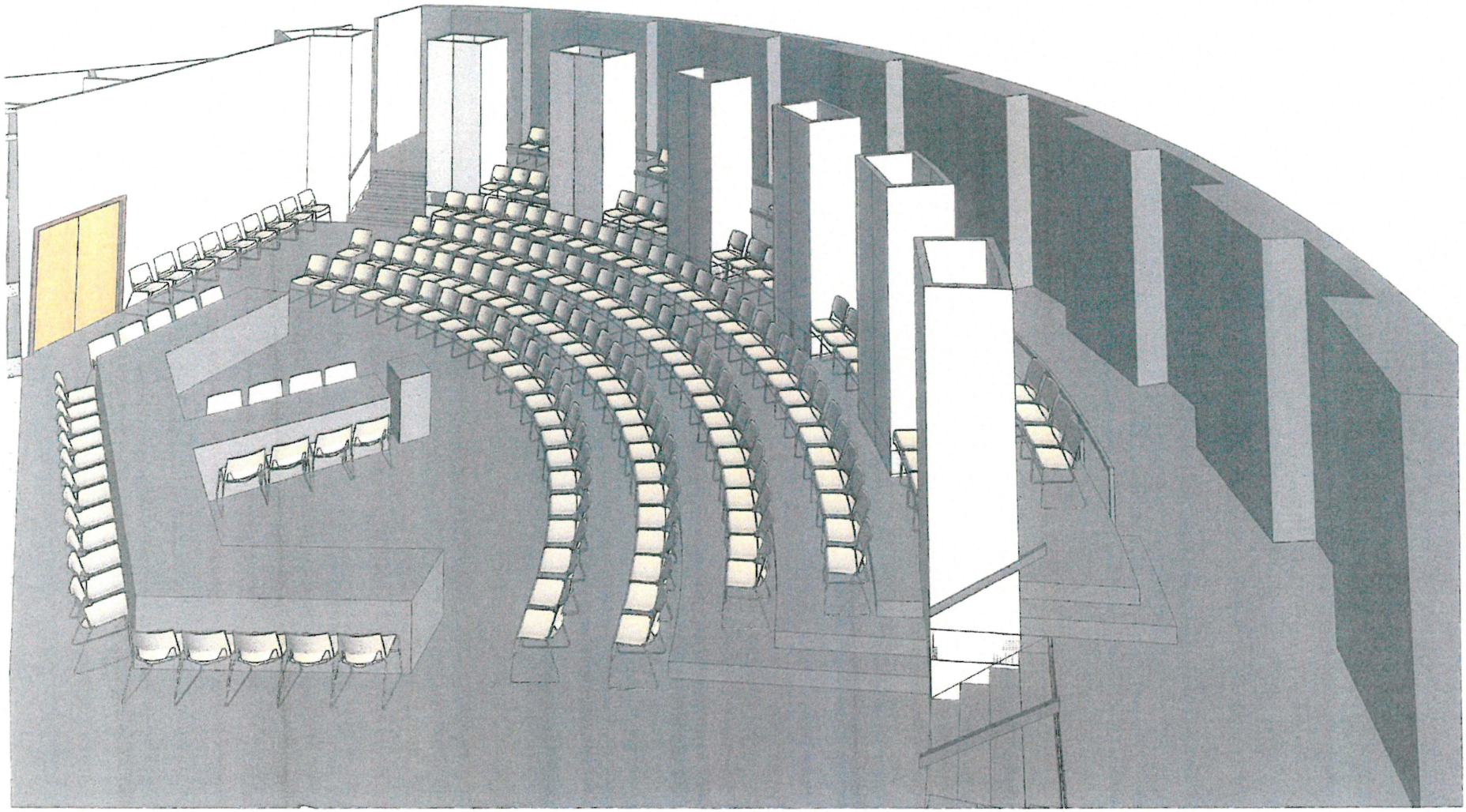
BRYNHILD HAUGLAND REMODEL

FLOOR PLAN

04/20/18 | JLG 11128 | © 2018 JLG ARCHITECTS

0 16 32 64

JLG
DESIGN



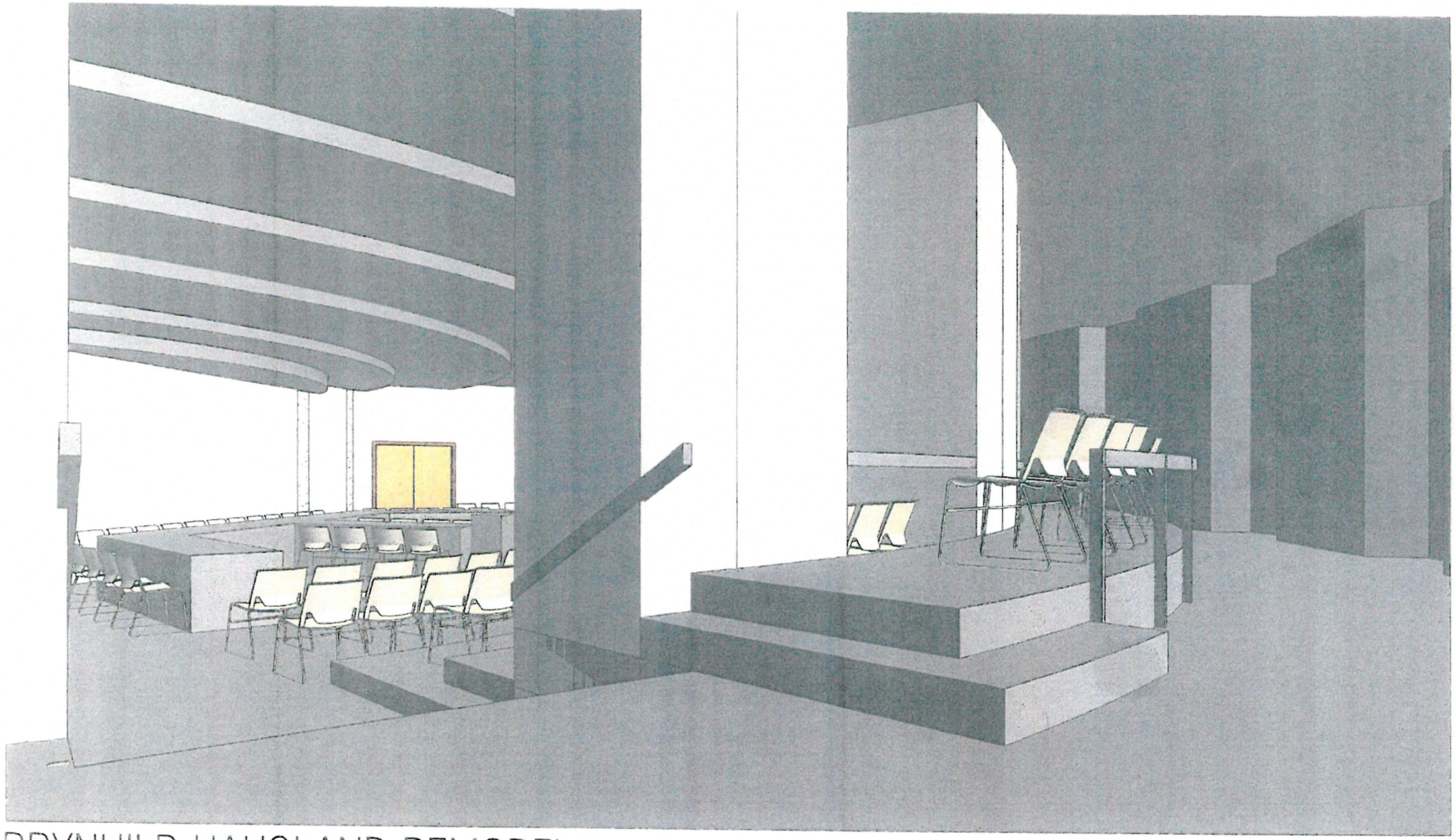
BRYNHILD HAUGLAND REMODEL

3D VIEW-AERIEAL

04/20/18 | JLG 11128 | © 2018 JLG ARCHITECTS

JLG

DESIGN



BRYNHILD HAUGLAND REMODEL

3D VIEW FROM TOP ROW

04/20/18 | JLG 11129 | © 2018 JLG ARCHITECTS

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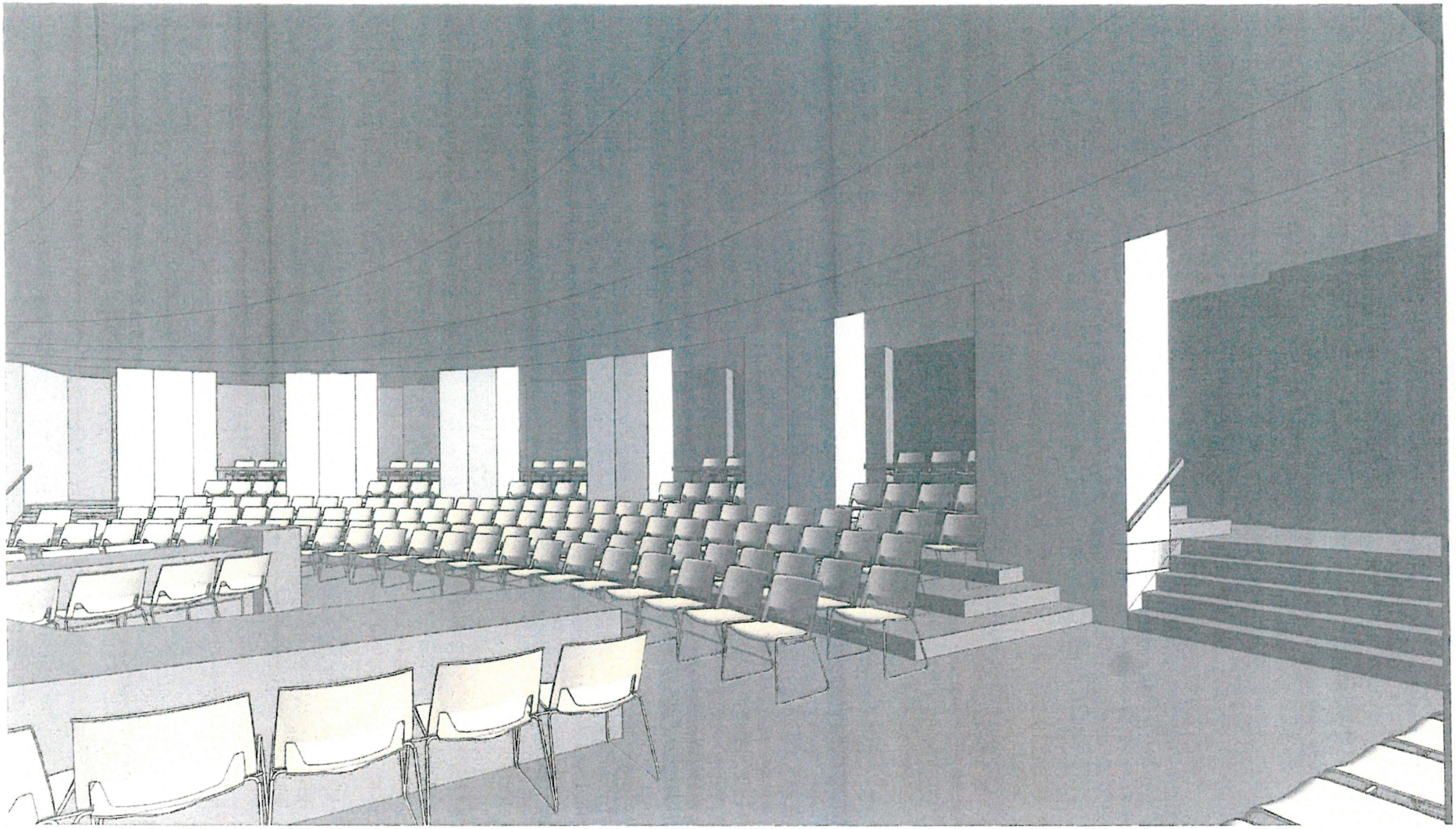
DESIGN



BRYNHILD HAUGLAND REMODEL

3D VIEW FROM FLOOR

0 16 32 64

JLG DESIGN

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State Government Student Internship Stipend Program

HRMS
January 15, 2021

The North Dakota State Government Student Internship Stipend Program continues to provide many benefits to students and state agencies. Here are what students are saying about the internship stipend program:

- *I gained in-depth knowledge and insight into horse racing as a sport. From working firsthand with the stewards, veterinarians, trainers, and an investigator, I was able to develop a very wide array of experiences and understanding into how this sport operates and why it is regulated the way it is.*

- *Not only did my internship job duties apply to my college course work but I was also able to learn new aspects of state government I was not expecting.*

- *I have always learned best by being able to apply the concepts and information I have learned throughout college. This internship has given me the hands-on experience I needed to really connect my college coursework and experience together. This experience will be extremely beneficial as I seek full-time employment.*

Since July 1, 2009, HRMS has received general fund authority for the internship program with the exception of the 2017-2019 biennium as the program wasn't funded for that biennium. For the 2019 – 2021 biennium, HRMS received $250,000 in general fund authority. As of December 2020, $83,238.46 was used for 20 internship opportunities across 9 agencies. The following are comments from state agencies:

- *We are grateful for the opportunity to engage with university students through this program. We learn from them and hopefully they move on with enhanced career skills and exposure to careers they may consider in the future.*

- *Thank you for supporting a great program. This is super helpful for recruiting great talent to our team!*

- *Both of our interns showed great interest in the program and I believe will be good ambassadors for ND Internship program at their respective universities. One of our interns expressed interest in being on the racing commission and I believe she would be an asset to the department. I believe this program was a great success for the NDRC.*

Transition to Full-Time/Regular Status

Of the 20 internships funded from July 1, 2019 to December 2020, 25% (5) of the interns have transitioned into full-time positions. We will continue to review as internships are completed this spring semester and students graduate to determine if they transition into full-time, regular positions. These 5 positions include an Auditor position with the Auditor's Office, a Unit Program Coordinator position with DHS, a Correctional Officer position with DOCR, a Human Relations Counselor position with DOCR, and a Director of Scheduling and Executive Assistant position with the Governor's Office.

Colleges/Universities

The majority of our talented interns come from the North Dakota University System and other institutions within North Dakota.

College/University	# of Interns
Bellevue University	1
Carnegie Mellon University	1
Columbia University	1
Dickinson State University	3
Florida State University	1
Mayville State University	1
North Dakota State University	4
University of Mary	5
University of North Dakota	3

Estimated Funds to be used from January 1, 2021 – June 30, 2021

As of January 15, 2021, approximately $48,000 has been requested from agencies to be utilized from January 1, 2021 to June 30, 2021; once the interns are hired, the funds will be transferred. Agencies are currently recruiting for the intern positions. We may still have additional agencies request funds for the January to June 2021 timeframe.

COVID-19 Implications

COVID-19 played a role in the decrease in the number of internships that were funded. Last spring, agencies requested 13 more internships than were funded, however many of those internships were cancelled due to COVID-19 implications. This equates to approximately $43,000 in fund allocations that were not utilized as intern positions were cancelled. Additionally, there may have been more internships that were not requested as agencies were dealing with COVID-19 implications and chose not to submit internship work plans.

Agency Allocations from July 1, 2019 to December 31, 2020

Agency	# of Internships	Total Funds Allocated	Internship Fields	Hired into FT Position
101/Governor's Office	3	$10,899.37	Policy/Research & Communications	1
112/NDIT	2	$15,000	Project Management	-
117/Auditor's Office	3	$5,672	Audit/Accounting	1
201/Public Instruction	2	$5,820	Marketing/Business Administration Data Analytics	-
325/DHS	1	$5,280	Medical Services	-
530/DOCR	3	$14,225	Human Relations Counselor Parole & Probation	3 (2 stayed within DOCR and 1 transferred to DHS)
611/Soybean Council	1	$3,255	Marketing & Communications	-
670/Racing Commission	2	$1,818.75	Racing Commission Projects (Animal Science/Ag fields)	-
709/Council on the Arts	3	$21,268.34	Special Projects (Arts, Business. And Marketing)	-

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#2118

Requested Sections to be Added to HB1015

Section 3 – Transfer from Tax Relief Fund to Social Services Finance Fund – This section provides for the transfer of $174.4 million from the Tax Relief Fund to the Social Services Finance Fund for costs associated with the redesign of regional social services and continuation of the transfer of social services administration from counties to the state.

Section 4 – Transfer of June 30, 2021 Legacy Fund earnings – This section proposes an allocation strategy for Legacy Fund earnings that will be deposited in the general fund at the end of the current biennium:

1. First $100,000,000 to the general fund
2. Next $64,370,000 to the common school trust fund
3. Next $235,630,000 to the general fund
4. Next $25,000,000 to North Dakota information technology for statewide cyber security
5. Next $27,000,000 to unmanned aircraft systems fund
6. Next $30,000,000 to innovation loan fund to support technology advancement
7. Next $8,000,000 to the housing incentive fund
8. Next $10,000,000 to state parks for infrastructure upgrades
9. Next $5,000,000 to the environmental quality restoration fund
10. Next $10,000,000 to the state parks gift fund
11. Next $10,000,000 to North Dakota university system for the challenge grant program
12. Any remaining amounts to the general fund

Section 5 – Transfer of bonding proceeds to state agencies – This section provides authority for OMB to transfer $130.5 million of bonding proceeds to various state agencies for maintenance and repair projects identified in the 2019-2020 facilities assessment.

Section 6 – Authority to allocate funding appropriated for state internship program – This section provides authority for the Office of Management and Budget to transfer funds from the state internship line to any state agency participating in the state student internship program.

Section 7 – Turnback exemption for Fiscal Management Division – This section continues authority that has been provided by previous Legislative Assemblies for any unspent funds in the Fiscal Management division to be carried forward for use in the development and operation of state financial systems.

Section 8 – Turnback exemption for 2019-21 appropriations for the comprehensive real estate study and the state internship program – This section would allow unspent funds to be carried forward to the 2021-23 biennium to continue these initiatives. It is estimated that approximately $250,000 will be unspent from the real estate study and $160,000 will be unspent from the state internship program.

Section 9 – Intent for grants and other items – This section, which has been included in the OMB bill in the past, provides direction for certain grants and other items included in Section 1 of the bill. Amounts that should be included in this section are:

- State memberships $625,064
- Unemployment insurance $1,800,000
- Capital Grounds Planning Commission $25,000

Section 10 – State employee compensation adjustment guidelines – This section provides direction for distribution of state employee salary increases. Funding adjustments for all state agencies and institutions are recommended to average 2% each year of the 2021-23 biennium. Compensation increases are to be distributed based on performance. Additional increases can be provided to address salary compression or to enhance merit-based increases, if funded within the agency's current salary budget and offset by future salary savings.

Bonding Sections

Section 11 Amends the section of NDCC related to the Infrastructure Revolving Loan Fund.

- Adds "or useful life" to the maximum 30-year term for essential infrastructure projects
- Increases maximum loan term to 40 years, or useful life of the project, for water-related or bridge infrastructure
- Expands the definition of eligible infrastructure projects to match the definition in Operation Prairie Dog

- Subsection 7 provides the Department of Transportation authority to approve county road and bridge projects
- Subsection 8 adds provides the State Water Commission authority to review and approve water-related infrastructure projects
- Subsection 9 authorizes ND Public Finance Authority to issue up to $700 million of bonds for infrastructure revolving loan funds:
    - $450 million for flood control, water supply and water management loans
    - $200 million for infrastructure project loans
    - $50 million for loans to construct and renovate county bridges

Section 12 Amends the lending and borrower powers of the ND Public Finance Authority (PFA). This will allow the PFA to grant or transfer money to the Bank of North Dakota for making loans for infrastructure projects, per to NDCC 6-09-49. This section also adds language to allow the PFA to make debt service payments from the sinking fund established in Section 17.

Section 13 Amends the reserve fund language for the PFA, to allow the industrial commission to determine if the reserve fund will be required for bonds issued under Section 32.

Section 14 Creates a new section of NDCC directing PFA to make bond debt service requirements from the sinking fund, established in Section 17, or from other funds appropriated by the legislative assembly.

Sections 15, 16, 28 and 29 Amend NDCC to allow counties to utilize tax levies for repayment of loans, from the Infrastructure Revolving Loan Fund, for a maximum term of 30 years.

Sections 31, 34, and 38 Transfers the State Water Commission Revolving Loan Fund (Section 61-02-78) and the Community Water Revolving Loan Fund (Chapter 6-09.5) to the Infrastructure Revolving Loan Fund (6-09-49). Repeals the sections of code related to the State Water Commission Revolving Loan Fund and Community Water Revolving Loan Fund and provides an effective date of July 1, 2022.

Section 32 Authorizes the PFA to issue up to $1.25 billion of evidences of

indebtedness during the bienniums beginning July 1, 2021 and ending June 30, 2025, and establishes a 30-year maximum term.

Section 33 Directs the PFA to transfer the bond proceeds, per the dollar amounts specified in the Bill.

Section 36 Repeals NDCC Chapter 6-09.5, relating to community water facility loans and section 61-02-78, relating to the current infrastructure revolving loan fund.

Section 17 – Legacy Fund earnings allocations – June 30, 2023 and future bienniums – This section proposes five new funds to be used for the deposit of future Legacy Fund earnings:

- Economic diversification and strategic initiatives fund – *20% of Legacy earnings* - Moneys in the fund may be appropriated for programs and initiatives that support economic diversification, community development and strategic initiatives, expand and develop new businesses and industries, and build healthy and vibrant communities.
- Research and innovation fund – *10% of Legacy earnings* - Moneys in the fund may be appropriated for programs and initiatives that support research and innovation in higher education and the private sector, support the commercialization of products, and advance new technology to support industries in North Dakota.
- Government transformation fund – *10% of Legacy earnings* - Moneys in the fund may be appropriated for programs and initiatives that transform the delivery of government services, make government more effective and efficient, and reduce ongoing expenses for state government.
- Legacy projects fund – *20% of Legacy earnings* - Moneys in the fund may be appropriated for projects that have a positive impact on current and future generations of North Dakotan's; have a positive impact on the state, region, or nation; leverage other financial resources and have a positive return on investment; do not add ongoing operational costs for state government; build and strengthen communities; diversify the North Dakota economy.
- Legacy bond sinking fund – *40% of Legacy earnings* - Moneys in the fund are appropriated as a continuing appropriation to the Public Finance Authority for the payment of debt service on any evidences of indebtedness payable from the legacy bond sinking fund.

Section 18 – State contingency borrowing authority – This section proposes a statutory change related to the state contingency borrowing authority in Section 19.

Section 19 – Emergency Commission borrowing authority – This section proposes authority for the Emergency Commission to authorize OMB to borrow up to $1 million from the Bank of North Dakota, as a line of credit to respond to state contingencies. The current and past appropriations of $500,000 to $700,000 are rarely used in their entirety but would be inadequate to respond to a significant event. Any funds borrowed under this proposed authority would be repaid with a deficiency appropriation requested from the subsequent Legislative Assembly.

Section 20 – Creation of new rent model for capitol complex – This section amends NDCC Section 54-21-19 to remove the provision that only non-general fund agencies pay rent for space in the capitol complex. This statutory change will allow all agencies, regardless of the source of their funding, to pay their fair share of rent for space they occupy in capitol complex buildings. All agencies will be equally incentivized to efficiently manage their space utilization. The result will be long-term savings to the state and the best use of existing space.

Section 21 – Shared services fund – This section creates a new state fund, called the Shared Services Fund. Creation of this fund would facilitate sharing between state agencies and has the potential to create long-term savings for the state. Without the creation of this fund, agencies have no incentive to create efficiency through shared service agreements. For example, if two agencies are collocated and could find cost savings through sharing costs for a copier, this fund could create a needed incentive to encourage purchase of one shared copier. Without this fund, if Agency A purchases the copier and Agency B wants to share the costs, any payments made to Agency A typically must be deposited into the general fund and the agency receives no benefit and is unable to offset any costs. Creation of this fund would allow Agency A to accept payments from Agency B, deposit those moneys in the Shared Services Fund, then use those moneys to offset costs associated with the copier.

Section 22 – Budget Stabilization Fund maximum balance – This section would reduce the maximum balance of the budget stabilization fund from 15% of general fund appropriations to 10% of general fund appropriations. Prior to the

2017-19 biennium, the maximum balance was set at 9.5%. In order to access the balance of the fund, general fund allotments of 6% would be required. Consequently, with a 10% balance in the fund and the required allotments, a total shortfall of 16% could be managed. This change in the maximum balance will allow for a one-time transfer of $244.5 million to the general fund during the 2021-23 biennium.

Section 23 – Creation of Facility Management Operating fund – This section establishes a new special fund: the facility management operating fund. The fund will be used to deposit rent collected from the state capitol complex. Facility management salaries will be paid from the fund, within the limits of legislative appropriations. The remaining balance will be transferred each biennium to the general fund.

Section 24 – Elimination of political subdivision information from state Transparency site - This section amends NDCC Section 54-44.1-18 to remove the requirement that OMB publish political subdivision budget information for those political subdivisions that choose to submit information to OMB. Only two counties submitted budget information for 2018; none for 2019. Most political subdivisions publish budget information on their own web sites, making this requirement unnecessary and duplicative.

Sections 25 and 26 – Recycled paper requirements for state procurements – These sections remove the requirement that OMB must request information on the recycled paper content for all bids for paper products and adds flexibility to the requirement that paper products purchased by the state include at least 25% recycled material. These amendments will simplify the administration of the procurement process, eliminate unnecessary reporting, and save time and effort on the part of the vendors and OMB team members.

Section 27 – Business process improvement borrowing – This section creates a new section to the NDCC modeled after existing language that allows borrowing for energy savings building improvements. This proposed language would allow agencies to borrow from BND to finance a business process improvement project, if NDIT certifies the savings from the project will pay for the project costs, plus interest, within at least six years. The repayments would come from existing appropriation levels; long-term savings would benefit the state in subsequent bienniums.

Section 30 – General fund share of oil and gas taxes – This section amends NDCC Section 57-51.1-07.5 increasing the general fund share of oil and gas taxes from $400 million per biennium to $500 million per biennium, increasing ongoing general fund revenues, and helping balance ongoing revenues and spending.

Section 35 – HR positions transfer from NDIT to OMB – This section allows the transfer of 2 FTE and related funding from NDIT to OMB for the unification of HR services within the HRMS division of OMB.

Section 37 – Repeal of SECC and State Personnel Board– This section repeals:

- NDCC Section 54-06-25 relating to the State Employee Compensation Commission (SECC). The SECC consists of the OMB director as the governor's designee, four legislators, and four state employees. The purpose of the commission is to make recommendations on appropriate salary and benefits for state team members. Although the purpose is admirable, the recommendations of the commission carry little weight in the executive budget or legislative budget process.
- NDCC Section 54-44.3-03 relating to the State Personnel Board. The Office of Administrative Hearings (OAH) now performs most of the functions originally performed by the State Personnel Board, including hearing all grievances relating to state agency employer actions. Currently, the two functions of the State Personnel Board are to approve changes to the state salary ranges and to hear appeals of reclassification requests. In the past two years the Board has only heard two appeals. There is currently a multiple step process to review reclassification requests prior to going to the Board. These appeals are handled by an internal committee of Human Resource professionals who have received training regarding the classification system.

2021 HOUSE STANDING COMMITTEE MINUTES

Appropriations - Government Operations Division
Brynhild Haugland Room, State Capitol

HB1015
1/25/2021

A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget; and to provide an exemption.

09:00 **Chairman Vigesaa** called the meeting to order. Members present: Chairman Vigesaa, Representative Howe, Representative Howe, Representative Meier, Representative Bellew, Representative Mock. Members absent: Vice Chairman Brandenburg, Representative Kempenich.

Discussion Topics:

- Appropriation request for 2021-2023 biennium budget.
- Explanation of the green sheet.

09:01 **Joe Morrissette, Director, ND Office of Management and Budget** – discussed the green sheet.

09:15 **John Boyle, Director, Facilities Management, ND Office of Management and Budget** – further discussed the green sheet.

09:30 **Joe Morrissette** continues with the green sheet.

09:35 **Lisa Kudelka, Director of Operations, Human Resources, ND Office of Management and Budget** – discussed the green sheet.

09:44 **Joe Morriessette** continued with the green sheet.

09:48 **Chairman Vigesaa** adjourned the meeting.

Sheri Lewis, Committee Clerk

2021 HOUSE STANDING COMMITTEE MINUTES

Appropriations - Government Operations Division
Brynhild Haugland Room, State Capitol

HB1015
2/3/2021

A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget; and to provide an exemption.

09:03 **Chairman Vigesaa** called the meeting to order. Members present: Chairman Vigesaa, Vice Chairman Brandenburg, Representative Howe, Representative Bellew, Representative Meier, Representative Mock. Members absent: Representative Kempenich.

Discussion Topics:

- Disability access to the capitol
- Capitol projects

09:04 **Joe Morrissette, Director, ND Office of Management and Budget** – answered questions concerning the budget. Testimony #3131.

09:11 **John Boyle, Director, Facilities Management**-answered questions concerning upcoming projects on the capitol grounds.

Additional Written Testimony:

Lonnie Wangen, Commissioner, NDDVA submitted testimony #5234 but it was not discussed.

09:21 **Chairman Vigesaa** adjourned the meeting.

Sheri Lewis, Committee Clerk

Office of Management and Budget - Budget No. 110
House Bill No. 1015
Base Level Funding Changes

	Executive Budget Recommendation				House Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2021-23 Biennium Base Level	112.00	$32,915,852	$8,746,515	$41,662,367	112.00	$32,915,852	$8,746,515	$41,662,367
2021-23 Ongoing Funding Changes								
Base payroll changes		$125,958	$2	$125,960				$0
Salary increase		434,053	72,167	506,220				0
Retirement contribution increase		83,215	13,836	97,051				0
Health insurance increase		4,416	734	5,150				0
Transfers 4 FTE positions for IT unification	(4.00)			0				0
Adds funding for a human resource officer		110,869		110,869				0
Increases funding for procurement officers		104,824		104,824				0
Increases funding for temporary salaries			20,000	20,000				0
Changes funding source for the Facility Management Division		(5,245,161)	5,245,161	0				0
Decreases funding for operating expenses		(701,000)	(20,000)	(721,000)				0
Increases funding for budget software contract		403,000		403,000				0
Adds funding for procurement software contract		152,000		152,000				0
Increases funding for Microsoft Office 365 licensing expenses		8,505	197	8,702				0
Adds funding for the Capitol complex rent proposal		488,055		488,055				0
Removes funding for Emergency Commission contingency fund		(500,000)		(500,000)				0
Reduces funding for bond payments		(2,610)		(2,610)				0
Removes funding for grants		(54,000)		(54,000)				0
Decreases funding for Prairie Public Broadcasting		(180,000)		(180,000)				0
Decreases funding for community services supervision grants		(52,500)		(52,500)				0
Total ongoing funding changes	(4.00)	($4,820,376)	$5,332,097	$511,721	0.00	$0	$0	$0
One-time funding items								
Adds one-time funding for a facility consolidation study		$350,000	$0	$350,000				0
Adds one-time funding for special assessments (Capitol building fund)			300,000	300,000				0
Adds one-time funding for extraordinary repairs (Capitol building fund)			900,000	900,000				0
Adds one-time funding for building automation (Capitol building fund)			518,800	518,800				0
Adds one-time funding for signage (Capitol building fund)			1,000,000	1,000,000				0
Adds one-time funding for various building projects (bond proceeds)			137,100,000	137,100,000				0
Adds one-time funding for procurement software		2,021,204	0	2,021,204				0
Adds one-time funding for budget software		1,230,100	0	1,230,100				0
Adds one-time funding for the state student internship program		200,000	0	200,000				0
Total one-time funding changes	0.00	$3,801,304	$139,818,800	$143,620,104	0.00	$0	$0	$0
Total Changes to Base Level Funding	(4.00)	($1,019,072)	$145,150,897	$144,131,825	0.00	$0	$0	$0
2021-23 Total Funding	108.00	$31,896,780	$153,897,412	$185,794,192	112.00	$32,915,852	$8,746,515	$41,662,367
Total ongoing changes as a percentage of base level	*(3.6%)*	*(14.6%)*	*61.0%*	*1.2%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*
Total changes as a percentage of base level	*(3.6%)*	*(3.1%)*	*1659.5%*	*346.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*

Other Sections in Office of Management and Budget - Budget No. 110

	Executive Budget Recommendation	House Version
Tax relief fund to social services finance fund	Section 3 would transfer $174,380,767 from the tax relief fund to the social services finance fund during the 2021-23 biennium.	
2019-21 biennium legacy fund earnings	Section 4 would designate the 2019-21 biennium for the general fund ($335,630,000 and any additional legacy fund earnings), the common schools trust fund ($64,370,000), ITD's cybersecurity initiatives ($25,000,000), the unmanned aircraft systems fund ($27,000,000), the innovation loan fund to support technology advancement ($30,000,000), the housing incentive fund ($8,000,000), state park infrastructure ($10,000,000), the environmental quality restoration fund ($5,000,000), the state parks gift fund ($10,000,000), and the University System challenge grant program ($10,000,000).	
Bond proceeds	Section 5 would authorize OMB to transfer bond proceeds of $130,500,000 for extraordinary repair projects to other state agencies.	
State student internship program	Section 6 would authorize OMB to transfer student internship funding to other state agencies. Section 8 would allow 2019-21 biennium appropriation authority for the state student internship program to continue to be available in the 2021-23 biennium.	
Fiscal management exemption	Section 7 would allow 2019-21 biennium appropriation authority for the Fiscal Management Division of OMB to continue to be available in the 2021-23 biennium.	
Assessment of state lands and facilities exemption	Section 8 would allow 2019-21 biennium appropriation authority for the assessment of state lands and facilities to continue to be available in the 2021-23 biennium.	
Grant and expense designations	Section 9 would identify the funding designated for statewide memberships and dues, unemployment insurance, and the Capitol Grounds Planning Commission.	
State employee compensation adjustments	Section 10 would provide guidelines for an average salary increase of 2 percent to eligible state employees in 1st year and an average salary increase of 2 percent in the 2nd year of the 2021-23 biennium. Additional salary increases would be available if state agencies have savings in their current budget. Employees whose documented performance does not meet standards would not be eligible for compensation adjustments.	
Infrastructure revolving loan fund	Section 11 would amend the infrastructure revolving loan fund to increase the loan limits; to allow additional types of infrastructure projects; to designate specific amounts from bond proceeds deposited in the fund for water projects, bridges, and other projects; and to require approval from the Department of Transportation and State Water Commission for certain projects.	

Other Sections in Office of Management and Budget - Budget No. 110

	Executive Budget Recommendation	House Version
Bonding authorization	Sections 12, 13, 14, 32, and 33 would authorize the Public Finance Authority to issue up to $1,250,000,000 of bonds, including $700,000,000 for the infrastructure revolving loan fund, $302,400,000 for state road and bridge projects, $30,500,000 for state park projects, $45,000,000 for career academies, $19,000,000 for higher education challenge grants, $137,100,000 for state building projects, $14,000,000 for a North Dakota State University agriculture center, and $2,000,000 to Dakota College at Bottineau for an Old Main renovation project.	
Political subdivision bonding authority	Sections 15, 16, and 28 would allow political subdivisions to issue bonds for up to 30 years, rather than the current law limit of 20 years, and would authorize political subdivisions to use additional sources of mill levy authority to repay bonds.	
Legacy fund earnings funds	Section 17 would create two new sections to Chapter 21-10 relating to the deposit of legacy fund earnings for projects.	
Emergency Commission borrowing authority	Sections 18 and 19 would amend Section 54-16-04 and create Section 54-16-04.4 to authorize the Emergency Commission to borrow from the Bank of North Dakota to address a state contingency.	
Capitol complex rental program	Section 20 would amend Section 54-21-19 to authorize agency rental payments for space used on the Capitol grounds by agencies funded by appropriations from the general fund.	
Shared services fund	Section 21 would create a new section to Chapter 54-27 to establish a shared services fund to allow state agencies to make payments to each other for shared services, including equipment, operating expenses, or salaries.	
Budget stabilization fund limit	Section 22 would amend Section 54-27.2-01 to decrease the maximum balance of the budget stabilization fund from 15 to 10 percent of the most recent general fund budget.	
Facility management operating fund	Section 23 would amend Section 54-44-11 to authorize OMB to create an operating fund for the facility management division operations to fund the operations of the Facility Management Division from the proposed Capitol complex rental program.	
Political subdivision budgets	Section 24 would amend Section 54-44.1-18 to remove the requirement for OMB to publish political subdivision budgets to OMB's website if a political subdivision submits the budget to OMB.	
Environmentally preferable products	Sections 25 and 26 would amend sections 54-44.4-07 and 54-44.4-08 to remove the requirement to specify the amount of recycled content included in the items purchased by the state.	
Business improvement projects	Section 27 would create Section 54-49-40 to authorize state agencies to borrow funds for business improvement projects if the projects are estimated to provide savings to the state agency within 6 years.	

Other Sections in Office of Management and Budget - Budget No. 110

	Executive Budget Recommendation	House Version
County deficiency borrowing	Section 29 would amend Section 57-47-02 to allow counties to borrow for up to 20 years, rather than the current 5-year limit, if the county tax levies are insufficient to pay mandatory expenses.	
State share of oil and gas tax revenue allocations ("buckets")	Section 30 would increase the allocation of oil and gas tax revenues to the general fund by $100 million, from $400 million to $500 million, per biennium.	
Transfer of water project loans	Section 31 would transfer loans for water projects held in an infrastructure revolving loan fund within the resources trust fund to the infrastructure revolving loan fund. Section 34 would transfer loans from the community water facility loan fund to the infrastructure revolving loan fund. Section 36 would repeal the community water facility loan fund and an infrastructure revolving loan fund within the resources trust fund.	
Human resources services unification	Section 35 provide for OMB to transfer 2 FTE positions and $424,739 from ITD for a human resources services unification initiative. Section 38 would make the transfer effective on July 1, 2022.	
State Employee Compensation Commission	Section 37 would repeal Section 54-06-25 relating to the State Employee Compensation Commission.	
State Personnel Board	Section 37 would repeal Section 54-44.3-03 to eliminate the State Personnel Board.	

House Appropriations Committee
67th Legislative Session
Representative Jeff Delzer-Chair

Chairman Delzer and House Appropriations Committee,

Please accept this testimony in a support of HB 1015, line item "Guardianship grants". Several elderly or disabled ND Veterans and/or Veterans dependents are unfortunately unable to properly care for themselves and are court appointed a public guardian on their behalf. These public guardians receive very little payment for their services. Unfortunately, due to underfunding, several court-appointed public guardian services go unfunded.

Please consider,

- The Guardianship Grants funding appropriation through HB 1015 is at a governor recommendation of $1,950,000.
- 2021-2023 caseload projections estimate a funding shortfall which will affect 150 court appointed public guardianships.
- The real need for Guardianship Grants is $2,500,000 a shortfall of $ 550,000.
- I urge the proper funding of the guardianship programs during the 2021-2023 biennium.

The Guardianship programs protect the most vulnerable of ND Citizens. These programs should be among the highest priority for ND Legislators to fund.

Please feel free to reach out to me with any questions or concerns.

Thank you for your consideration,

Lonnie Wangen
Commissioner: NDDVA
4201 38th Street S Suite 104
Fargo ND 58104
701-239-7165
lwangen@nd.gov

2021 HOUSE STANDING COMMITTEE MINUTES

Appropriations - Government Operations Division
Brynhild Haugland Room, State Capitol

HB1015
2/15/2021

A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget; and to provide an exemption.

11:35 **Chairman Vigesaa** brought the meeting to order. Members present: Chairman Vigesaa, Vice Chairman Brandenburg, Representative Kempenich, Representative Howe, Representative Bellew, Representative Meier, Representative Mock.

Discussion Topics:

- Base level funding changes

11:37 **Chairman Vigesaa** explained the worksheet. Testimony #6967.

11:48 **Adam Mathiak, Senior Fiscal Auditor, ND Legislative Council** explained the sections on the worksheet. Testimony #6967.

12:12 **Chairman Vigesaa** adjourned the meeting.

Sheri Lewis, Committee Clerk

Office of Management and Budget - Budget No. 110
House Bill No. 1015
Base Level Funding Changes

	Executive Budget Recommendation				House Version				House Changes to Executive Budget Increase (Decrease) - Executive Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2021-23 Biennium Base Level	112.00	$32,915,852	$8,746,515	$41,662,367	112.00	$32,915,852	$8,746,515	$41,662,367	0.00	$0	$0	$0
2021-23 Ongoing Funding Changes												
Base payroll changes		$125,958	$2	$125,960		$125,958	$2	$125,960				$0
Salary increase		434,053	72,167	506,220		440,835	85,354	526,189		6,782	13,187	19,969
Retirement contribution increase		83,215	13,836	97,051				0		(83,215)	(13,836)	(97,051)
Health insurance increase		4,416	734	5,150		4,611	734	5,345		195		195
Transfers 4 FTE positions for IT unification	(4.00)			0				0	4.00			0
Adds 2 FTE positions for human resources unification				0	2.00		424,739	424,739	2.00		424,739	424,739
Adds funding for a human resource officer		110,869		110,869		110,869		110,869				0
Increases funding for procurement officers		104,824		104,824		104,824		104,824				0
Increases funding for temporary salaries			20,000	20,000			20,000	20,000				0
Changes funding source for the Facility Management Division		(5,245,161)	5,245,161	0				0		5,245,161	(5,245,161)	0
Decreases funding for operating expenses		(701,000)	(20,000)	(721,000)		(701,000)	(20,000)	(721,000)				0
Increases funding for budget software contract		403,000		403,000		403,000		403,000				0
Adds funding for procurement software contract		152,000		152,000		152,000		152,000				0
Increases funding for Microsoft Office 365 licensing expenses		8,505	197	8,702		8,505	197	8,702				0
Adds funding for the Capitol complex rent proposal		488,055		488,055				0		(488,055)		(488,055)
Decreases funding for Emergency Commission contingency fund		(500,000)		(500,000)		(100,000)		(100,000)		400,000		400,000
Reduces funding for bond payments		(2,610)		(2,610)		(2,610)		(2,610)				0
Removes funding for grants		(54,000)		(54,000)		(54,000)		(54,000)				0
Decreases funding for Prairie Public Broadcasting		(180,000)		(180,000)		(400,000)		(400,000)		(220,000)		(220,000)
Decreases funding for community services supervision grants		(52,500)		(52,500)		(100,000)		(100,000)		(47,500)		(47,500)
Total ongoing funding changes	(4.00)	($4,820,376)	$5,332,097	$511,721	2.00	($7,008)	$511,026	$504,018	6.00	$4,813,368	($4,821,071)	($7,703)
One-time funding items												
Adds one-time funding for a facility consolidation study		$350,000		$350,000			350,000	350,000		(350,000)	350,000	0
Adds one-time funding for special assessments (Capitol building fund)			300,000	300,000			300,000	300,000				0
Adds one-time funding for extraordinary repairs (Capitol building fund)			900,000	900,000			500,000	500,000			(400,000)	(400,000)
Adds one-time funding for building automation (Capitol building fund)			518,800	518,800			518,800	518,800				0
Adds one-time funding for signage (Capitol building fund)			1,000,000	1,000,000			500,000	500,000			(500,000)	(500,000)
Adds one-time funding for various building projects (bond proceeds)			137,100,000	137,100,000				0			(137,100,000)	(137,100,000)
Adds one-time funding for procurement software		2,021,204		2,021,204			2,021,204	2,021,204		(2,021,204)	2,021,204	0
Adds one-time funding for budget software		1,230,100		1,230,100			1,230,100	1,230,100		(1,230,100)	1,230,100	0
Adds one-time funding for the state student internship program		200,000		200,000		100,000		100,000		(100,000)		(100,000)
Total one-time funding changes	0.00	$3,801,304	$139,818,800	$143,620,104	0.00	$100,000	$5,420,104	$5,520,104	0.00	($3,701,304)	($134,398,696)	($138,100,000)
Total Changes to Base Level Funding	(4.00)	($1,019,072)	$145,150,897	$144,131,825	2.00	$92,992	$5,931,130	$6,024,122	6.00	$1,112,064	($139,219,767)	($138,107,703)
2021-23 Total Funding	108.00	$31,896,780	$153,897,412	$185,794,192	114.00	$33,008,844	$14,677,645	$47,686,489	6.00	$1,112,064	($139,219,767)	($138,107,703)
Total ongoing changes as a percentage of base level	*(3.6%)*	*(14.6%)*	*61.0%*	*1.2%*	*1.8%*	*(0.0%)*	*5.8%*	*1.2%*				
Total changes as a percentage of base level	*(3 6%)*	*(3.1%)*	*1659.5%*	*346.0%*	*1.8%*	*0.3%*	*67.8%*	*14.5%*				

Other Sections in Office of Management and Budget - Budget No. 110

	Executive Budget Recommendation	House Version
Community service supervision fund		Section _ appropriates any moneys in the community service supervision fund for distributions to community corrections association regions.
Township grants		Section _ appropriates $8.1 million from the state disaster relief fund to the state treasurer for grant distributions to townships in non-oil-producing counties.
Tax relief fund to human service finance fund	Section 3 would transfer $174,380,767 from the tax relief fund to the social services finance fund during the 2021-23 biennium.	Section _ transfers $_ from the tax relief fund to the human service finance fund during the 2021-23 biennium.
State student internship program	Section 6 would authorize OMB to transfer student internship funding to other state agencies. Section 8 would allow 2019-21 biennium appropriation authority for the state student internship program to continue to be available in the 2021-23 biennium.	Section _ authorizes OMB to transfer student internship funding to other state agencies. Section _ allows 2019-21 biennium appropriation authority for the state student internship program to continue to be available in the 2021-23 biennium.
Capitol building fund		Section _ identifies one-funding from the capitol building fund for a facility consolidation study, special assessments, extraordinary repairs, building automation, and interior and exterior signage.
Strategic investment and improvements fund		Section _ identifies one-funding from the strategic investment and improvements fund for information technology projects related to procurement software and budget software.
Grant and expense designations	Section 9 would identify the funding designated for statewide memberships and dues, unemployment insurance, and the Capitol Grounds Planning Commission.	Section _ identifies the funding designated for statewide memberships and dues, unemployment insurance, and the Capitol Grounds Planning Commission.
Risk management fund - Claims payments		Section _ authorizes OMB to make payments from the risk management fund for attorney's fees incurred by a state employee resulting from a criminal investigation lacking a probable cause.
State employee compensation adjustments	Section 10 would provide guidelines for an average salary increase of 2 percent to eligible state employees in 1st year and an average salary increase of 2 percent in the 2nd year of the 2021-23 biennium. Additional salary increases would be available if state agencies have savings in their current budget. Employees whose documented performance does not meet standards would not be eligible for compensation adjustments.	Section _ provides guidelines for an average salary increase of 1.5 percent to eligible state employees with a monthly minimum increase of $100 and a maximum monthly increase of $250 for the 2021-23 biennium. Additional salary increases would be available if state agencies have savings in their current budget. Employees whose documented performance does not meet standards would not be eligible for compensation adjustments.
Political subdivision budgets	Section 24 would amend Section 54-44.1-18 to remove the requirement for OMB to publish political subdivision budgets to OMB's website if a political subdivision submits the budget to OMB.	Section _ amends Section 54-44.1-18 to remove the requirement for OMB to publish political subdivision budgets to OMB's website if a political subdivision submits the budget to OMB.
Environmentally preferable products	Sections 25 and 26 would amend sections 54-44.4-07 and 54-44.4-08 to remove the requirement to specify the amount of recycled content included in the items purchased by the state.	Sections _ and _ amend sections 54-44.4-07 and 54-44.4-08 to remove the requirement to specify the amount of recycled content included in the items purchased by the state.
Oil and gas tax revenue allocations	Section 30 would increase the allocation of oil and gas tax revenues to the general fund by $100 million, from $400 million to $500 million, per biennium.	Section _ increases the allocation of oil and gas tax revenues to the state disaster relief fund by $5 million, from $15 million to $20 million and aligns the allocations to the municipal infrastructure fund and the county and township infrastructure fund to receive allocations at the same time after the allocation to the strategic investment and improvements fund. Sections_, _, and _ establish mimimum amounts required to provide distributions from the municipal infrastructure fund and the county and township infrastructure fund.

Other Sections in Office of Management and Budget - Budget No. 110

	Executive Budget Recommendation	House Version
State Employee Compensation Commission	Section 17 would repeal Section 54-06-25 relating to the State Employee Compensation Commission.	Section _ repeals Section 54-06-25 relating to the State Employee Compensation Commission.
Fiscal management exemption	Section 7 would allow 2019-21 biennium appropriation authority for the Fiscal Management Division of OMB to continue to be available in the 2021-23 biennium.	Section _ allows 2019-21 biennium appropriation authority for the Fiscal Management Division of OMB to continue to be available in the 2021-23 biennium.
Assessment of state lands and facilities exemption	Section 8 would allow 2019-21 biennium appropriation authority for the assessment of state lands and facilities to continue to be available in the 2021-23 biennium.	Section _ allows 2019-21 biennium appropriation authority for the assessment of state lands and facilities to continue to be available in the 2021-23 biennium.
Space needs study		Section _ provides for a legislative management study relating to spaces needs of the executive, judicial, and legislative branches at the state Capitol.
2019-21 biennium legacy fund earnings	Section 4 would designate the 2019-21 biennium for the general fund ($335,630,000 and any additional legacy fund earnings), the common schools trust fund ($64,370,000), ITD's cybersecurity initiatives ($25,000,000), the unmanned aircraft systems fund ($27,000,000), the innovation loan fund to support technology advancement ($30,000,000), the housing incentive fund ($8,000,000), state park infrastructure ($10,000,000), the environmental quality restoration fund ($5,000,000), the state parks gift fund ($10,000,000), and the University System challenge grant program ($10,000,000).	
Bond proceeds	Section 5 would authorize OMB to transfer bond proceeds of $130,500,000 for extraordinary repair projects to other state agencies.	
Infrastructure revolving loan fund	Section 11 would amend the infrastructure revolving loan fund to increase the loan limits; to allow additional types of infrastructure projects; to designate specific amounts from bond proceeds deposited in the fund for water projects, bridges, and other projects; and to require approval from the Department of Transportation and State Water Commission for certain projects.	
Bonding authorization	Sections 12, 13, 14, 32, and 33 would authorize the Public Finance Authority to issue up to $1,250,000,000 of bonds, including $700,000,000 for the infrastructure revolving loan fund, $302,400,000 for state road and bridge projects, $30,500,000 for state park projects, $45,000,000 for career academies, $19,000,000 for higher education challenge grants, $137,100,000 for state building projects, $14,000,000 for a North Dakota State University agriculture center, and $2,000,000 to Dakota College at Bottineau for an Old Main renovation project.	
Political subdivision bonding authority	Sections 15, 16, and 28 would allow political subdivisions to issue bonds for up to 30 years, rather than the current law limit of 20 years, and would authorize political subdivisions to use additional sources of mill levy authority to repay bonds.	
Legacy fund earnings funds	Section 17 would create two new sections to Chapter 21-10 relating to the deposit of legacy fund earnings for projects.	

Other Sections in Office of Management and Budget - Budget No. 110

	Executive Budget Recommendation	House Version
Emergency Commission borrowing authority	Sections 18 and 19 would amend Section 54-16-04 and create Section 54-16-04.4 to authorize the Emergency Commission to borrow from the Bank of North Dakota to address a state contingency.	
Capitol complex rental program	Section 20 would amend Section 54-21-19 to authorize agency rental payments for space used on the Capitol grounds by agencies funded by appropriations from the general fund.	
Shared services fund	Section 21 would create a new section to Chapter 54-27 to establish a shared services fund to allow state agencies to make payments to each other for shared services, including equipment, operating expenses, or salaries.	
Budget stabilization fund limit	Section 22 would amend Section 54-27.2-01 to decrease the maximum balance of the budget stabilization fund from 15 to 10 percent of the most recent general fund budget.	
Facility management operating fund	Section 23 would amend Section 54-44-11 to authorize OMB to create an operating fund for the facility management division operations to fund the operations of the Facility Management Division from the proposed Capitol complex rental program.	
Business improvement projects	Section 27 would create Section 54-59-40 to authorize state agencies to borrow funds for business improvement projects if the projects are estimated to provide savings to the state agency within 6 years.	
County deficiency borrowing	Section 29 would amend Section 57-47-02 to allow counties to borrow for up to 20 years, rather than the current 5-year limit, if the county tax levies are insufficient to pay mandatory expenses.	
Transfer of water project loans	Section 31 would transfer loans for water projects held in an infrastructure revolving loan fund within the resources trust fund to the infrastructure revolving loan fund. Section 34 would transfer loans from the community water facility loan fund to the infrastructure revolving loan fund. Section 36 would repeal the community water facility loan fund and an infrastructure revolving loan fund within the resources trust fund.	
Human resources services unification	Section 35 provide for OMB to transfer 2 FTE positions and $424,739 from ITD for a human resources services unification initiative. Section 38 would make the transfer effective on July 1, 2022.	
State Personnel Board	Section 37 would repeal Section 54-44.3-03 to eliminate the State Personnel Board.	

2021 HOUSE STANDING COMMITTEE MINUTES

Appropriations - Government Operations Division
Brynhild Haugland Room, State Capitol

HB1015
2/17/2021

A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget; and to provide an exemption.

4:00 **Chairman Vigesaa** brought the committee to order. Members present: Chairman Vigesaa, Vice Chairman Brandenburg, Representative Kempenich, Representative Howe, Representative Bellew, Representative Meier, Representative Mock.

Discussion Topics:

- Base level funding changes
- Proposed amendments

4:00 **Chairman Vigesaa** explained the worksheet. Testimony #6834.

4:22 **Vice Chairman Brandenburg** made a motion to adopt the amendment. LC# 21.0274.01003.

4:22 **Representative Howe** seconded the motion.

4:22 Voice vote.

4:22 Motion carried.

4:25 **Chairman Vigesaa** adjourned the meeting.

Sheri Lewis, Committee Clerk

21.0274.01003
Title.

Fiscal No. 1

Prepared by the Legislative Council staff for
the House Appropriations - Government
Operations Division Committee
February 17, 2021

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 1, line 2, replace the second "and" with "to provide an appropriation to the state treasurer; to amend and reenact sections 54-44.1-18, 54-44.4-07, 54-44.4-08, 57-51.1-07.5, subsections 2 and 3 of section 57-51.1-07.7, and subsection 2 of section 57-51.1-07.8 of the North Dakota Century Code, relating to publishing political subdivision budgets, environmentally preferable products, the state share of oil and gas tax revenue allocations, the municipal infrastructure fund, and the county and township infrastructure fund; to repeal section 54-06-25 of the North Dakota Century Code, relating to the state employee compensation commission; to provide for a transfer; to provide for a claims payment; to provide compensation guidelines;"

Page 1, line 3, after "exemption" insert "; to provide for a legislative management study; and to provide a report"

Page 1, remove lines 11 through 23

Page 2, replace lines 1 and 2 with:

"

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	$21,903,816	$893,187	$22,797,003
Operating expenses	14,937,426	492,702	15,430,128
Emergency commission contingency fund	500,000	(100,000)	400,000
Capital assets	767,125	4,767,494	5,534,619
Grants	54,000	(54,000)	0
Guardianship grants	1,950,000	0	1,950,000
Prairie public broadcasting	1,200,000	(400,000)	800,000
Community service supervision grants	350,000	(100,000)	250,000
State student internship program	0	100,000	100,000
Total all funds	$41,662,367	$5,599,383	$47,261,750
Less estimated income	8,746,515	5,506,391	14,252,906
Total general fund	$32,915,852	$92,992	$33,008,844
Full-time equivalent positions	112.00	0.00	112.00"

Page 2, line 3, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-EIGHTH LEGISLATIVE ASSEMBLY**"

Page 2, line 4, after "biennium" insert "and the 2021-23 biennium one-time funding items included in the appropriation in section 1 of this Act"

Page 2, replace lines 6 through 16 with:

"Extraordinary repairs	$1,900,000	$500,000
Capitol south entrance project	2,000,000	0
Special assessments on capitol grounds	320,000	300,000
Litigation funding pool	3,500,000	0
Assessment of state lands and facilities	500,000	0
Risk management technology project	170,000	0
State student internship program	250,000	100,000
Electronic procurement study	50,000	0

Facility consolidation study	0	350,000
Building automation project	0	518,800
Interior and exterior signage projects	0	500,000
Procurement software	0	2,021,204
Statewide budget software	0	1,230,100
Total all funds	$8,690,000	$5,520,104
Less estimated income	8,390,000	5,420,104
Total general fund	$300,000	$100,000

The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The office of management and budget shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023.

Page 2, after line 16, insert:

"**SECTION 3. APPROPRIATION - COMMUNITY SERVICES SUPERVISION FUND.** Any moneys in the community service supervision fund under section 29-26-22 are appropriated to the office of management and budget for distribution to community corrections association regions on or before August first of each year during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 4. APPROPRIATION - STATE DISASTER RELIEF FUND - STATE TREASURER - DISTRIBUTIONS TO NON-OIL-PRODUCING COUNTIES. Due to extraordinary flooding in 2020 in parts of the state and due to the excessive cost of road maintenance, there is appropriated out of any moneys in the state disaster relief fund in the state treasury, not otherwise appropriated, the sum of $8,100,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of providing distributions to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county, for the biennium beginning July 1, 2021, and ending June 30, 2023. In August 2021, the state treasurer shall distribute $8,100,000, or so much of the sum as may be necessary, to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county. The distribution to each non-oil-producing county must provide for an allocation of $5,000 to each organized and unorganized township within the county. The amount allocated to organized townships under this section must be paid by the county treasurer to each organized township. The amount allocated to unorganized townships under this section must be credited by the county treasurer to a special fund for unorganized township roads. The distributions under this section must be used for the maintenance and improvement of township paved and unpaved roads and bridges. A township is not eligible for an allocation of funds under this section if the township does not maintain any township roads. For the purposes of this section, a "non-oil-producing county" means a county that has received no allocation of funding or a total allocation of funding under subsection 2 of section 57-51-15 of less than $5,000,000 for the period beginning September 1, 2019, and ending August 31, 2020.

SECTION 5. TRANSFER - TAX RELIEF FUND TO HUMAN SERVICE FINANCE FUND. The office of management and budget shall transfer the sum of $190,224,059 from the tax relief fund to the human service finance fund during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 6. TRANSFER - STATE STUDENT INTERNSHIP PROGRAM FUNDS TO STATE AGENCIES. The office of management and budget shall transfer funds from the state student internship program line item appropriated in section 1 of

this Act to eligible state agencies for state student internships during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 7. ESTIMATED INCOME - ONE-TIME FUNDING - CAPITOL BUILDING FUND. The estimated income line item in section 1 of this Act includes $2,268,800 of one-time funding from the capitol building fund. Of the $2,268,800, $350,000 in the operating expenses line item is for a facility consolidation study, $300,000 in the operating expenses line item is for special assessments associated with the capitol grounds, $600,000 is in the capital assets line item is for extraordinary repairs, $518,800 in the capital assets line item is for a building automation project, and $500,000 in the capital assets line item is for interior and exterior signage.

SECTION 8. ESTIMATED INCOME - ONE-TIME FUNDING - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes $3,251,304 from the strategic investment and improvements fund. Of the $3,251,304, $2,021,204 in the capital assets line item is for procurement software, and $1,230,100 in the capital assets line item is for budget software."

Page 2, remove line 19

Page 2, replace lines 23 through 28 with:

"SECTION 10. RISK MANAGEMENT FUND - CLAIMS PAYMENT. Pursuant to the continuing appropriation authority under section 32-12.2-07, the director of the office of management and budget may make payments from the risk management fund during the biennium beginning July 1, 2021, and ending June 30, 2023, for reasonable and necessary costs and attorney's fees incurred by a state employee as a result of a criminal investigation or prosecution occurring after December 21, 2018, under circumstances in which there was an absence of probable cause, as identified in a prosecutorial or judicial determination or as determined by the director of the office of management and budget in the absence of a prosecutorial or judicial determination, and in which the offense involves the discharge of a public duty. The director of the office of management and budget shall consult with the attorney general when reviewing claims under this section and shall obtain written approval from the attorney general for any claim exceeding ten thousand dollars.

SECTION 11. STATE EMPLOYEE COMPENSATION ADJUSTMENTS - GUIDELINES.

1. The 2021-23 biennium compensation adjustments for permanent state employees are to average 1.5 percent with a minimum of $100 per month and a maximum of $250 per month per eligible employee for each fiscal year of the biennium. The increases for the first year of the biennium are to be given beginning with the month of July 2021, to be paid in August 2021, and for the second year of the biennium are to be given beginning with the month of July 2022, to be paid in August 2022. Except for minimum and maximum amounts, increases for eligible state employees are to be based on documented performance and are not to be the same percentage increase for each employee.

2. The office of management and budget shall develop guidelines for use by state agencies for providing compensation adjustments for classified state employees. The guidelines must follow the compensation philosophy statement under section 54-44.3-01.2.

3. Probationary employees are not entitled to the increases. However, at the discretion of the appointing authority, probationary employees may be given all or a portion of the increases effective in July, paid in August, or upon completion of probation. Employees whose overall documented performance level does not meet standards are not eligible for any salary increase.

SECTION 12. AMENDMENT. Section 54-44.1-18 of the North Dakota Century Code is amended and reenacted as follows:

54-44.1-18. Searchable database of expenditures.

1. The director of the budget shall develop and make publicly available an aggregate and searchable budget database website that includes the following information for the biennium:

   a. Each budget unit making expenditures.

   b. The amount of funds expended.

   c. The source of the funds expended.

   d. The budget program of the expenditure.

   e. Any other information determined relevant by the director of the budget.

2. The director of the budget shall include the name and city of the recipient of each expenditure in the budget database website after the director has completed implementation of a business intelligence component to the state's financial reporting system.

3. The director of the budget may not include in the database any information that is confidential or exempt under state or federal law.

4. The director of the budget may update the budget database website as new data becomes available. Each state agency shall provide to the director of the budget any data required to be included in the budget database website no later than thirty days after the data becomes available to the agency.

5. By January first of each even-numbered year, the director of the budget shall add data for the previous biennium to the budget database website. The director of the budget shall ensure that all data added to the budget database website remains accessible to the public for a minimum of ten years.

6. The budget database website may not redirect users to any other government website, unless the website has information from all budget units and each category of information required can be searched electronically by field in a single search.

~~7. The governing body of each political subdivision may submit the annual budget adopted by the governing body to the director of the budget. The director of the budget shall include on the office of management and budget website any information submitted by a participating governing~~

~~body of a political subdivision. The official who submits the annual budget to the director of the budget may not submit any information that is confidential under state or federal law. In lieu of submitting the annual budget adopted by the governing body to the director, any participating governing body may provide to the director a publicly accessible internet link on which the annual budget adopted by the participating governing body is available.~~

SECTION 13. AMENDMENT. Section 54-44.4-07 of the North Dakota Century Code is amended and reenacted as follows:

54-44.4-07. Procurement of environmentally preferable products.

1. The office of management and budget, the institutions of higher education, and any other state agency or institution that has authority to purchase products are encouraged to purchase environmentally preferable products.

   a. ~~Where~~When practicable, specifications for purchasing newsprint printing services should specify the use of soybean-based ink. The North Dakota soybean council and the agriculture commissioner shall assist the office of management and budget in locating suppliers of soybean-based inks and in collecting data on the purchase of soybean-based inks.

   b. ~~In requesting bids for paper products, the office of management and budget must request information on the recycled content of such products.~~

   ~~c.~~ ~~Where~~When practicable, biobased products should be specified.

2. The office of management and budget, in coordination with the state board of higher education, shall develop guidelines for a biobased procurement program.

SECTION 14. AMENDMENT. Section 54-44.4-08 of the North Dakota Century Code is amended and reenacted as follows:

54-44.4-08. Purchase of recycled paper products.

~~The~~When practicable, the office of management and budget, and any state agency or institution that has authority to purchase ~~products, shall ensure that at least twenty percent of the total volume of~~ paper and paper products ~~being purchased for state agencies and institutions contain~~, should specify at least twenty-five percent recycled material. ~~The office of management and budget shall implement a methodology to track compliance with this section.~~

SECTION 15. AMENDMENT. Section 57-51.1-07.5 of the North Dakota Century Code is amended and reenacted as follows:

57-51.1-07.5. State share of oil and gas taxes - Deposits.

From the revenues designated for deposit in the state general fund under chapters 57-51 and 57-51.1, the state treasurer shall deposit the revenues received each biennium in the following order:

1. The first two hundred million dollars into the state general fund;

2. The next two hundred million dollars into the tax relief fund;

3. The next seventy-five million dollars into the budget stabilization fund, but not in an amount that would bring the balance in the fund to more than the limit in section 54-27.2-01;

4. The next two hundred million dollars into the state general fund;

5. The next ten million dollars into the lignite research fund;

6. The next ~~fifteen~~twenty million dollars into the state disaster relief fund, but not in an amount that would bring the unobligated balance in the fund to more than ~~fifteen~~twenty million dollars;

7. ~~The next thirty million three hundred seventy-five thousand dollars, or the amount necessary to provide for the distributions under subsection 2 of section 57-51.1-07.7, into the municipal infrastructure fund;~~

~~8.~~ The next four hundred million dollars into the strategic investment and improvements fund;

~~9. An amount equal to the deposit under subsection 7 into the county and township infrastructure fund;~~

8. The next fifty-nine million seven hundred fifty thousand dollars, or the amount necessary to provide for twice the amount of the distributions under subsection 2 of section 57-51.1-07.7, into the funds designated for infrastructure development in non-oil-producing counties under sections 57-51.1-07.7 and 57-51.1-07.8 with fifty percent deposited into the municipal infrastructure fund and fifty percent deposited into the county and township infrastructure fund;

~~10.~~9. The next one hundred ~~sixty-nine~~seventy million two hundred fifty thousand dollars or the amount necessary to provide a total of two hundred thirty million dollars into the funds designated for infrastructure development in non-oil-producing counties under sections 57-51.1-07.7 and 57-51.1-07.8 with fifty percent deposited into the municipal infrastructure fund and fifty percent deposited into the county and township infrastructure fund;

~~11.~~10. The next twenty million dollars into the airport infrastructure fund; and

~~12.~~11. Any additional revenues into the strategic investment and improvements fund.

SECTION 16. AMENDMENT. Subsection 2 of section 57-51.1-07.7 of the North Dakota Century Code is amended and reenacted as follows:

2. Within forty days after the fund balance is greater than or equal to the amount needed for the grants under this subsection or by September thirtieth of each odd-numbered year, whichever is earlier, the state treasurer shall distribute moneys in the fund as grants to cities for essential infrastructure projects. The state treasurer shall distribute the grants only if the fund balance is at least ten percent of the amount needed for distributions under this subsection based on the following:

a. Two million five hundred thousand dollars to each city with a population of at least five thousand;

b. Five hundred thousand dollars to each city with a population of at least two thousand but less than five thousand; and

c. One hundred twenty-five thousand dollars to each city with a population of at least one thousand but less than two thousand.

d. If, at the time of the distributions, the moneys in the fund are less than the amount needed for the grants under this subsection, the state treasurer shall distribute the grants under this subsection on a pro rata basis.

e. For the purposes of determining the city's population under this subsection, the state treasurer shall use the most recent actual or estimated census data published by the United States census bureau.

SECTION 17. AMENDMENT. Subsection 3 of section 57-51.1-07.7 of the North Dakota Century Code is amended and reenacted as follows:

3. Within sixty days after the fund receives its statutory limit of oil and gas tax allocations under section 57-51.1-07.5 or by September thirtieth of each odd-numbered year, whichever is earlier, the state treasurer shall distribute the moneys in the fund as grants to cities for essential infrastructure projects. The state treasurer shall distribute the grants only if the fund balance is at least ten percent of the amount needed for distributions under this subsection based on the following:

   a. One hundred fifty dollars per person of the city's population.

   b. In addition to the amounts in subdivision a, for a city with a positive average of the annual percentage increase in population from three years prior, a dollar amount equal to the product of the following:

      (1) The amount calculated in subdivision a; and

      (2) The average of the annual percentage increase in population from three years prior, multiplied by ten.

   c. In addition to the amounts in subdivisions a and b, for a city with a positive average of the annual percentage increase in taxable property values from three years prior, a dollar amount equal to the average of the annual property valuation percentage increase for the three most recent years, multiplied by twenty-five thousandths.

   d. Grants may be distributed under this subdivision only if the grant distributions under subsection 2 are completed. If the moneys in the fund are insufficient to provide for the grants, the state treasurer shall distribute the grants under this subsection on a pro rata basis. If any moneys remain in the fund after the distribution of grants under this subsection, the state treasurer shall distribute any remaining moneys in the fund in proportion to the combined total distributed to each city under this section relative to the combined total distributed to all the cities under this section.

e. For the purposes of determining the city's population under this subsection, the state treasurer shall use the most recent actual or estimated census data published by the United States census bureau.

f. For the purposes of determining taxable property values, the state treasurer shall use the most recent data published by the tax commissioner in the tax levy report.

SECTION 18. AMENDMENT. Subsection 2 of section 57-51.1-07.8 of the North Dakota Century Code is amended and reenacted as follows:

2. Within sixty days after the fund receives its statutory limit of oil and gas tax allocations under section 57-51.1-07.5 or by September thirtieth of each odd-numbered year, whichever is earlier, the state treasurer shall distribute moneys in the fund as grants to counties for road and bridge infrastructure projects. <u>The state treasurer shall distribute the grants only if the fund balance is at least ten percent of the amount needed for distributions under this section.</u>

SECTION 19. REPEAL. Sections 54-06-25 of the North Dakota Century Code is repealed."

Page 3, after line 3, insert:

"**SECTION 21. EXEMPTION - STATE STUDENT INTERNSHIP PROGRAM.** The amount of $250,000 appropriated in section 1, identified in section 2, and transferred in section 8 of chapter 40 of the 2019 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the office of management and budget for the state student internship program during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 22. EXEMPTION - ASSESSMENT OF STATE LANDS AND FACILITIES. The amount of $500,000 appropriated from the strategic investment and improvements fund in section 1 and identified in section 2 of chapter 40 of the 2019 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the office of management and budget to continue the assessment of state lands and facilities during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 23. LEGISLATIVE MANAGEMENT STUDY - SPACE NEEDS AT STATE CAPITOL. During the 2021-22 interim, the legislative management shall consider studying space needs of the executive, judicial, and legislative branches at the state capitol. The study must include:

1. A review of each branch's employee work location policies;

2. An assessment of the space needs of each branch to fulfill their constitutional and statutory responsibilities;

3. An evaluation of state agency leases of space from private and other governmental entities in Bismarck, amounts being paid for these leases, and state agency rental payments being made to the office of management and budget from special and federal funds;

4. Consideration of the feasibility and desirability of the office of management and budget charging rent to agencies receiving funding from the general fund; and

5. The development of a space utilization plan for the capitol complex.

The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of House Action

	Base Budget	House Changes	House Version
Office of Management and Budget			
Total all funds	$41,662,367	$5,599,383	$47,261,750
Less estimated income	8,746,515	5,506,391	14,252,906
General fund	$32,915,852	$92,992	$33,008,844
FTE	112.00	0.00	112.00
State Treasurer			
Total all funds	$0	$8,100,000	$8,100,000
Less estimated income	0	8,100,000	8,100,000
General fund	$0	$0	$0
FTE	0.00	0.00	0.00
Bill total			
Total all funds	$41,662,367	$13,699,383	$55,361,750
Less estimated income	8,746,515	13,606,391	22,352,906
General fund	$32,915,852	$92,992	$33,008,844
FTE	112.00	0.00	112.00

House Bill No. 1015 - Office of Management and Budget - House Action

	Base Budget	House Changes	House Version
Salaries and wages	$21,903,816	$893,187	$22,797,003
Operating expenses	14,937,426	492,702	15,430,128
Capital assets	767,125	4,767,494	5,534,619
Grants	54,000	(54,000)	
Emergency commission contingency fund	500,000	(100,000)	400,000
Guardianship grants	1,950,000		1,950,000
Prairie public broadcasting	1,200,000	(400,000)	800,000
Community service supervision grants	350,000	(100,000)	250,000
Student internship program		100,000	100,000
Total all funds	$41,662,367	$5,599,383	$47,261,750
Less estimated income	8,746,515	5,506,391	14,252,906
General fund	$32,915,852	$92,992	$33,008,844
FTE	112.00	0.00	112.00

Department 110 - Office of Management and Budget - Detail of House Changes

	Adjusts Funding for Base Payroll Changes[1]	Adds Funding for Salary and Benefit Increases[2]	Adjusts Funding for Salaries and Wages[3]	Adjusts Funding for Operating Expenses[4]	Decreases Funding for Emergency Commission Fund[5]	Decreases Funding for Bond Payments[6]
Salaries and wages	$125,960	$531,534	$235,693			
Operating expenses				($157,298)		
Capital assets						($2,610)
Grants						
Emergency commission contingency fund					($100,000)	
Guardianship grants						
Prairie public broadcasting						
Community service supervision grants						
Student internship program						
Total all funds	$125,960	$531,534	$235,693	($157,298)	($100,000)	($2,610)
Less estimated income	2	86,088	20,000	(19,803)	0	0
General fund	$125,958	$445,446	$215,693	($137,495)	($100,000)	($2,610)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Decreases Funding for Grants[7]	Adds One-Time Funding for Projects[8]	Total House Changes
Salaries and wages			$893,187
Operating expenses		$650,000	492,702
Capital assets		4,770,104	4,767,494
Grants	($54,000)		(54,000)
Emergency commission contingency fund			(100,000)
Guardianship grants			
Prairie public broadcasting	(400,000)		(400,000)
Community service supervision grants	(100,000)		(100,000)
Student internship program		100,000	100,000
Total all funds	($554,000)	$5,520,104	$5,599,383
Less estimated income	0	5,420,104	5,506,391
General fund	($554,000)	$100,000	$92,992
FTE	0.00	0.00	0.00

[1] Funding is adjusted for base payroll changes.

[2] The following funding is added for 2021-23 biennium salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of $100 and a maximum monthly increase of $250 for both years, and increases in health insurance premiums from $1,427 to $1,429 per month:

	General Fund	Other Funds	Total
Salary increase	$440,835	$85,354	$526,189
Health insurance increase	4,611	734	5,345
Total	$445,446	$86,088	$531,534

[3] Funding and FTE positions are added as follows:

	General Fund	Other Funds	Total
Increases funding to reclassify a vacant position into a human resource officer position	$110,869	$0	$110,869
Increases funding to reclassify vacant positions into procurement officers	104,824	0	104,824
Increases funding for temporary salaries related to risk management	0	20,000	20,000
Total	$215,693	$20,000	$235,693

[4] Funding is adjusted for operating expenses as follows:

	General Fund	Other Funds	Total
Decreases funding for operating expenses primarily related to IT costs	($701,000)	($20,000)	($721,000)
Adds funding for budget software maintenance agreements	403,000	0	403,000
Adds funding for procurement software maintenance agreements	152,000	0	152,000
Increases funding for Microsoft Office 365 licensing expenses	8,505	197	8,702
Total	($137,495)	($19,803)	($157,298)

[5] Funding is decreased for the Emergency Commission contingency fund by $100,000, from $500,000 to $400,000.

[6] Funding for bond payments is decreased by $2,610, from $567,125 to $564,515.

[7] Funding for grants is decreased as follows:

	Other Funds
Removes funding for boys' and girls' clubwork grants	($53,000)
Removes funding for Council of State Employees grants	(1,000)
Decreases funding for Prairie Public Broadcasting grants to provide a total of $800,000	(400,000)
Decreases funding for community service supervision grants to provide total funding of $250,000	(100,000)
Total	($554,000)

[8] One-time funding is added as follows:

	Total
Facility consolidation study (Capitol building fund)	$350,000
Special assessments associated with the Capitol grounds (Capitol building fund)	300,000
Extraordinary repairs (Capitol building fund)	500,000
Building automation (Capitol building fund)	518,800
Interior and exterior signage (Capitol building fund)	500,000
Procurement software IT project (strategic investment and improvements fund)	2,021,204
Budget software IT project (strategic investment and improvements fund)	1,230,100
State student internship program (general fund)	100,000
Total	$5,520,104

This amendment also:

- Appropriates additional money in the community service supervision fund to the Office of Management and Budget (OMB) for distributions to community corrections association regions.
- Transfers $190.2 million from the tax relief fund to the human service finance fund.
- Authorizes OMB to transfer student internship funding to other state agencies.
- Identifies one-time funding from the Capitol building fund for a facility consolidation study, special assessments, extraordinary repairs, building automation, and interior and exterior signage.
- Identifies one-time funding from the strategic investment and improvements fund for information technology projects related to procurement software and budget software.
- Identifies the funding designated for statewide memberships and dues, unemployment insurance, and the Capitol Grounds Planning Commission.
- Authorizes OMB to make payments from the risk management fund for attorney's fees incurred by a state employee resulting from a criminal investigation lacking a probable cause.
- Provides guidelines for compensation increases reflecting a 1.5 percent annual increase with a monthly minimum of $100 and a monthly maximum of $250.
- Removes the requirement for OMB to publish political subdivision budgets on the department's website.
- Removes the requirement to specify the amount of recycled content included in the items purchased by the state.

- Increases the allocation of oil and gas tax revenues to the state disaster relief fund by $5 million, from $15 million to $20 million.
- Aligns the allocations to the municipal infrastructure fund and the county and township infrastructure fund to receive allocations at the same time after the initial allocation to the strategic investment and improvements fund.
- Establishes minimum amounts required to provide distributions from the municipal infrastructure fund and the county and township infrastructure fund.
- Repeals the State Employee Compensation Commission.
- Continues unspent 2019-21 biennium appropriation authority into the 2021-23 biennium for state student internships, the Fiscal Management Division of OMB, and an assessment of state lands and facilities.
- Provides for a Legislative Management study relating to space needs of the executive, judicial, and legislative branches at the Capitol.

House Bill No. 1015 - State Treasurer - House Action

	Base Budget	House Changes	House Version
Non-oil township grants		$8,100,000	$8,100,000
Total all funds	$0	$8,100,000	$8,100,000
Less estimated income	0	8,100,000	8,100,000
General fund	$0	$0	$0
FTE	0.00	0.00	0.00

Department 120 - State Treasurer - Detail of House Changes

	Adds Funding for Township Grants[1]	Total House Changes
Non-oil township grants	$8,100,000	$8,100,000
Total all funds	$8,100,000	$8,100,000
Less estimated income	8,100,000	8,100,000
General fund	$0	$0
FTE	0.00	0.00

[1] Funding of $8.1 million from the state disaster relief fund is appropriated to the State Treasurer to provide distributions of $5,000 to each township in non-oil-producing counties.

Office of Management and Budget - Budget No. 110
House Bill No. 1015
Base Level Funding Changes

	Executive Budget Recommendation				House Version				House Changes to Executive Budget Increase (Decrease) - Executive Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2021-23 Biennium Base Level	112.00	$32,915,852	$8,746,515	$41,662,367	112.00	$32,915,852	$8,746,515	$41,662,367	0.00	$0	$0	$0
2021-23 Ongoing Funding Changes												
Base payroll changes		$125,958	$2	$125,960		$125,958	$2	$125,960				$0
Salary increase		434,053	72,167	506,220		424,829	85,354	510,183		(9,224)	13,187	3,963
Retirement contribution increase		83,215	13,836	97,051				0		(83,215)	(13,836)	(97,051)
Health insurance increase		4,416	734	5,150		4,416	734	5,150				0
Transfers 4 FTE positions for IT unification	(4.00)			0	(4.00)	16,201		16,201		16,201		16,201
Adds 2 FTE positions for human resources unification				0	2.00		424,739	424,739	2.00		424,739	424,739
Adds funding for a human resource officer		110,869		110,869		110,869		110,869				0
Increases funding for procurement officers		104,824		104,824		104,824		104,824				0
Increases funding for temporary salaries			20,000	20,000			20,000	20,000				0
Changes funding source for the Facility Management Division		(5,245,161)	5,245,161	0				0		5,245,161	(5,245,161)	0
Decreases funding for operating expenses		(701,000)	(20,000)	(721,000)		(701,000)	(20,000)	(721,000)				0
Increases funding for budget software contract		403,000		403,000		403,000		403,000				0
Adds funding for procurement software contract		152,000		152,000		152,000		152,000				0
Increases funding for Microsoft Office 365 licensing expenses		8,505	197	8,702		8,505	197	8,702				0
Adds funding for the Capitol complex rent proposal		488,055		488,055				0		(488,055)		(488,055)
Removes funding for Emergency Commission contingency fund		(500,000)		(500,000)		(100,000)		(100,000)		400,000		400,000
Reduces funding for bond payments		(2,610)		(2,610)		(2,610)		(2,610)				0
Removes funding for grants		(54,000)		(54,000)		(54,000)		(54,000)				0
Decreases funding for Prairie Public Broadcasting		(180,000)		(180,000)		(400,000)		(400,000)		(220,000)		(220,000)
Decreases funding for community services supervision grants		(52,500)		(52,500)		(100,000)		(100,000)		(47,500)		(47,500)
Total ongoing funding changes	(4.00)	($4,820,376)	$5,332,097	$511,721	(2.00)	($7,008)	$511,026	$504,018	2.00	$4,813,368	($4,821,071)	($7,703)
One-time funding items												
Adds one-time funding for a facility consolidation study		$350,000	$0	$350,000			350,000	350,000		(350,000)		0
Adds one-time funding for special assessments (Capitol building fund)			300,000	300,000			300,000	300,000			0	0
Adds one-time funding for extraordinary repairs (Capitol building fund)			900,000	900,000			900,000	900,000			0	0
Adds one-time funding for building automation (Capitol building fund)			518,800	518,800			518,800	518,800			0	0
Adds one-time funding for signage (Capitol building fund)			1,000,000	1,000,000			500,000	500,000				(500,000)
Adds one-time funding for various building projects (bond proceeds)			137,100,000	137,100,000				0			(137,100,000)	(137,100,000)
Adds one-time funding for procurement software		2,021,204	0	2,021,204		2,021,204		2,021,204		0	0	0
Adds one-time funding for budget software		1,230,100	0	1,230,100		1,230,100		1,230,100		0	0	0
Adds one-time funding for the state student internship program		200,000	0	200,000		100,000		100,000		(100,000)	0	(100,000)
Total one-time funding changes	0.00	$3,801,304	$139,818,800	$143,620,104	0.00	$3,351,304	$2,568,800	$5,920,104	0.00	($450,000)	($137,100,000)	($137,700,000)
Total Changes to Base Level Funding	(4.00)	($1,019,072)	$145,150,897	$144,131,825	(2.00)	$3,344,296	$3,079,826	$6,424,122	2.00	$4,363,368	($141,921,071)	($137,707,703)
2021-23 Total Funding	108.00	$31,896,780	$153,897,412	$185,794,192	110.00	$36,260,148	$11,826,341	$48,086,489	2.00	$4,363,368	($141,921,071)	($137,707,703)
Total ongoing changes as a percentage of base level	*(3.6%)*	*(14.6%)*	*61.0%*	*1.2%*	*(1.8%)*	*(0.0%)*	*5.8%*	*1.2%*				
Total changes as a percentage of base level	*(3.6%)*	*(3.1%)*	*1659.5%*	*346.0%*	*(1.8%)*	*10.2%*	*35.2%*	*15.4%*				

Other Sections in Office of Management and Budget - Budget No. 110

	Executive Budget Recommendation	House Version
Community service supervision fund		Section _ appropriates any moneys in the community service supervision fund for distributions to community corrections association regions.
Tax relief fund to human service finance fund	Section 3 would transfer $174,380,767 from the tax relief fund to the social services finance fund during the 2021-23 biennium.	Section _ transfers $_ from the tax relief fund to the human service finance fund during the 2021-23 biennium.
State student internship program	Section 6 would authorize OMB to transfer student internship funding to other state agencies. Section 8 would allow 2019-21 biennium appropriation authority for the state student internship program to continue to be available in the 2021-23 biennium.	Section _ authorizes OMB to transfer student internship funding to other state agencies. Section _ allows 2019-21 biennium appropriation authority for the state student internship program to continue to be available in the 2021-23 biennium.
Grant and expense designations	Section 9 would identify the funding designated for statewide memberships and dues, unemployment insurance, and the Capitol Grounds Planning Commission.	Section _ identifies the funding designated for statewide memberships and dues, unemployment insurance, and the Capitol Grounds Planning Commission.
Risk management fund - Claims payments		Section _ authorizes OMB to make payments from the risk management fund for attorney's fees incurred by a state employee resulting from a criminal investigation lacking a probable cause.
State employee compensation adjustments	Section 10 would provide guidelines for an average salary increase of 2 percent to eligible state employees in 1st year and an average salary increase of 2 percent in the 2nd year of the 2021-23 biennium. Additional salary increases would be available if state agencies have savings in their current budget. Employees whose documented performance does not meet standards would not be eligible for compensation adjustments.	Section _ provides guidelines for an average salary increase of 1.5 percent to eligible state employees with a monthly minimum increase of $100 and a maximum monthly increase of $250 for the 2021-23 biennium. Additional salary increases would be available if state agencies have savings in their current budget. Employees whose documented performance does not meet standards would not be eligible for compensation adjustments.
Political subdivision budgets	Section 24 would amend Section 54-44.1-18 to remove the requirement for OMB to publish political subdivision budgets to OMB's website if a political subdivision submits the budget to OMB.	Section _ amends Section 54-44.1-18 to remove the requirement for OMB to publish political subdivision budgets to OMB's website if a political subdivision submits the budget to OMB.
Environmentally preferable products	Sections 25 and 26 would amend sections 54-44.4-07 and 54-44.4-08 to remove the requirement to specify the amount of recycled content included in the items purchased by the state.	Sections _ and _ amend sections 54-44.4-07 and 54-44.4-08 to remove the requirement to specify the amount of recycled content included in the items purchased by the state.
State Employee Compensation Commission	Section 17 would repeal Section 54-06-25 relating to the State Employee Compensation Commission.	Section _ repeals Section 54-06-25 relating to the State Employee Compensation Commission.
Fiscal management exemption	Section 7 would allow 2019-21 biennium appropriation authority for the Fiscal Management Division of OMB to continue to be available in the 2021-23 biennium.	Section _ allows 2019-21 biennium appropriation authority for the Fiscal Management Division of OMB to continue to be available in the 2021-23 biennium.
Assessment of state lands and facilities exemption	Section 8 would allow 2019-21 biennium appropriation authority for the assessment of state lands and facilities to continue to be available in the 2021-23 biennium.	Section _ allows 2019-21 biennium appropriation authority for the assessment of state lands and facilities to continue to be available in the 2021-23 biennium.
Space needs study		Section _ provides for a legislative management study relating to spaces needs of the executive, judicial, and legislative branches at the state Capitol.

Other Sections in Office of Management and Budget - Budget No. 110

	Executive Budget Recommendation	House Version
2019-21 biennium legacy fund earnings	Section 4 would designate the 2019-21 biennium for the general fund ($335,630,000 and any additional legacy fund earnings), the common schools trust fund ($64,370,000), ITD's cybersecurity initiatives ($25,000,000), the unmanned aircraft systems fund ($27,000,000), the innovation loan fund to support technology advancement ($30,000,000), the housing incentive fund ($8,000,000), state park infrastructure ($10,000,000), the environmental quality restoration fund ($5,000,000), the state parks gift fund ($10,000,000), and the University System challenge grant program ($10,000,000).	
Bond proceeds	Section 5 would authorize OMB to transfer bond proceeds of $130,500,000 for extraordinary repair projects to other state agencies.	
Infrastructure revolving loan fund	Section 11 would amend the infrastructure revolving loan fund to increase the loan limits; to allow additional types of infrastructure projects; to designate specific amounts from bond proceeds deposited in the fund for water projects, bridges, and other projects; and to require approval from the Department of Transportation and State Water Commission for certain projects.	
Bonding authorization	Sections 12, 13, 14, 32, and 33 would authorize the Public Finance Authority to issue up to $1,250,000,000 of bonds, including $700,000,000 for the infrastructure revolving loan fund, $302,400,000 for state road and bridge projects, $30,500,000 for state park projects, $45,000,000 for career academies, $19,000,000 for higher education challenge grants, $137,100,000 for state building projects, $14,000,000 for a North Dakota State University agriculture center, and $2,000,000 to Dakota College at Bottineau for an Old Main renovation project.	
Political subdivision bonding authority	Sections 15, 16, and 28 would allow political subdivisions to issue bonds for up to 30 years, rather than the current law limit of 20 years, and would authorize political subdivisions to use additional sources of mill levy authority to repay bonds.	
Legacy fund earnings funds	Section 17 would create two new sections to Chapter 21-10 relating to the deposit of legacy fund earnings for projects.	
Emergency Commission borrowing authority	Sections 18 and 19 would amend Section 54-16-04 and create Section 54-16-04.4 to authorize the Emergency Commission to borrow from the Bank of North Dakota to address a state contingency.	
Capitol complex rental program	Section 20 would amend Section 54-21-19 to authorize agency rental payments for space used on the Capitol grounds by agencies funded by appropriations from the general fund.	
Shared services fund	Section 21 would create a new section to Chapter 54-27 to establish a shared services fund to allow state agencies to make payments to each other for shared services, including equipment, operating expenses, or salaries.	
Budget stabilization fund limit	Section 22 would amend Section 54-27.2-01 to decrease the maximum balance of the budget stabilization fund from 15 to 10 percent of the most recent general fund budget.	

Other Sections in Office of Management and Budget - Budget No. 110

	Executive Budget Recommendation	House Version
Facility management operating fund	Section 23 would amend Section 54-44-11 to authorize OMB to create an operating fund for the facility management division operations to fund the operations of the Facility Management Division from the proposed Capitol complex rental program.	
Business improvement projects	Section 27 would create Section 54-59-40 to authorize state agencies to borrow funds for business improvement projects if the projects are estimated to provide savings to the state agency within 6 years.	
County deficiency borrowing	Section 29 would amend Section 57-47-02 to allow counties to borrow for up to 20 years, rather than the current 5-year limit, if the county tax levies are insufficient to pay mandatory expenses.	
State share of oil and gas tax revenue allocations ("buckets")	Section 30 would increase the allocation of oil and gas tax revenues to the general fund by $100 million, from $400 million to $500 million, per biennium.	
Transfer of water project loans	Section 31 would transfer loans for water projects held in an infrastructure revolving loan fund within the resources trust fund to the infrastructure revolving loan fund. Section 34 would transfer loans from the community water facility loan fund to the infrastructure revolving loan fund. Section 36 would repeal the community water facility loan fund and an infrastructure revolving loan fund within the resources trust fund.	
Human resources services unification	Section 35 provide for OMB to transfer 2 FTE positions and $424,739 from ITD for a human resources services unification initiative. Section 38 would make the transfer effective on July 1, 2022.	
State Personnel Board	Section 37 would repeal Section 54-44.3-03 to eliminate the State Personnel Board.	

2021 HOUSE STANDING COMMITTEE MINUTES

Appropriations - Government Operations Division
Brynhild Haugland Room, State Capitol

HB1015
2/19/2021

A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget; and to provide an exemption.

09:19 **Chairman Vigesaa** brought the committee to order. Members present: Chairman Vigesaa, Vice Chairman Brandenburg, Representative Howe, Representative Bellew, Representative Meier, Representative Mock, Representative Kempenich.

Discussion Topics:

- One-time funding – Capitol
- One-time funding – Strategic Investment and Improvement Fund
- State Employee Compensation
- Amendment

09:19 **Chairman Vigesaa** explained the amendment. LC# 21.0274.01005.

09:44 **Vice Chairman Brandenburg** made a motion to adopt the amendment.

09:44 **Representative Howe** seconded the motion.

09:45 Voice vote.

09:45 Motion carried.

09:45 **Vice Chairman Brandenburg** made a motion for a "Do Pass as Amended".

09:46 **Representative Howe** seconded the motion.

Roll call vote 7 Yeas 0 Nays 0 Absent

Representatives	***Yes***	***No***
Chairman Vigesaa	*X*	
Vice Chairman Brandenburg	*X*	
Representative Kempenich	*X*	
Representative Howe	*X*	
Representative Meier	*X*	
Representative Bellew	*X*	
Representative Mock	*X*	

09:46 Motion carried.

09:46 Chairman Vigesaa closed the meeting.
Sheri Lewis, Committee Clerk

21.0274.01005
Title.

Fiscal No. 2

Prepared by the Legislative Council staff for
the House Appropriations - Government
Operations Division Committee
February 19, 2021

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 1, line 2, replace the second "and" with "to provide an appropriation to the state treasurer; to amend and reenact sections 54-44.1-18, 54-44.4-07, 54-44.4-08, 57-51.1-07.5, subsections 2 and 3 of section 57-51.1-07.7, and subsection 2 of section 57-51.1-07.8 of the North Dakota Century Code, relating to publishing political subdivision budgets, environmentally preferable products, the state share of oil and gas tax revenue allocations, the municipal infrastructure fund, and the county and township infrastructure fund; to repeal section 54-06-25 of the North Dakota Century Code, relating to the state employee compensation commission; to provide for a transfer; to provide for a claims payment; to provide compensation guidelines;"

Page 1, line 3, after "exemption" insert "; to provide for a legislative management study; and to provide a report"

Page 1, remove lines 11 through 23

Page 2, replace lines 1 and 2 with:

"

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	$21,903,816	$893,187	$22,797,003
Operating expenses	14,937,426	492,702	15,430,128
Emergency commission contingency fund	500,000	(100,000)	400,000
Capital assets	767,125	4,767,494	5,534,619
Grants	54,000	(54,000)	0
Guardianship grants	1,950,000	100,000	2,050,000
Prairie public broadcasting	1,200,000	(400,000)	800,000
Community service supervision grants	350,000	(100,000)	250,000
State student internship program	0	100,000	100,000
Total all funds	$41,662,367	$5,699,383	$47,361,750
Less estimated income	8,746,515	5,506,391	14,252,906
Total general fund	$32,915,852	$192,992	$33,108,844
Full-time equivalent positions	112.00	0.00	112.00"

Page 2, line 3, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-EIGHTH LEGISLATIVE ASSEMBLY**"

Page 2, line 4, after "biennium" insert "and the 2021-23 biennium one-time funding items included in the appropriation in section 1 of this Act"

Page 2, replace lines 6 through 16 with:

"Extraordinary repairs	$1,900,000	$500,000
Capitol south entrance project	2,000,000	0
Special assessments on capitol grounds	320,000	300,000
Litigation funding pool	3,500,000	0
Assessment of state lands and facilities	500,000	0
Risk management technology project	170,000	0
State student internship program	250,000	100,000
Electronic procurement study	50,000	0

Facility consolidation study	0	350,000
Building automation project	0	518,800
Interior and exterior signage projects	0	500,000
Procurement software	0	2,021,204
Statewide budget software	0	1,230,100
Total all funds	$8,690,000	$5,520,104
Less estimated income	8,390,000	5,420,104
Total general fund	$300,000	$100,000

The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The office of management and budget shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023.

Page 2, after line 16, insert:

"**SECTION 3. APPROPRIATION - COMMUNITY SERVICES SUPERVISION FUND.** Any moneys in the community service supervision fund under section 29-26-22 are appropriated to the office of management and budget for distribution to community corrections association regions on or before August first of each year during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 4. APPROPRIATION - STATE DISASTER RELIEF FUND - STATE TREASURER - DISTRIBUTIONS TO NON-OIL-PRODUCING COUNTIES. Due to extraordinary flooding in 2020 in parts of the state and due to the excessive cost of road maintenance, there is appropriated out of any moneys in the state disaster relief fund in the state treasury, not otherwise appropriated, the sum of $8,100,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of providing distributions to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county, for the biennium beginning July 1, 2021, and ending June 30, 2023. In August 2021, the state treasurer shall distribute $8,100,000, or so much of the sum as may be necessary, to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county. The distribution to each non-oil-producing county must provide for an allocation of $5,000 to each organized and unorganized township within the county. The amount allocated to organized townships under this section must be paid by the county treasurer to each organized township. The amount allocated to unorganized townships under this section must be credited by the county treasurer to a special fund for unorganized township roads. The distributions under this section must be used for the maintenance and improvement of township paved and unpaved roads and bridges. A township is not eligible for an allocation of funds under this section if the township does not maintain any township roads. For the purposes of this section, a "non-oil-producing county" means a county that has received no allocation of funding or a total allocation of funding under subsection 2 of section 57-51-15 of less than $5,000,000 for the period beginning September 1, 2019, and ending August 31, 2020.

SECTION 5. TRANSFER - TAX RELIEF FUND TO HUMAN SERVICE FINANCE FUND. The office of management and budget shall transfer the sum of $187,385,888 from the tax relief fund to the human service finance fund during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 6. TRANSFER - STATE STUDENT INTERNSHIP PROGRAM FUNDS TO STATE AGENCIES. The office of management and budget shall transfer funds from the state student internship program line item appropriated in section 1 of

this Act to eligible state agencies for state student internships during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 7. ESTIMATED INCOME - ONE-TIME FUNDING - CAPITOL BUILDING FUND. The estimated income line item in section 1 of this Act includes $2,268,800 of one-time funding from the capitol building fund. Of the $2,268,800, $350,000 in the operating expenses line item is for a facility consolidation study, $300,000 in the operating expenses line item is for special assessments associated with the capitol grounds, $600,000 is in the capital assets line item is for extraordinary repairs, $518,800 in the capital assets line item is for a building automation project, and $500,000 in the capital assets line item is for interior and exterior signage.

SECTION 8. ESTIMATED INCOME - ONE-TIME FUNDING - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes $3,251,304 from the strategic investment and improvements fund. Of the $3,251,304, $2,021,204 in the capital assets line item is for procurement software, and $1,230,100 in the capital assets line item is for budget software."

Page 2, remove line 19

Page 2, replace lines 23 through 28 with:

"**SECTION 10. RISK MANAGEMENT FUND - CLAIMS PAYMENT.** Pursuant to the continuing appropriation authority under section 32-12.2-07, the director of the office of management and budget may make payments from the risk management fund during the biennium beginning July 1, 2021, and ending June 30, 2023, for reasonable and necessary costs and attorney's fees incurred by a state employee as a result of a criminal investigation or prosecution occurring after December 31, 2018, under circumstances in which there was an absence of probable cause, as identified in a prosecutorial or judicial determination or as determined by the director of the office of management and budget in the absence of a prosecutorial or judicial determination, and in which the offense involves the discharge of a public duty. The director of the office of management and budget shall consult with the attorney general when reviewing claims under this section and shall obtain written approval from the attorney general for any claim exceeding ten thousand dollars.

SECTION 11. STATE EMPLOYEE COMPENSATION ADJUSTMENTS - GUIDELINES.

1. The 2021-23 biennium compensation adjustments for permanent state employees are to average 1.5 percent with a minimum of $100 per month and a maximum of $250 per month per eligible employee for each fiscal year of the biennium. The increases for the first year of the biennium are to be given beginning with the month of July 2021, to be paid in August 2021, and for the second year of the biennium are to be given beginning with the month of July 2022, to be paid in August 2022. Except for minimum and maximum amounts, increases for eligible state employees are to be based on documented performance and are not to be the same percentage increase for each employee.

2. The office of management and budget shall develop guidelines for use by state agencies for providing compensation adjustments for classified state employees. The guidelines must follow the compensation philosophy statement under section 54-44.3-01.2.

3. Probationary employees are not entitled to the increases. However, at the discretion of the appointing authority, probationary employees may be given all or a portion of the increases effective in July, paid in August, or upon completion of probation. Employees whose overall documented performance level does not meet standards are not eligible for any salary increase.

SECTION 12. AMENDMENT. Section 54-44.1-18 of the North Dakota Century Code is amended and reenacted as follows:

54-44.1-18. Searchable database of expenditures.

1. The director of the budget shall develop and make publicly available an aggregate and searchable budget database website that includes the following information for the biennium:

   a. Each budget unit making expenditures.

   b. The amount of funds expended.

   c. The source of the funds expended.

   d. The budget program of the expenditure.

   e. Any other information determined relevant by the director of the budget.

2. The director of the budget shall include the name and city of the recipient of each expenditure in the budget database website after the director has completed implementation of a business intelligence component to the state's financial reporting system.

3. The director of the budget may not include in the database any information that is confidential or exempt under state or federal law.

4. The director of the budget may update the budget database website as new data becomes available. Each state agency shall provide to the director of the budget any data required to be included in the budget database website no later than thirty days after the data becomes available to the agency.

5. By January first of each even-numbered year, the director of the budget shall add data for the previous biennium to the budget database website. The director of the budget shall ensure that all data added to the budget database website remains accessible to the public for a minimum of ten years.

6. The budget database website may not redirect users to any other government website, unless the website has information from all budget units and each category of information required can be searched electronically by field in a single search.

~~7. The governing body of each political subdivision may submit the annual budget adopted by the governing body to the director of the budget. The director of the budget shall include on the office of management and budget website any information submitted by a participating governing~~

~~body of a political subdivision. The official who submits the annual budget to the director of the budget may not submit any information that is confidential under state or federal law. In lieu of submitting the annual budget adopted by the governing body to the director, any participating governing body may provide to the director a publicly accessible internet link on which the annual budget adopted by the participating governing body is available.~~

SECTION 13. AMENDMENT. Section 54-44.4-07 of the North Dakota Century Code is amended and reenacted as follows:

54-44.4-07. Procurement of environmentally preferable products.

1. The office of management and budget, the institutions of higher education, and any other state agency or institution that has authority to purchase products are encouraged to purchase environmentally preferable products.

   a. ~~Where~~When practicable, specifications for purchasing newsprint printing services should specify the use of soybean-based ink. The North Dakota soybean council and the agriculture commissioner shall assist the office of management and budget in locating suppliers of soybean-based inks and in collecting data on the purchase of soybean-based inks.

   b. ~~In requesting bids for paper products, the office of management and budget must request information on the recycled content of such products.~~

   ~~c.~~ ~~Where~~When practicable, biobased products should be specified.

2. The office of management and budget, in coordination with the state board of higher education, shall develop guidelines for a biobased procurement program.

SECTION 14. AMENDMENT. Section 54-44.4-08 of the North Dakota Century Code is amended and reenacted as follows:

54-44.4-08. Purchase of recycled paper products.

~~The~~When practicable, the office of management and budget, and any state agency or institution that has authority to purchase ~~products, shall ensure that at least twenty percent of the total volume of~~ paper and paper products ~~being purchased for state agencies and institutions contain~~, should specify at least twenty-five percent recycled material. ~~The office of management and budget shall implement a methodology to track compliance with this section.~~

SECTION 15. AMENDMENT. Section 57-51.1-07.5 of the North Dakota Century Code is amended and reenacted as follows:

57-51.1-07.5. State share of oil and gas taxes - Deposits.

From the revenues designated for deposit in the state general fund under chapters 57-51 and 57-51.1, the state treasurer shall deposit the revenues received each biennium in the following order:

1. The first two hundred million dollars into the state general fund;

2. The next two hundred million dollars into the tax relief fund;

3. The next seventy-five million dollars into the budget stabilization fund, but not in an amount that would bring the balance in the fund to more than the limit in section 54-27.2-01;

4. The next two hundred million dollars into the state general fund;

5. The next ten million dollars into the lignite research fund;

6. The next ~~fifteen~~twenty million dollars into the state disaster relief fund, but not in an amount that would bring the unobligated balance in the fund to more than ~~fifteen~~twenty million dollars;

7. ~~The next thirty million three hundred seventy-five thousand dollars, or the amount necessary to provide for the distributions under subsection 2 of section 57-51.1-07.7, into the municipal infrastructure fund;~~

~~8.~~ The next four hundred million dollars into the strategic investment and improvements fund;

~~9. An amount equal to the deposit under subsection 7 into the county and township infrastructure fund;~~

8. The next fifty-nine million seven hundred fifty thousand dollars, or the amount necessary to provide for twice the amount of the distributions under subsection 2 of section 57-51.1-07.7, into the funds designated for infrastructure development in non-oil-producing counties under sections 57-51.1-07.7 and 57-51.1-07.8 with fifty percent deposited into the municipal infrastructure fund and fifty percent deposited into the county and township infrastructure fund;

~~10.~~9. The next one hundred ~~sixty-nine~~seventy million two hundred fifty thousand dollars or the amount necessary to provide a total of two hundred thirty million dollars into the funds designated for infrastructure development in non-oil-producing counties under sections 57-51.1-07.7 and 57-51.1-07.8 with fifty percent deposited into the municipal infrastructure fund and fifty percent deposited into the county and township infrastructure fund;

~~11.~~10. The next twenty million dollars into the airport infrastructure fund; and

~~12.~~11. Any additional revenues into the strategic investment and improvements fund.

SECTION 16. AMENDMENT. Subsection 2 of section 57-51.1-07.7 of the North Dakota Century Code is amended and reenacted as follows:

2. Within forty days after the fund balance is greater than or equal to the amount needed for the grants under this subsection or by September thirtieth of each odd-numbered year, whichever is earlier, the state treasurer shall distribute moneys in the fund as grants to cities for essential infrastructure projects. The state treasurer shall distribute the grants only if the fund balance is at least ten percent of the amount needed for distributions under this subsection based on the following:

a. Two million five hundred thousand dollars to each city with a population of at least five thousand;

b. Five hundred thousand dollars to each city with a population of at least two thousand but less than five thousand; and

c. One hundred twenty-five thousand dollars to each city with a population of at least one thousand but less than two thousand.

d. If, at the time of the distributions, the moneys in the fund are less than the amount needed for the grants under this subsection, the state treasurer shall distribute the grants under this subsection on a pro rata basis.

e. For the purposes of determining the city's population under this subsection, the state treasurer shall use the most recent actual or estimated census data published by the United States census bureau.

SECTION 17. AMENDMENT. Subsection 3 of section 57-51.1-07.7 of the North Dakota Century Code is amended and reenacted as follows:

3. Within sixty days after the fund receives its statutory limit of oil and gas tax allocations under section 57-51.1-07.5 or by September thirtieth of each odd-numbered year, whichever is earlier, the state treasurer shall distribute the moneys in the fund as grants to cities for essential infrastructure projects. The state treasurer shall distribute the grants only if the fund balance is at least ten percent of the amount needed for distributions under this subsection based on the following:

   a. One hundred fifty dollars per person of the city's population.

   b. In addition to the amounts in subdivision a, for a city with a positive average of the annual percentage increase in population from three years prior, a dollar amount equal to the product of the following:

      (1) The amount calculated in subdivision a; and

      (2) The average of the annual percentage increase in population from three years prior, multiplied by ten.

   c. In addition to the amounts in subdivisions a and b, for a city with a positive average of the annual percentage increase in taxable property values from three years prior, a dollar amount equal to the average of the annual property valuation percentage increase for the three most recent years, multiplied by twenty-five thousandths.

   d. Grants may be distributed under this subdivision only if the grant distributions under subsection 2 are completed. If the moneys in the fund are insufficient to provide for the grants, the state treasurer shall distribute the grants under this subsection on a pro rata basis. If any moneys remain in the fund after the distribution of grants under this subsection, the state treasurer shall distribute any remaining moneys in the fund in proportion to the combined total distributed to each city under this section relative to the combined total distributed to all the cities under this section.

e. For the purposes of determining the city's population under this subsection, the state treasurer shall use the most recent actual or estimated census data published by the United States census bureau.

f. For the purposes of determining taxable property values, the state treasurer shall use the most recent data published by the tax commissioner in the tax levy report.

SECTION 18. AMENDMENT. Subsection 2 of section 57-51.1-07.8 of the North Dakota Century Code is amended and reenacted as follows:

2. Within sixty days after the fund receives its statutory limit of oil and gas tax allocations under section 57-51.1-07.5 or by September thirtieth of each odd-numbered year, whichever is earlier, the state treasurer shall distribute moneys in the fund as grants to counties for road and bridge infrastructure projects. The state treasurer shall distribute the grants only if the fund balance is at least ten percent of the amount needed for distributions under this section.

SECTION 19. REPEAL. Sections 54-06-25 of the North Dakota Century Code is repealed."

Page 3, after line 3, insert:

"SECTION 21. EXEMPTION - STATE STUDENT INTERNSHIP PROGRAM. The amount of $250,000 appropriated in section 1, identified in section 2, and transferred in section 8 of chapter 40 of the 2019 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the office of management and budget for the state student internship program during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 22. EXEMPTION - ASSESSMENT OF STATE LANDS AND FACILITIES. The amount of $500,000 appropriated from the strategic investment and improvements fund in section 1 and identified in section 2 of chapter 40 of the 2019 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the office of management and budget to continue the assessment of state lands and facilities during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 23. LEGISLATIVE MANAGEMENT STUDY - SPACE NEEDS AT STATE CAPITOL. During the 2021-22 interim, the legislative management shall consider studying space needs of the executive, judicial, and legislative branches at the state capitol. The study must include:

1. A review of each branch's employee work location policies;

2. An assessment of the space needs of each branch to fulfill their constitutional and statutory responsibilities;

3. An evaluation of state agency leases of space from private and other governmental entities in Bismarck, amounts being paid for these leases, and state agency rental payments being made to the office of management and budget from special and federal funds;

4. Consideration of the feasibility and desirability of the office of management and budget charging rent to agencies receiving funding from the general fund; and

5. The development of a space utilization plan for the capitol complex.

The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of House Action

	Base Budget	House Changes	House Version
Office of Management and Budget			
Total all funds	$41,662,367	$5,699,383	$47,361,750
Less estimated income	8,746,515	5,506,391	14,252,906
General fund	$32,915,852	$192,992	$33,108,844
FTE	112.00	0.00	112.00
State Treasurer			
Total all funds	$0	$8,100,000	$8,100,000
Less estimated income	0	8,100,000	8,100,000
General fund	$0	$0	$0
FTE	0.00	0.00	0.00
Bill total			
Total all funds	$41,662,367	$13,799,383	$55,461,750
Less estimated income	8,746,515	13,606,391	22,352,906
General fund	$32,915,852	$192,992	$33,108,844
FTE	112.00	0.00	112.00

House Bill No. 1015 - Office of Management and Budget - House Action

	Base Budget	House Changes	House Version
Salaries and wages	$21,903,816	$893,187	$22,797,003
Operating expenses	14,937,426	492,702	15,430,128
Capital assets	767,125	4,767,494	5,534,619
Grants	54,000	(54,000)	
Emergency commission contingency fund	500,000	(100,000)	400,000
Guardianship grants	1,950,000	100,000	2,050,000
Prairie public broadcasting	1,200,000	(400,000)	800,000
Community service supervision grants	350,000	(100,000)	250,000
Student internship program		100,000	100,000
Total all funds	$41,662,367	$5,699,383	$47,361,750
Less estimated income	8,746,515	5,506,391	14,252,906
General fund	$32,915,852	$192,992	$33,108,844
FTE	112.00	0.00	112.00

Department 110 - Office of Management and Budget - Detail of House Changes

	Adjusts Funding for Base Payroll Changes[1]	Adds Funding for Salary and Benefit Increases[2]	Adjusts Funding for Salaries and Wages[3]	Adjusts Funding for Operating Expenses[4]	Decreases Funding for Emergency Commission Fund[5]	Decreases Funding for Bond Payments[6]
Salaries and wages	$125,960	$531,534	$235,693			
Operating expenses				($157,298)		
Capital assets						($2,610)
Grants						
Emergency commission contingency fund					($100,000)	
Guardianship grants						
Prairie public broadcasting						
Community service supervision grants						
Student internship program						
Total all funds	$125,960	$531,534	$235,693	($157,298)	($100,000)	($2,610)
Less estimated income	2	86,088	20,000	(19,803)	0	0
General fund	$125,958	$445,446	$215,693	($137,495)	($100,000)	($2,610)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adjusts Funding for Grants[7]	Adds One-Time Funding for Projects[8]	Total House Changes
Salaries and wages			$893,187
Operating expenses		$650,000	492,702
Capital assets		4,770,104	4,767,494
Grants	($54,000)		(54,000)
Emergency commission contingency fund			(100,000)
Guardianship grants	100,000		100,000
Prairie public broadcasting	(400,000)		(400,000)
Community service supervision grants	(100,000)		(100,000)
Student internship program		100,000	100,000
Total all funds	($454,000)	$5,520,104	$5,699,383
Less estimated income	0	5,420,104	5,506,391
General fund	($454,000)	$100,000	$192,992
FTE	0.00	0.00	0.00

[1] Funding is adjusted for base payroll changes.

[2] The following funding is added for 2021-23 biennium salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of $100 and a maximum monthly increase of $250 for both years, and increases in health insurance premiums from $1,427 to $1,429 per month:

	General Fund	Other Funds	Total
Salary increase	$440,835	$85,354	$526,189
Health insurance increase	4,611	734	5,345
Total	$445,446	$86,088	$531,534

[3] Funding and FTE positions are added as follows:

	General Fund	Other Funds	Total
Increases funding to reclassify a vacant position into a human resource officer position	$110,869	$0	$110,869
Increases funding to reclassify vacant positions into procurement officers	104,824	0	104,824
Increases funding for temporary salaries related to risk management	0	20,000	20,000
Total	$215,693	$20,000	$235,693

[4] Funding is adjusted for operating expenses as follows:

	General Fund	Other Funds	Total
Decreases funding for operating expenses primarily related to IT costs	($701,000)	($20,000)	($721,000)
Adds funding for budget software maintenance agreements	403,000	0	403,000
Adds funding for procurement software maintenance agreements	152,000	0	152,000
Increases funding for Microsoft Office 365 licensing expenses	8,505	197	8,702
Total	($137,495)	($19,803)	($157,298)

[5] Funding is decreased for the Emergency Commission contingency fund by $100,000, from $500,000 to $400,000.

[6] Funding for bond payments is decreased by $2,610, from $567,125 to $564,515.

[7] Funding for grants is decreased as follows:

	Other Funds
Removes funding for boys' and girls' clubwork grants	($53,000)
Removes funding for Council of State Employees grants	(1,000)
Increases funding for guardianship grants to provide total funding of $2,050,000	100,000
Decreases funding for Prairie Public Broadcasting grants to provide a total of $800,000	(400,000)
Decreases funding for community service supervision grants to provide total funding of $250,000	(100,000)
Total	($454,000)

[8] One-time funding is added as follows:

	Total
Facility consolidation study (Capitol building fund)	$350,000
Special assessments associated with the Capitol grounds (Capitol building fund)	300,000
Extraordinary repairs (Capitol building fund)	500,000
Building automation (Capitol building fund)	518,800
Interior and exterior signage (Capitol building fund)	500,000
Procurement software IT project (strategic investment and improvements fund)	2,021,204
Budget software IT project (strategic investment and improvements fund)	1,230,100
State student internship program (general fund)	100,000
Total	$5,520,104

This amendment also:

- Appropriates additional money in the community service supervision fund to the Office of Management and Budget (OMB) for distributions to community corrections association regions.
- Transfers $187.4 million from the tax relief fund to the human service finance fund.
- Authorizes OMB to transfer student internship funding to other state agencies.
- Identifies one-time funding from the Capitol building fund for a facility consolidation study, special assessments, extraordinary repairs, building automation, and interior and exterior signage.
- Identifies one-time funding from the strategic investment and improvements fund for information technology projects related to procurement software and budget software.
- Identifies the funding designated for statewide memberships and dues, unemployment insurance, and the Capitol Grounds Planning Commission.
- Authorizes OMB to make payments from the risk management fund for attorney's fees incurred by a state employee resulting from a criminal investigation lacking a probable cause.
- Provides guidelines for compensation increases reflecting a 1.5 percent annual increase with a monthly minimum of $100 and a monthly maximum of $250.
- Removes the requirement for OMB to publish political subdivision budgets on the department's website.

- Removes the requirement to specify the amount of recycled content included in the items purchased by the state.
- Increases the allocation of oil and gas tax revenues to the state disaster relief fund by $5 million, from $15 million to $20 million.
- Aligns the allocations to the municipal infrastructure fund and the county and township infrastructure fund to receive allocations at the same time after the initial allocation to the strategic investment and improvements fund.
- Establishes minimum amounts required to provide distributions from the municipal infrastructure fund and the county and township infrastructure fund.
- Repeals the State Employee Compensation Commission.
- Continues unspent 2019-21 biennium appropriation authority into the 2021-23 biennium for state student internships, the Fiscal Management Division of OMB, and an assessment of state lands and facilities.
- Provides for a Legislative Management study relating to space needs of the executive, judicial, and legislative branches at the Capitol.

House Bill No. 1015 - State Treasurer - House Action

	Base Budget	House Changes	House Version
Non-oil township grants		$8,100,000	$8,100,000
Total all funds	$0	$8,100,000	$8,100,000
Less estimated income	0	8,100,000	8,100,000
General fund	$0	$0	$0
FTE	0.00	0.00	0.00

Department 120 - State Treasurer - Detail of House Changes

	Adds Funding for Township Grants[1]	Total House Changes
Non-oil township grants	$8,100,000	$8,100,000
Total all funds	$8,100,000	$8,100,000
Less estimated income	8,100,000	8,100,000
General fund	$0	$0
FTE	0.00	0.00

[1] Funding of $8.1 million from the state disaster relief fund is appropriated to the State Treasurer to provide distributions of $5,000 to each township in non-oil-producing counties.

2021 HOUSE STANDING COMMITTEE MINUTES

Appropriations - Government Operations Division
Brynhild Haugland Room, State Capitol

HB1015
2/22/2021

A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget; and to provide an exemption.

08:34 Chairman Vigesaa brought the committee to order. Members present: Chairman Vigesaa, Representative Kempenich, Representative Howe, Representative Bellew, Representative Meier, Representative Mock.

Discussion Topics:

- Guardianship grants

08:34 **Chairman Vigesaa** re-opened the meeting.

08:34 **Representative Mock** made a motion to further amend by adding $100,000.00 to the guardianship grants.

08:34 **Representative Howe** seconded the motion.

08:35 Voice vote.

08:35 Motion carried.

08:35 **Representative Mock** made a motion for a "Do Pass as Amended".

08:35 **Representative Howe** seconded the motion.

08:35 Roll call vote 6 Yeas 0 Nays 1 Absent

Representatives	***Yes***	***No***
Chairman Vigesaa	*X*	
Vice Chairman Brandenburg	*A*	
Representative Kempenich	*X*	
Representative Howe	*X*	
Representative Meier	*X*	
Representative Bellew	*X*	
Representative Mock	*X*	

08:36 Motion carried.

08:36 Chairman Vigesaa closed the meeting.

Sheri Lewis, Committee Clerk

2021 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Brynhild Haugland Room, State Capitol

HB 1015
2/22/2021

A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget; and to provide an exemption.

9:33 Chairman Delzer- Opened the meeting for HB 1015;

Attendance	P/A
Representative Jeff Delzer	P
Representative Keith Kempenich	P
Representative Bert Anderson	P
Representative Larry Bellew	P
Representative Tracy Boe	A
Representative Mike Brandenburg	A
Representative Michael Howe	P
Representative Gary Kreidt	P
Representative Bob Martinson	P
Representative Lisa Meier	P
Representative Alisa Mitskog	P
Representative Corey Mock	P
Representative David Monson	P
Representative Mike Nathe	P
Representative Jon O. Nelson	P
Representative Mark Sanford	P
Representative Mike Schatz	P
Representative Jim Schmidt	P
Representative Randy A. Schobinger	P
Representative Michelle Strinden	P
Representative Don Vigesaa	P

Discussion Topics:

- Amendment

9:33 Representative Vigesaa Explains the budget and the amendment 21.0274.01005

9:44 Representative Vigesaa Makes the motion to adopt amendment

Representative Mock Second

Further discussion

9:49 Voice Vote- Motion Carries

9:49 Representative Vigesaa Makes a motion for a Do Pass as Amended

Representative Howe Second

Further discussion

9:50 Roll Call Vote was taken;

Representatives	Vote
Representative Jeff Delzer	Y
Representative Keith Kempenich	Y
Representative Bert Anderson	Y
Representative Larry Bellew	Y
Representative Tracy Boe	A
Representative Mike Brandenburg	A
Representative Michael Howe	Y
Representative Gary Kreidt	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	Y
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Mark Sanford	A
Representative Mike Schatz	Y
Representative Jim Schmidt	Y
Representative Randy A. Schobinger	Y
Representative Michelle Strinden	Y
Representative Don Vigesaa	Y

Motion Carries 18-0-3 Representative Vigesaa will **carry the bill**

Additional written testimony: Submitted but not addressed # 5234

9:51 Chairman Delzer- Closes the meeting for HB 1015

Risa Berube,

House Appropriations Committee Clerk

21.0274.01005
Title.02000

Fiscal No. 2

Prepared by the Legislative Council staff for
the House Appropriations - Government
Operations Division Committee
February 19, 2021

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 1, line 2, replace the second "and" with "to provide an appropriation to the state treasurer; to amend and reenact sections 54-44.1-18, 54-44.4-07, 54-44.4-08, 57-51.1-07.5, subsections 2 and 3 of section 57-51.1-07.7, and subsection 2 of section 57-51.1-07.8 of the North Dakota Century Code, relating to publishing political subdivision budgets, environmentally preferable products, the state share of oil and gas tax revenue allocations, the municipal infrastructure fund, and the county and township infrastructure fund; to repeal section 54-06-25 of the North Dakota Century Code, relating to the state employee compensation commission; to provide for a transfer; to provide for a claims payment; to provide compensation guidelines;"

Page 1, line 3, after "exemption" insert "; to provide for a legislative management study; and to provide a report"

Page 1, remove lines 11 through 23

Page 2, replace lines 1 and 2 with:

"

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	$21,903,816	$893,187	$22,797,003
Operating expenses	14,937,426	492,702	15,430,128
Emergency commission contingency fund	500,000	(100,000)	400,000
Capital assets	767,125	4,767,494	5,534,619
Grants	54,000	(54,000)	0
Guardianship grants	1,950,000	100,000	2,050,000
Prairie public broadcasting	1,200,000	(400,000)	800,000
Community service supervision grants	350,000	(100,000)	250,000
State student internship program	0	100,000	100,000
Total all funds	$41,662,367	$5,699,383	$47,361,750
Less estimated income	8,746,515	5,506,391	14,252,906
Total general fund	$32,915,852	$192,992	$33,108,844
Full-time equivalent positions	112.00	0.00	112.00"

Page 2, line 3, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-EIGHTH LEGISLATIVE ASSEMBLY**"

Page 2, line 4, after "biennium" insert "and the 2021-23 biennium one-time funding items included in the appropriation in section 1 of this Act"

Page 2, replace lines 6 through 16 with:

"Extraordinary repairs	$1,900,000	$500,000
Capitol south entrance project	2,000,000	0
Special assessments on capitol grounds	320,000	300,000
Litigation funding pool	3,500,000	0
Assessment of state lands and facilities	500,000	0
Risk management technology project	170,000	0
State student internship program	250,000	100,000
Electronic procurement study	50,000	0

Facility consolidation study	0	350,000
Building automation project	0	518,800
Interior and exterior signage projects	0	500,000
Procurement software	0	2,021,204
Statewide budget software	0	1,230,100
Total all funds	$8,690,000	$5,520,104
Less estimated income	8,390,000	5,420,104
Total general fund	$300,000	$100,000

The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The office of management and budget shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 3. APPROPRIATION - COMMUNITY SERVICES SUPERVISION FUND. Any moneys in the community service supervision fund under section 29-26-22 are appropriated to the office of management and budget for distribution to community corrections association regions on or before August first of each year during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 4. APPROPRIATION - STATE DISASTER RELIEF FUND - STATE TREASURER - DISTRIBUTIONS TO NON-OIL-PRODUCING COUNTIES. Due to extraordinary flooding in 2020 in parts of the state and due to the excessive cost of road maintenance, there is appropriated out of any moneys in the state disaster relief fund in the state treasury, not otherwise appropriated, the sum of $8,100,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of providing distributions to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county, for the biennium beginning July 1, 2021, and ending June 30, 2023. In August 2021, the state treasurer shall distribute $8,100,000, or so much of the sum as may be necessary, to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county. The distribution to each non-oil-producing county must provide for an allocation of $5,000 to each organized and unorganized township within the county. The amount allocated to organized townships under this section must be paid by the county treasurer to each organized township. The amount allocated to unorganized townships under this section must be credited by the county treasurer to a special fund for unorganized township roads. The distributions under this section must be used for the maintenance and improvement of township paved and unpaved roads and bridges. A township is not eligible for an allocation of funds under this section if the township does not maintain any township roads. For the purposes of this section, a "non-oil-producing county" means a county that has received no allocation of funding or a total allocation of funding under subsection 2 of section 57-51-15 of less than $5,000,000 for the period beginning September 1, 2019, and ending August 31, 2020.

SECTION 5. TRANSFER - TAX RELIEF FUND TO HUMAN SERVICE FINANCE FUND. The office of management and budget shall transfer the sum of $187,385,888 from the tax relief fund to the human service finance fund during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 6. TRANSFER - STATE STUDENT INTERNSHIP PROGRAM FUNDS TO STATE AGENCIES. The office of management and budget shall transfer funds from the state student internship program line item appropriated in section 1 of this Act to eligible state agencies for state student internships during the biennium beginning July 1, 2021, and ending June 30, 2023.

2/22/21

SECTION 7. ESTIMATED INCOME - ONE-TIME FUNDING - CAPITOL BUILDING FUND. The estimated income line item in section 1 of this Act includes $2,268,800 of one-time funding from the capitol building fund. Of the $2,268,800, $350,000 in the operating expenses line item is for a facility consolidation study, $300,000 in the operating expenses line item is for special assessments associated with the capitol grounds, $600,000 in the capital assets line item is for extraordinary repairs, $518,800 in the capital assets line item is for a building automation project, and $500,000 in the capital assets line item is for interior and exterior signage.

SECTION 8. ESTIMATED INCOME - ONE-TIME FUNDING - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes $3,251,304 from the strategic investment and improvements fund. Of the $3,251,304, $2,021,204 in the capital assets line item is for procurement software, and $1,230,100 in the capital assets line item is for budget software."

Page 2, remove line 19

Page 2, replace lines 23 through 28 with:

"**SECTION 10. RISK MANAGEMENT FUND - CLAIMS PAYMENT.** Pursuant to the continuing appropriation authority under section 32-12.2-07, the director of the office of management and budget may make payments from the risk management fund during the biennium beginning July 1, 2021, and ending June 30, 2023, for reasonable and necessary costs and attorney's fees incurred by a state employee as a result of a criminal investigation or prosecution occurring after December 31, 2018, under circumstances in which there was an absence of probable cause, as identified in a prosecutorial or judicial determination or as determined by the director of the office of management and budget in the absence of a prosecutorial or judicial determination, and in which the offense involves the discharge of a public duty. The director of the office of management and budget shall consult with the attorney general when reviewing claims under this section and shall obtain written approval from the attorney general for any claim exceeding ten thousand dollars.

SECTION 11. STATE EMPLOYEE COMPENSATION ADJUSTMENTS - GUIDELINES.

1. The 2021-23 biennium compensation adjustments for permanent state employees are to average 1.5 percent with a minimum of $100 per month and a maximum of $250 per month per eligible employee for each fiscal year of the biennium. The increases for the first year of the biennium are to be given beginning with the month of July 2021, to be paid in August 2021, and for the second year of the biennium are to be given beginning with the month of July 2022, to be paid in August 2022. Except for minimum and maximum amounts, increases for eligible state employees are to be based on documented performance and are not to be the same percentage increase for each employee.

2. The office of management and budget shall develop guidelines for use by state agencies for providing compensation adjustments for classified state employees. The guidelines must follow the compensation philosophy statement under section 54-44.3-01.2.

3. Probationary employees are not entitled to the increases. However, at the discretion of the appointing authority, probationary employees may be

given all or a portion of the increases effective in July, paid in August, or upon completion of probation. Employees whose overall documented performance level does not meet standards are not eligible for any salary increase.

SECTION 12. AMENDMENT. Section 54-44.1-18 of the North Dakota Century Code is amended and reenacted as follows:

54-44.1-18. Searchable database of expenditures.

1. The director of the budget shall develop and make publicly available an aggregate and searchable budget database website that includes the following information for the biennium:

   a. Each budget unit making expenditures.

   b. The amount of funds expended.

   c. The source of the funds expended.

   d. The budget program of the expenditure.

   e. Any other information determined relevant by the director of the budget.

2. The director of the budget shall include the name and city of the recipient of each expenditure in the budget database website after the director has completed implementation of a business intelligence component to the state's financial reporting system.

3. The director of the budget may not include in the database any information that is confidential or exempt under state or federal law.

4. The director of the budget may update the budget database website as new data becomes available. Each state agency shall provide to the director of the budget any data required to be included in the budget database website no later than thirty days after the data becomes available to the agency.

5. By January first of each even-numbered year, the director of the budget shall add data for the previous biennium to the budget database website. The director of the budget shall ensure that all data added to the budget database website remains accessible to the public for a minimum of ten years.

6. The budget database website may not redirect users to any other government website, unless the website has information from all budget units and each category of information required can be searched electronically by field in a single search.

~~7. The governing body of each political subdivision may submit the annual budget adopted by the governing body to the director of the budget. The director of the budget shall include on the office of management and budget website any information submitted by a participating governing body of a political subdivision. The official who submits the annual budget to the director of the budget may not submit any information that is~~

~~confidential under state or federal law. In lieu of submitting the annual budget adopted by the governing body to the director, any participating governing body may provide to the director a publicly accessible internet link on which the annual budget adopted by the participating governing body is available.~~

SECTION 13. AMENDMENT. Section 54-44.4-07 of the North Dakota Century Code is amended and reenacted as follows:

54-44.4-07. Procurement of environmentally preferable products.

1. The office of management and budget, the institutions of higher education, and any other state agency or institution that has authority to purchase products are encouraged to purchase environmentally preferable products.

   a. ~~Where~~When practicable, specifications for purchasing newsprint printing services should specify the use of soybean-based ink. The North Dakota soybean council and the agriculture commissioner shall assist the office of management and budget in locating suppliers of soybean-based inks and in collecting data on the purchase of soybean-based inks.

   b. ~~In requesting bids for paper products, the office of management and budget must request information on the recycled content of such products.~~

   ~~c.~~ ~~Where~~When practicable, biobased products should be specified.

2. The office of management and budget, in coordination with the state board of higher education, shall develop guidelines for a biobased procurement program.

SECTION 14. AMENDMENT. Section 54-44.4-08 of the North Dakota Century Code is amended and reenacted as follows:

54-44.4-08. Purchase of recycled paper products.

~~The~~When practicable, the office of management and budget, and any state agency or institution that has authority to purchase ~~products, shall ensure that at least twenty percent of the total volume of~~ paper and paper products ~~being purchased for state agencies and institutions contain~~, should specify at least twenty-five percent recycled material. ~~The office of management and budget shall implement a methodology to track compliance with this section.~~

SECTION 15. AMENDMENT. Section 57-51.1-07.5 of the North Dakota Century Code is amended and reenacted as follows:

57-51.1-07.5. State share of oil and gas taxes - Deposits.

From the revenues designated for deposit in the state general fund under chapters 57-51 and 57-51.1, the state treasurer shall deposit the revenues received each biennium in the following order:

1. The first two hundred million dollars into the state general fund;

2. The next two hundred million dollars into the tax relief fund;

3. The next seventy-five million dollars into the budget stabilization fund, but not in an amount that would bring the balance in the fund to more than the limit in section 54-27.2-01;

4. The next two hundred million dollars into the state general fund;

5. The next ten million dollars into the lignite research fund;

6. The next ~~fifteen~~twenty million dollars into the state disaster relief fund, but not in an amount that would bring the unobligated balance in the fund to more than ~~fifteen~~twenty million dollars;

7. ~~The next thirty million three hundred seventy-five thousand dollars, or the amount necessary to provide for the distributions under subsection 2 of section 57-51.1-07.7, into the municipal infrastructure fund;~~

~~8.~~ The next four hundred million dollars into the strategic investment and improvements fund;

~~9. An amount equal to the deposit under subsection 7 into the county and township infrastructure fund;~~

8. The next fifty-nine million seven hundred fifty thousand dollars, or the amount necessary to provide for twice the amount of the distributions under subsection 2 of section 57-51.1-07.7, into the funds designated for infrastructure development in non-oil-producing counties under sections 57-51.1-07.7 and 57-51.1-07.8 with fifty percent deposited into the municipal infrastructure fund and fifty percent deposited into the county and township infrastructure fund;

~~10.~~9. The next one hundred ~~sixty-nine~~seventy million two hundred fifty thousand dollars or the amount necessary to provide a total of two hundred thirty million dollars into the funds designated for infrastructure development in non-oil-producing counties under sections 57-51.1-07.7 and 57-51.1-07.8 with fifty percent deposited into the municipal infrastructure fund and fifty percent deposited into the county and township infrastructure fund;

~~11.~~10. The next twenty million dollars into the airport infrastructure fund; and

~~12.~~11. Any additional revenues into the strategic investment and improvements fund.

SECTION 16. AMENDMENT. Subsection 2 of section 57-51.1-07.7 of the North Dakota Century Code is amended and reenacted as follows:

2. Within forty days after the fund balance is greater than or equal to the amount needed for the grants under this subsection or by September thirtieth of each odd-numbered year, whichever is earlier, the state treasurer shall distribute moneys in the fund as grants to cities for essential infrastructure projects. The state treasurer shall distribute the grants only if the fund balance is at least ten percent of the amount needed for distributions under this subsection based on the following:

   a. Two million five hundred thousand dollars to each city with a population of at least five thousand;

b. Five hundred thousand dollars to each city with a population of at least two thousand but less than five thousand; and

c. One hundred twenty-five thousand dollars to each city with a population of at least one thousand but less than two thousand.

d. If, at the time of the distributions, the moneys in the fund are less than the amount needed for the grants under this subsection, the state treasurer shall distribute the grants under this subsection on a pro rata basis.

e. For the purposes of determining the city's population under this subsection, the state treasurer shall use the most recent actual or estimated census data published by the United States census bureau.

SECTION 17. AMENDMENT. Subsection 3 of section 57-51.1-07.7 of the North Dakota Century Code is amended and reenacted as follows:

3. Within sixty days after the fund receives its statutory limit of oil and gas tax allocations under section 57-51.1-07.5 or by September thirtieth of each odd-numbered year, whichever is earlier, the state treasurer shall distribute the moneys in the fund as grants to cities for essential infrastructure projects. The state treasurer shall distribute the grants only if the fund balance is at least ten percent of the amount needed for distributions under this subsection based on the following:

   a. One hundred fifty dollars per person of the city's population.

   b. In addition to the amounts in subdivision a, for a city with a positive average of the annual percentage increase in population from three years prior, a dollar amount equal to the product of the following:

      (1) The amount calculated in subdivision a; and

      (2) The average of the annual percentage increase in population from three years prior, multiplied by ten.

   c. In addition to the amounts in subdivisions a and b, for a city with a positive average of the annual percentage increase in taxable property values from three years prior, a dollar amount equal to the average of the annual property valuation percentage increase for the three most recent years, multiplied by twenty-five thousandths.

   d. Grants may be distributed under this subdivision only if the grant distributions under subsection 2 are completed. If the moneys in the fund are insufficient to provide for the grants, the state treasurer shall distribute the grants under this subsection on a pro rata basis. If any moneys remain in the fund after the distribution of grants under this subsection, the state treasurer shall distribute any remaining moneys in the fund in proportion to the combined total distributed to each city under this section relative to the combined total distributed to all the cities under this section.

   e. For the purposes of determining the city's population under this subsection, the state treasurer shall use the most recent actual or estimated census data published by the United States census bureau.

f. For the purposes of determining taxable property values, the state treasurer shall use the most recent data published by the tax commissioner in the tax levy report.

SECTION 18. AMENDMENT. Subsection 2 of section 57-51.1-07.8 of the North Dakota Century Code is amended and reenacted as follows:

2. Within sixty days after the fund receives its statutory limit of oil and gas tax allocations under section 57-51.1-07.5 or by September thirtieth of each odd-numbered year, whichever is earlier, the state treasurer shall distribute moneys in the fund as grants to counties for road and bridge infrastructure projects. The state treasurer shall distribute the grants only if the fund balance is at least ten percent of the amount needed for distributions under this section.

SECTION 19. REPEAL. Section 54-06-25 of the North Dakota Century Code is repealed."

Page 3, after line 3, insert:

"**SECTION 21. EXEMPTION - STATE STUDENT INTERNSHIP PROGRAM.** The amount of $250,000 appropriated in section 1, identified in section 2, and transferred in section 8 of chapter 40 of the 2019 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the office of management and budget for the state student internship program during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 22. EXEMPTION - ASSESSMENT OF STATE LANDS AND FACILITIES. The amount of $500,000 appropriated from the strategic investment and improvements fund in section 1 and identified in section 2 of chapter 40 of the 2019 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the office of management and budget to continue the assessment of state lands and facilities during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 23. LEGISLATIVE MANAGEMENT STUDY - SPACE NEEDS AT STATE CAPITOL.

1. During the 2021-22 interim, the legislative management shall consider studying space needs of the executive, judicial, and legislative branches at the state capitol. The study must include:

   a. A review of each branch's employee work location policies;

   b. An assessment of the space needs of each branch to fulfill their constitutional and statutory responsibilities;

   c. An evaluation of state agency leases of space from private and other governmental entities in Bismarck, amounts being paid for these leases, and state agency rental payments being made to the office of management and budget from special and federal funds;

   d. Consideration of the feasibility and desirability of the office of management and budget charging rent to agencies receiving funding from the general fund; and

e. The development of a space utilization plan for the capitol complex.

2/22/21

2. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of House Action

	Base Budget	House Changes	House Version
Office of Management and Budget			
Total all funds	$41,662,367	$5,699,383	$47,361,750
Less estimated income	8,746,515	5,506,391	14,252,906
General fund	$32,915,852	$192,992	$33,108,844
FTE	112.00	0.00	112.00
State Treasurer			
Total all funds	$0	$8,100,000	$8,100,000
Less estimated income	0	8,100,000	8,100,000
General fund	$0	$0	$0
FTE	0.00	0.00	0.00
Bill total			
Total all funds	$41,662,367	$13,799,383	$55,461,750
Less estimated income	8,746,515	13,606,391	22,352,906
General fund	$32,915,852	$192,992	$33,108,844
FTE	112.00	0.00	112.00

House Bill No. 1015 - Office of Management and Budget - House Action

	Base Budget	House Changes	House Version
Salaries and wages	$21,903,816	$893,187	$22,797,003
Operating expenses	14,937,426	492,702	15,430,128
Capital assets	767,125	4,767,494	5,534,619
Grants	54,000	(54,000)	
Emergency commission contingency fund	500,000	(100,000)	400,000
Guardianship grants	1,950,000	100,000	2,050,000
Prairie public broadcasting	1,200,000	(400,000)	800,000
Community service supervision grants	350,000	(100,000)	250,000
Student internship program		100,000	100,000
Total all funds	$41,662,367	$5,699,383	$47,361,750
Less estimated income	8,746,515	5,506,391	14,252,906
General fund	$32,915,852	$192,992	$33,108,844
FTE	112.00	0.00	112.00

Department 110 - Office of Management and Budget - Detail of House Changes

	Adjusts Funding for Base Payroll Changes[1]	Adds Funding for Salary and Benefit Increases[2]	Adjusts Funding for Salaries and Wages[3]	Adjusts Funding for Operating Expenses[4]	Decreases Funding for Emergency Commission Fund[5]	Decreases Funding for Bond Payments[6]
Salaries and wages	$125,960	$531,534	$235,693			
Operating expenses				($157,298)		
Capital assets						($2,610)
Grants						
Emergency commission contingency fund					($100,000)	
Guardianship grants						
Prairie public broadcasting						
Community service supervision grants						
Student internship program						
Total all funds	$125,960	$531,534	$235,693	($157,298)	($100,000)	($2,610)
Less estimated income	2	86,088	20,000	(19,803)	0	0
General fund	$125,958	$445,446	$215,693	($137,495)	($100,000)	($2,610)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adjusts Funding for Grants[7]	Adds One-Time Funding for Projects[8]	Total House Changes
Salaries and wages			$893,187
Operating expenses		$650,000	492,702
Capital assets		4,770,104	4,767,494
Grants	($54,000)		(54,000)
Emergency commission contingency fund			(100,000)
Guardianship grants	100,000		100,000
Prairie public broadcasting	(400,000)		(400,000)
Community service supervision grants	(100,000)		(100,000)
Student internship program		100,000	100,000
Total all funds	($454,000)	$5,520,104	$5,699,383
Less estimated income	0	5,420,104	5,506,391
General fund	($454,000)	$100,000	$192,992
FTE	0.00	0.00	0.00

[1] Funding is adjusted for base payroll changes.

[2] The following funding is added for 2021-23 biennium salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of $100 and a maximum monthly increase of $250 for both years, and increases in health insurance premiums from $1,427 to $1,429 per month:

	General Fund	Other Funds	Total
Salary increase	$440,835	$85,354	$526,189
Health insurance increase	4,611	734	5,345
Total	$445,446	$86,088	$531,534

[3] Funding and FTE positions are added as follows:

	General Fund	Other Funds	Total
Increases funding to reclassify a vacant position into a human resource officer position	$110,869	$0	$110,869
Increases funding to reclassify vacant positions into procurement officers	104,824	0	104,824
Increases funding for temporary salaries related to risk management	0	20,000	20,000
Total	$215,693	$20,000	$235,693

[4] Funding is adjusted for operating expenses as follows:

	General Fund	Other Funds	Total
Decreases funding for operating expenses primarily related to IT costs	($701,000)	($20,000)	($721,000)
Adds funding for budget software maintenance agreements	403,000	0	403,000
Adds funding for procurement software maintenance agreements	152,000	0	152,000
Increases funding for Microsoft Office 365 licensing expenses	8,505	197	8,702
Total	($137,495)	($19,803)	($157,298)

[5] Funding is decreased for the Emergency Commission contingency fund by $100,000, from $500,000 to $400,000.

[6] Funding for bond payments is decreased by $2,610, from $567,125 to $564,515.

[7] Funding for grants is decreased as follows:

	Other Funds
Removes funding for boys' and girls' clubwork grants	($53,000)
Removes funding for Council of State Employees grants	(1,000)
Increases funding for guardianship grants to provide total funding of $2,050,000	100,000
Decreases funding for Prairie Public Broadcasting grants to provide a total of $800,000	(400,000)
Decreases funding for community service supervision grants to provide total funding of $250,000	(100,000)
Total	($454,000)

[8] One-time funding is added as follows:

	Total
Facility consolidation study (Capitol building fund)	$350,000
Special assessments associated with the Capitol grounds (Capitol building fund)	300,000
Extraordinary repairs (Capitol building fund)	500,000
Building automation (Capitol building fund)	518,800
Interior and exterior signage (Capitol building fund)	500,000
Procurement software IT project (strategic investment and improvements fund)	2,021,204
Budget software IT project (strategic investment and improvements fund)	1,230,100
State student internship program (general fund)	100,000
Total	$5,520,104

This amendment also:

- Appropriates additional money in the community service supervision fund to the Office of Management and Budget (OMB) for distributions to community corrections association regions.
- Transfers $187.4 million from the tax relief fund to the human service finance fund.
- Authorizes OMB to transfer student internship funding to other state agencies.
- Identifies one-time funding from the Capitol building fund for a facility consolidation study, special assessments, extraordinary repairs, building automation, and interior and exterior signage.
- Identifies one-time funding from the strategic investment and improvements fund for information technology projects related to procurement software and budget software.
- Identifies the funding designated for statewide memberships and dues, unemployment insurance, and the Capitol Grounds Planning Commission.
- Authorizes OMB to make payments from the risk management fund for attorney's fees incurred by a state employee resulting from a criminal investigation lacking a probable cause.
- Provides guidelines for compensation increases reflecting a 1.5 percent annual increase with a monthly minimum of $100 and a monthly maximum of $250.
- Removes the requirement for OMB to publish political subdivision budgets on the department's website.

- Removes the requirement to specify the amount of recycled content included in the items purchased by the state.
- Increases the allocation of oil and gas tax revenues to the state disaster relief fund by $5 million, from $15 million to $20 million.
- Aligns the allocations to the municipal infrastructure fund and the county and township infrastructure fund to receive allocations at the same time after the initial allocation to the strategic investment and improvements fund.
- Establishes minimum amounts required to provide distributions from the municipal infrastructure fund and the county and township infrastructure fund.
- Repeals the State Employee Compensation Commission.
- Continues unspent 2019-21 biennium appropriation authority into the 2021-23 biennium for state student internships, the Fiscal Management Division of OMB, and an assessment of state lands and facilities.
- Provides for a Legislative Management study relating to space needs of the executive, judicial, and legislative branches at the Capitol.

House Bill No. 1015 - State Treasurer - House Action

	Base Budget	House Changes	House Version
Non-oil township grants		$8,100,000	$8,100,000
Total all funds	$0	$8,100,000	$8,100,000
Less estimated income	0	8,100,000	8,100,000
General fund	$0	$0	$0
FTE	0.00	0.00	0.00

Department 120 - State Treasurer - Detail of House Changes

	Adds Funding for Township Grants[1]	Total House Changes
Non-oil township grants	$8,100,000	$8,100,000
Total all funds	$8,100,000	$8,100,000
Less estimated income	8,100,000	8,100,000
General fund	$0	$0
FTE	0.00	0.00

[1] Funding of $8.1 million from the state disaster relief fund is appropriated to the State Treasurer to provide distributions of $5,000 to each township in non-oil-producing counties.

REPORT OF STANDING COMMITTEE

HB 1015: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1015 was placed on the Sixth order on the calendar.

Page 1, line 2, replace the second "and" with "to provide an appropriation to the state treasurer; to amend and reenact sections 54-44.1-18, 54-44.4-07, 54-44.4-08, 57-51.1-07.5, subsections 2 and 3 of section 57-51.1-07.7, and subsection 2 of section 57-51.1-07.8 of the North Dakota Century Code, relating to publishing political subdivision budgets, environmentally preferable products, the state share of oil and gas tax revenue allocations, the municipal infrastructure fund, and the county and township infrastructure fund; to repeal section 54-06-25 of the North Dakota Century Code, relating to the state employee compensation commission; to provide for a transfer; to provide for a claims payment; to provide compensation guidelines;"

Page 1, line 3, after "exemption" insert "; to provide for a legislative management study; and to provide a report"

Page 1, remove lines 11 through 23

Page 2, replace lines 1 and 2 with:

"

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	$21,903,816	$893,187	$22,797,003
Operating expenses	14,937,426	492,702	15,430,128
Emergency commission contingency fund	500,000	(100,000)	400,000
Capital assets	767,125	4,767,494	5,534,619
Grants	54,000	(54,000)	0
Guardianship grants	1,950,000	100,000	2,050,000
Prairie public broadcasting	1,200,000	(400,000)	800,000
Community service supervision grants	350,000	(100,000)	250,000
State student internship program	0	100,000	100,000
Total all funds	$41,662,367	$5,699,383	$47,361,750
Less estimated income	8,746,515	5,506,391	14,252,906
Total general fund	$32,915,852	$192,992	$33,108,844
Full-time equivalent positions	112.00	0.00	112.00"

Page 2, line 3, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-EIGHTH LEGISLATIVE ASSEMBLY**"

Page 2, line 4, after "biennium" insert "and the 2021-23 biennium one-time funding items included in the appropriation in section 1 of this Act"

Page 2, replace lines 6 through 16 with:

"Extraordinary repairs	$1,900,000	$500,000
Capitol south entrance project	2,000,000	0
Special assessments on capitol grounds	320,000	300,000
Litigation funding pool	3,500,000	0
Assessment of state lands and facilities	500,000	0
Risk management technology project	170,000	0
State student internship program	250,000	100,000
Electronic procurement study	50,000	0
Facility consolidation study	0	350,000
Building automation project	0	518,800
Interior and exterior signage projects	0	500,000
Procurement software	0	2,021,204
Statewide budget software	0	1,230,100

Total all funds	$8,690,000	$5,520,104
Less estimated income	8,390,000	5,420,104
Total general fund	$300,000	$100,000

The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The office of management and budget shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 3. APPROPRIATION - COMMUNITY SERVICES SUPERVISION FUND. Any moneys in the community service supervision fund under section 29-26-22 are appropriated to the office of management and budget for distribution to community corrections association regions on or before August first of each year during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 4. APPROPRIATION - STATE DISASTER RELIEF FUND - STATE TREASURER - DISTRIBUTIONS TO NON-OIL-PRODUCING COUNTIES. Due to extraordinary flooding in 2020 in parts of the state and due to the excessive cost of road maintenance, there is appropriated out of any moneys in the state disaster relief fund in the state treasury, not otherwise appropriated, the sum of $8,100,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of providing distributions to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county, for the biennium beginning July 1, 2021, and ending June 30, 2023. In August 2021, the state treasurer shall distribute $8,100,000, or so much of the sum as may be necessary, to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county. The distribution to each non-oil-producing county must provide for an allocation of $5,000 to each organized and unorganized township within the county. The amount allocated to organized townships under this section must be paid by the county treasurer to each organized township. The amount allocated to unorganized townships under this section must be credited by the county treasurer to a special fund for unorganized township roads. The distributions under this section must be used for the maintenance and improvement of township paved and unpaved roads and bridges. A township is not eligible for an allocation of funds under this section if the township does not maintain any township roads. For the purposes of this section, a "non-oil-producing county" means a county that has received no allocation of funding or a total allocation of funding under subsection 2 of section 57-51-15 of less than $5,000,000 for the period beginning September 1, 2019, and ending August 31, 2020.

SECTION 5. TRANSFER - TAX RELIEF FUND TO HUMAN SERVICE FINANCE FUND. The office of management and budget shall transfer the sum of $187,385,888 from the tax relief fund to the human service finance fund during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 6. TRANSFER - STATE STUDENT INTERNSHIP PROGRAM FUNDS TO STATE AGENCIES. The office of management and budget shall transfer funds from the state student internship program line item appropriated in section 1 of this Act to eligible state agencies for state student internships during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 7. ESTIMATED INCOME - ONE-TIME FUNDING - CAPITOL BUILDING FUND. The estimated income line item in section 1 of this Act includes $2,268,800 of one-time funding from the capitol building fund. Of the $2,268,800, $350,000 in the operating expenses line item is for a facility consolidation study, $300,000 in the operating expenses line item is for special assessments associated with the capitol grounds, $600,000 in the capital assets line item is for extraordinary repairs, $518,800 in the capital assets line item is for a building automation project, and $500,000 in the capital assets line item is for interior and exterior signage.

SECTION 8. ESTIMATED INCOME - ONE-TIME FUNDING - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes $3,251,304 from the strategic investment and improvements fund. Of the $3,251,304, $2,021,204 in the capital assets line item is for procurement software, and $1,230,100 in the capital assets line item is for budget software."

Page 2, remove line 19

Page 2, replace lines 23 through 28 with:

"**SECTION 10. RISK MANAGEMENT FUND - CLAIMS PAYMENT.** Pursuant to the continuing appropriation authority under section 32-12.2-07, the director of the office of management and budget may make payments from the risk management fund during the biennium beginning July 1, 2021, and ending June 30, 2023, for reasonable and necessary costs and attorney's fees incurred by a state employee as a result of a criminal investigation or prosecution occurring after December 31, 2018, under circumstances in which there was an absence of probable cause, as identified in a prosecutorial or judicial determination or as determined by the director of the office of management and budget in the absence of a prosecutorial or judicial determination, and in which the offense involves the discharge of a public duty. The director of the office of management and budget shall consult with the attorney general when reviewing claims under this section and shall obtain written approval from the attorney general for any claim exceeding ten thousand dollars.

SECTION 11. STATE EMPLOYEE COMPENSATION ADJUSTMENTS - GUIDELINES.

1. The 2021-23 biennium compensation adjustments for permanent state employees are to average 1.5 percent with a minimum of $100 per month and a maximum of $250 per month per eligible employee for each fiscal year of the biennium. The increases for the first year of the biennium are to be given beginning with the month of July 2021, to be paid in August 2021, and for the second year of the biennium are to be given beginning with the month of July 2022, to be paid in August 2022. Except for minimum and maximum amounts, increases for eligible state employees are to be based on documented performance and are not to be the same percentage increase for each employee.

2. The office of management and budget shall develop guidelines for use by state agencies for providing compensation adjustments for classified state employees. The guidelines must follow the compensation philosophy statement under section 54-44.3-01.2.

3. Probationary employees are not entitled to the increases. However, at the discretion of the appointing authority, probationary employees may be given all or a portion of the increases effective in July, paid in August, or upon completion of probation. Employees whose overall documented performance level does not meet standards are not eligible for any salary increase.

SECTION 12. AMENDMENT. Section 54-44.1-18 of the North Dakota Century Code is amended and reenacted as follows:

54-44.1-18. Searchable database of expenditures.

1. The director of the budget shall develop and make publicly available an aggregate and searchable budget database website that includes the following information for the biennium:

   a. Each budget unit making expenditures.

b. The amount of funds expended.

c. The source of the funds expended.

d. The budget program of the expenditure.

e. Any other information determined relevant by the director of the budget.

2. The director of the budget shall include the name and city of the recipient of each expenditure in the budget database website after the director has completed implementation of a business intelligence component to the state's financial reporting system.

3. The director of the budget may not include in the database any information that is confidential or exempt under state or federal law.

4. The director of the budget may update the budget database website as new data becomes available. Each state agency shall provide to the director of the budget any data required to be included in the budget database website no later than thirty days after the data becomes available to the agency.

5. By January first of each even-numbered year, the director of the budget shall add data for the previous biennium to the budget database website. The director of the budget shall ensure that all data added to the budget database website remains accessible to the public for a minimum of ten years.

6. The budget database website may not redirect users to any other government website, unless the website has information from all budget units and each category of information required can be searched electronically by field in a single search.

~~7. The governing body of each political subdivision may submit the annual budget adopted by the governing body to the director of the budget. The director of the budget shall include on the office of management and budget website any information submitted by a participating governing body of a political subdivision. The official who submits the annual budget to the director of the budget may not submit any information that is confidential under state or federal law. In lieu of submitting the annual budget adopted by the governing body to the director, any participating governing body may provide to the director a publicly accessible internet link on which the annual budget adopted by the participating governing body is available.~~

SECTION 13. AMENDMENT. Section 54-44.4-07 of the North Dakota Century Code is amended and reenacted as follows:

54-44.4-07. Procurement of environmentally preferable products.

1. The office of management and budget, the institutions of higher education, and any other state agency or institution that has authority to purchase products are encouraged to purchase environmentally preferable products.

   a. ~~Where~~When practicable, specifications for purchasing newsprint printing services should specify the use of soybean-based ink. The North Dakota soybean council and the agriculture commissioner shall assist the office of management and budget in locating

suppliers of soybean-based inks and in collecting data on the purchase of soybean-based inks.

b. ~~In requesting bids for paper products, the office of management and budget must request information on the recycled content of such products.~~

~~c.~~ ~~Where~~When practicable, biobased products should be specified.

2. The office of management and budget, in coordination with the state board of higher education, shall develop guidelines for a biobased procurement program.

SECTION 14. AMENDMENT. Section 54-44.4-08 of the North Dakota Century Code is amended and reenacted as follows:

54-44.4-08. Purchase of recycled paper products.

~~The~~When practicable, the office of management and budget, and any state agency or institution that has authority to purchase ~~products, shall ensure that at least twenty percent of the total volume of~~ paper and paper products ~~being purchased for state agencies and institutions contain~~, should specify at least twenty-five percent recycled material. ~~The office of management and budget shall implement a methodology to track compliance with this section.~~

SECTION 15. AMENDMENT. Section 57-51.1-07.5 of the North Dakota Century Code is amended and reenacted as follows:

57-51.1-07.5. State share of oil and gas taxes - Deposits.

From the revenues designated for deposit in the state general fund under chapters 57-51 and 57-51.1, the state treasurer shall deposit the revenues received each biennium in the following order:

1. The first two hundred million dollars into the state general fund;

2. The next two hundred million dollars into the tax relief fund;

3. The next seventy-five million dollars into the budget stabilization fund, but not in an amount that would bring the balance in the fund to more than the limit in section 54-27.2-01;

4. The next two hundred million dollars into the state general fund;

5. The next ten million dollars into the lignite research fund;

6. The next ~~fifteen~~twenty million dollars into the state disaster relief fund, but not in an amount that would bring the unobligated balance in the fund to more than ~~fifteen~~twenty million dollars;

7. ~~The next thirty million three hundred seventy-five thousand dollars, or the amount necessary to provide for the distributions under subsection 2 of section 57-51.1-07.7, into the municipal infrastructure fund;~~

~~8.~~ The next four hundred million dollars into the strategic investment and improvements fund;

~~9.~~ ~~An amount equal to the deposit under subsection 7 into the county and township infrastructure fund;~~

8. The next fifty-nine million seven hundred fifty thousand dollars, or the amount necessary to provide for twice the amount of the distributions under subsection 2 of section 57-51.1-07.7, into the funds designated for infrastructure development in non-oil-producing counties under sections 57-51.1-07.7 and 57-51.1-07.8 with fifty percent deposited into the municipal infrastructure fund and fifty percent deposited into the county and township infrastructure fund;

~~10.~~9. The next one hundred ~~sixty-nine~~seventy million two hundred fifty thousand dollars or the amount necessary to provide a total of two hundred thirty million dollars into the funds designated for infrastructure development in non-oil-producing counties under sections 57-51.1-07.7 and 57-51.1-07.8 with fifty percent deposited into the municipal infrastructure fund and fifty percent deposited into the county and township infrastructure fund;

~~11.~~10. The next twenty million dollars into the airport infrastructure fund; and

~~12.~~11. Any additional revenues into the strategic investment and improvements fund.

SECTION 16. AMENDMENT. Subsection 2 of section 57-51.1-07.7 of the North Dakota Century Code is amended and reenacted as follows:

2. Within forty days after the fund balance is greater than or equal to the amount needed for the grants under this subsection or by September thirtieth of each odd-numbered year, whichever is earlier, the state treasurer shall distribute moneys in the fund as grants to cities for essential infrastructure projects. The state treasurer shall distribute the grants only if the fund balance is at least ten percent of the amount needed for distributions under this subsection based on the following:

   a. Two million five hundred thousand dollars to each city with a population of at least five thousand;

   b. Five hundred thousand dollars to each city with a population of at least two thousand but less than five thousand; and

   c. One hundred twenty-five thousand dollars to each city with a population of at least one thousand but less than two thousand.

   d. If, at the time of the distributions, the moneys in the fund are less than the amount needed for the grants under this subsection, the state treasurer shall distribute the grants under this subsection on a pro rata basis.

   e. For the purposes of determining the city's population under this subsection, the state treasurer shall use the most recent actual or estimated census data published by the United States census bureau.

SECTION 17. AMENDMENT. Subsection 3 of section 57-51.1-07.7 of the North Dakota Century Code is amended and reenacted as follows:

3. Within sixty days after the fund receives its statutory limit of oil and gas tax allocations under section 57-51.1-07.5 or by September thirtieth of each odd-numbered year, whichever is earlier, the state treasurer shall distribute the moneys in the fund as grants to cities for essential infrastructure projects. The state treasurer shall distribute the grants only if the fund balance is at least ten percent of the amount needed for distributions under this subsection based on the following:

a. One hundred fifty dollars per person of the city's population.

b. In addition to the amounts in subdivision a, for a city with a positive average of the annual percentage increase in population from three years prior, a dollar amount equal to the product of the following:

(1) The amount calculated in subdivision a; and

(2) The average of the annual percentage increase in population from three years prior, multiplied by ten.

c. In addition to the amounts in subdivisions a and b, for a city with a positive average of the annual percentage increase in taxable property values from three years prior, a dollar amount equal to the average of the annual property valuation percentage increase for the three most recent years, multiplied by twenty-five thousandths.

d. Grants may be distributed under this subdivision only if the grant distributions under subsection 2 are completed. If the moneys in the fund are insufficient to provide for the grants, the state treasurer shall distribute the grants under this subsection on a pro rata basis. If any moneys remain in the fund after the distribution of grants under this subsection, the state treasurer shall distribute any remaining moneys in the fund in proportion to the combined total distributed to each city under this section relative to the combined total distributed to all the cities under this section.

e. For the purposes of determining the city's population under this subsection, the state treasurer shall use the most recent actual or estimated census data published by the United States census bureau.

f. For the purposes of determining taxable property values, the state treasurer shall use the most recent data published by the tax commissioner in the tax levy report.

SECTION 18. AMENDMENT. Subsection 2 of section 57-51.1-07.8 of the North Dakota Century Code is amended and reenacted as follows:

2. Within sixty days after the fund receives its statutory limit of oil and gas tax allocations under section 57-51.1-07.5 or by September thirtieth of each odd-numbered year, whichever is earlier, the state treasurer shall distribute moneys in the fund as grants to counties for road and bridge infrastructure projects. <u>The state treasurer shall distribute the grants only if the fund balance is at least ten percent of the amount needed for distributions under this section.</u>

SECTION 19. REPEAL. Section 54-06-25 of the North Dakota Century Code is repealed."

Page 3, after line 3, insert:

"**SECTION 21. EXEMPTION - STATE STUDENT INTERNSHIP PROGRAM.** The amount of $250,000 appropriated in section 1, identified in section 2, and transferred in section 8 of chapter 40 of the 2019 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the office of management and budget for the state student internship program during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 22. EXEMPTION - ASSESSMENT OF STATE LANDS AND FACILITIES. The amount of $500,000 appropriated from the strategic investment

and improvements fund in section 1 and identified in section 2 of chapter 40 of the 2019 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the office of management and budget to continue the assessment of state lands and facilities during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 23. LEGISLATIVE MANAGEMENT STUDY - SPACE NEEDS AT STATE CAPITOL.

1. During the 2021-22 interim, the legislative management shall consider studying space needs of the executive, judicial, and legislative branches at the state capitol. The study must include:

   a. A review of each branch's employee work location policies;

   b. An assessment of the space needs of each branch to fulfill their constitutional and statutory responsibilities;

   c. An evaluation of state agency leases of space from private and other governmental entities in Bismarck, amounts being paid for these leases, and state agency rental payments being made to the office of management and budget from special and federal funds;

   d. Consideration of the feasibility and desirability of the office of management and budget charging rent to agencies receiving funding from the general fund; and

   e. The development of a space utilization plan for the capitol complex.

2. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of House Action

	Base Budget	House Changes	House Version
Office of Management and Budget			
Total all funds	$41,662,367	$5,699,383	$47,361,750
Less estimated income	8,746,515	5,506,391	14,252,906
General fund	$32,915,852	$192,992	$33,108,844
FTE	112.00	0.00	112.00
State Treasurer			
Total all funds	$0	$8,100,000	$8,100,000
Less estimated income	0	8,100,000	8,100,000
General fund	$0	$0	$0
FTE	0.00	0.00	0.00
Bill total			
Total all funds	$41,662,367	$13,799,383	$55,461,750
Less estimated income	8,746,515	13,606,391	22,352,906
General fund	$32,915,852	$192,992	$33,108,844
FTE	112.00	0.00	112.00

House Bill No. 1015 - Office of Management and Budget - House Action

	Base Budget	House Changes	House Version
Salaries and wages	$21,903,816	$893,187	$22,797,003
Operating expenses	14,937,426	492,702	15,430,128
Capital assets	767,125	4,767,494	5,534,619
Grants	54,000	(54,000)	
Emergency commission contingency fund	500,000	(100,000)	400,000
Guardianship grants	1,950,000	100,000	2,050,000
Prairie public broadcasting	1,200,000	(400,000)	800,000
Community service supervision grants	350,000	(100,000)	250,000
Student internship program		100,000	100,000
Total all funds	$41,662,367	$5,699,383	$47,361,750
Less estimated income	8,746,515	5,506,391	14,252,906
General fund	$32,915,852	$192,992	$33,108,844
FTE	112.00	0.00	112.00

Department 110 - Office of Management and Budget - Detail of House Changes

	Adjusts Funding for Base Payroll Changes[1]	Adds Funding for Salary and Benefit Increases[2]	Adjusts Funding for Salaries and Wages[3]	Adjusts Funding for Operating Expenses[4]	Decreases Funding for Emergency Commission Fund[5]	Decreases Funding for Bond Payments[6]
Salaries and wages	$125,960	$531,534	$235,693			
Operating expenses				($157,298)		
Capital assets						($2,610)
Grants						
Emergency commission contingency fund					($100,000)	
Guardianship grants						
Prairie public broadcasting						
Community service supervision grants						
Student internship program						
Total all funds	$125,960	$531,534	$235,693	($157,298)	($100,000)	($2,610)
Less estimated income	2	86,088	20,000	(19,803)	0	0
General fund	$125,958	$445,446	$215,693	($137,495)	($100,000)	($2,610)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adjusts Funding for Grants[7]	Adds One-Time Funding for Projects[8]	Total House Changes
Salaries and wages			$893,187
Operating expenses		$650,000	492,702
Capital assets		4,770,104	4,767,494
Grants	($54,000)		(54,000)
Emergency commission contingency fund			(100,000)
Guardianship grants	100,000		100,000
Prairie public broadcasting	(400,000)		(400,000)
Community service supervision grants	(100,000)		(100,000)
Student internship program		100,000	100,000
Total all funds	($454,000)	$5,520,104	$5,699,383
Less estimated income	0	5,420,104	5,506,391
General fund	($454,000)	$100,000	$192,992
FTE	0.00	0.00	0.00

[1] Funding is adjusted for base payroll changes.

[2] The following funding is added for 2021-23 biennium salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of $100 and a maximum monthly increase of $250 for both years, and increases in health insurance premiums from $1,427 to $1,429 per month:

	General Fund	Other Funds	Total
Salary increase	$440,835	$85,354	$526,189
Health insurance increase	4,611	734	5,345
Total	$445,446	$86,088	$531,534

[3] Funding and FTE positions are added as follows:

	General Fund	Other Funds	Total
Increases funding to reclassify a vacant position into a human resource officer position	$110,869	$0	$110,869
Increases funding to reclassify vacant positions into procurement officers	104,824	0	104,824
Increases funding for temporary salaries related to risk management	0	20,000	20,000
Total	$215,693	$20,000	$235,693

[4] Funding is adjusted for operating expenses as follows:

	General Fund	Other Funds	Total
Decreases funding for operating expenses primarily related to IT costs	($701,000)	($20,000)	($721,000)
Adds funding for budget software maintenance agreements	403,000	0	403,000
Adds funding for procurement software maintenance agreements	152,000	0	152,000
Increases funding for Microsoft Office 365 licensing expenses	8,505	197	8,702
Total	($137,495)	($19,803)	($157,298)

[5] Funding is decreased for the Emergency Commission contingency fund by $100,000, from $500,000 to $400,000.

[6] Funding for bond payments is decreased by $2,610, from $567,125 to $564,515.

[7] Funding for grants is decreased as follows:

	Other Funds
Removes funding for boys' and girls' clubwork grants	($53,000)
Removes funding for Council of State Employees grants	(1,000)
Increases funding for guardianship grants to provide total funding of $2,050,000	100,000
Decreases funding for Prairie Public Broadcasting grants to provide a total of $800,000	(400,000)
Decreases funding for community service supervision grants to provide total funding of $250,000	(100,000)
Total	($454,000)

[8] One-time funding is added as follows:

	Total
Facility consolidation study (Capitol building fund)	$350,000
Special assessments associated with the Capitol grounds (Capitol building fund)	300,000
Extraordinary repairs (Capitol building fund)	500,000
Building automation (Capitol building fund)	518,800
Interior and exterior signage (Capitol building fund)	500,000
Procurement software IT project (strategic investment and improvements fund)	2,021,204
Budget software IT project (strategic investment and improvements fund)	1,230,100
State student internship program (general fund)	100,000
Total	$5,520,104

This amendment also:

- Appropriates additional money in the community service supervision fund to the Office of Management and Budget (OMB) for distributions to community corrections association regions.
- Transfers $187.4 million from the tax relief fund to the human service finance fund.
- Authorizes OMB to transfer student internship funding to other state agencies.
- Identifies one-time funding from the Capitol building fund for a facility consolidation study, special assessments, extraordinary repairs, building automation, and interior and exterior signage.
- Identifies one-time funding from the strategic investment and improvements fund for information technology projects related to procurement software and budget software.
- Identifies the funding designated for statewide memberships and dues, unemployment insurance, and the Capitol Grounds Planning Commission.
- Authorizes OMB to make payments from the risk management fund for attorney's

fees incurred by a state employee resulting from a criminal investigation lacking a probable cause.

- Provides guidelines for compensation increases reflecting a 1.5 percent annual increase with a monthly minimum of $100 and a monthly maximum of $250.
- Removes the requirement for OMB to publish political subdivision budgets on the department's website.

- Removes the requirement to specify the amount of recycled content included in the items purchased by the state.
- Increases the allocation of oil and gas tax revenues to the state disaster relief fund by $5 million, from $15 million to $20 million.
- Aligns the allocations to the municipal infrastructure fund and the county and township infrastructure fund to receive allocations at the same time after the initial allocation to the strategic investment and improvements fund.
- Establishes minimum amounts required to provide distributions from the municipal infrastructure fund and the county and township infrastructure fund.
- Repeals the State Employee Compensation Commission.
- Continues unspent 2019-21 biennium appropriation authority into the 2021-23 biennium for state student internships, the Fiscal Management Division of OMB, and an assessment of state lands and facilities.
- Provides for a Legislative Management study relating to space needs of the executive, judicial, and legislative branches at the Capitol.

House Bill No. 1015 - State Treasurer - House Action

	Base Budget	House Changes	House Version
Non-oil township grants		$8,100,000	$8,100,000
Total all funds	$0	$8,100,000	$8,100,000
Less estimated income	0	8,100,000	8,100,000
General fund	$0	$0	$0
FTE	0.00	0.00	0.00

Department 120 - State Treasurer - Detail of House Changes

	Adds Funding for Township Grants[1]	Total House Changes
Non-oil township grants	$8,100,000	$8,100,000
Total all funds	$8,100,000	$8,100,000
Less estimated income	8,100,000	8,100,000
General fund	$0	$0
FTE	0.00	0.00

[1] Funding of $8.1 million from the state disaster relief fund is appropriated to the State Treasurer to provide distributions of $5,000 to each township in non-oil-producing counties.

House Appropriations Committee
67th Legislative Session
Representative Jeff Delzer-Chair

Chairman Delzer and House Appropriations Committee,

Please accept this testimony in a support of HB 1015, line item "Guardianship grants". Several elderly or disabled ND Veterans and/or Veterans dependents are unfortunately unable to properly care for themselves and are court appointed a public guardian on their behalf. These public guardians receive very little payment for their services. Unfortunately, due to underfunding, several court-appointed public guardian services go unfunded.

Please consider,

- The Guardianship Grants funding appropriation through HB 1015 is at a governor recommendation of $1,950,000.
- 2021-2023 caseload projections estimate a funding shortfall which will affect 150 court appointed public guardianships.
- The real need for Guardianship Grants is $2,500,000 a shortfall of $ 550,000.
- I urge the proper funding of the guardianship programs during the 2021-2023 biennium.

The Guardianship programs protect the most vulnerable of ND Citizens. These programs should be among the highest priority for ND Legislators to fund.

Please feel free to reach out to me with any questions or concerns.

Thank you for your consideration,

Lonnie Wangen
Commissioner: NDDVA
4201 38th Street S Suite 104
Fargo ND 58104
701-239-7165
lwangen@nd.gov

2021 SENATE APPROPRIATIONS

HB 1015

Department 110 - Office of Management and Budget
House Bill No. 1015

Executive Budget Comparison to Prior Biennium Appropriations

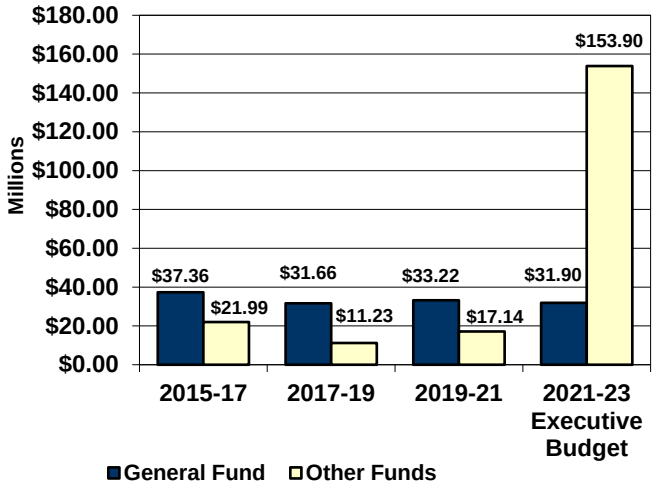
	FTE Positions	General Fund	Other Funds	Total
2021-23 Executive Budget	108.00	$31,896,780	$153,897,412	$185,794,192
2019-21 Legislative Appropriations[1]	112.00	33,215,852	17,136,515	50,352,367
Increase (Decrease)	(4.00)	($1,319,072)	$136,760,897	$135,441,825

[1]The 2019-21 biennium agency appropriation amounts have not been adjusted for additional federal Coronavirus (COVID-19) funds authority of $7,003,055 and for additional federal emergency education relief funding of $5,932,707 resulting from Emergency Commission action during the 2019-21 biennium.

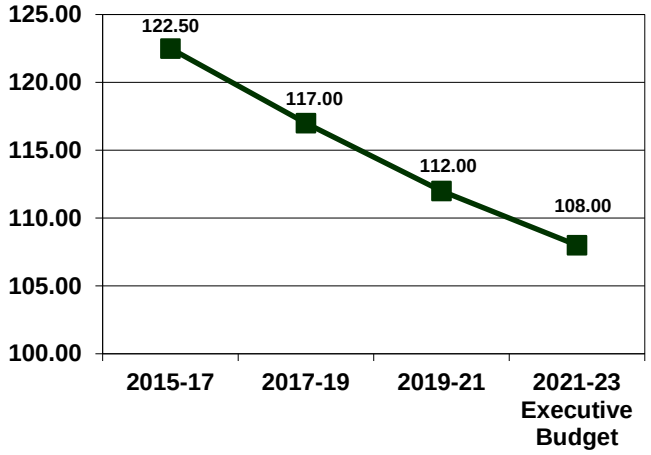
Ongoing and One-Time General Fund Appropriations

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2021-23 Executive Budget	$28,095,476	$3,801,304	$31,896,780
2019-21 Legislative Appropriations	32,915,852	300,000	33,215,852
Increase (Decrease)	($4,820,376)	$3,501,304	($1,319,072)

Agency Funding



FTE Positions



Executive Budget Comparison to Base Level

	General Fund	Other Funds	Total
2021-23 Executive Budget	$31,896,780	$153,897,412	$185,794,192
2021-23 Base Level	32,915,852	8,746,515	41,662,367
Increase (Decrease)	($1,019,072)	$145,150,897	$144,131,825

First House Action

Attached is a comparison worksheet detailing first house changes to base level funding and the executive budget.

Executive Budget Highlights
(With First House Changes in Bold)

	General Fund	Other Funds	Total
1. Provides funding for state employee salary and benefit increases of which $506,220 is for salary increases, $5,150 is for health insurance increases, and $97,051 is for retirement increases. **The House added funding for salary adjustments of 1.5 percent per year with a $100 minimum and $250 maximum monthly increase and increases in health insurance premiums from $1,427 to $1,429 per month. The House did not add funding for retirement contribution increases.**	$521,684	$86,737	$608,421

2. Transfers 4 FTE positions to the Information Technology Department (ITD) for an information technology (IT) unification initiative resulting in a decrease in salaries and wages of $846,547 and an increase in operating expenses of $846,547. **The House did not transfer the positions or adjust the funding for the IT unification initiative.**	$0	$0	$0
3. Adds funding for a human resources officer	$110,869	$0	$110,869
4. Increases funding for procurement officers	$104,824	$0	$104,824
5. Increases funding for temporary salaries related to risk management	$0	$20,000	$20,000
6. Changes the funding source for salaries and wages associated with the Facility Management Division from the general fund to special funds. **The House did not approve the Capitol complex rental proposal so the funding source was not changed to special funds.**	($5,245,161)	$5,245,161	$0
7. Decreases funding for operating expenses primarily related to IT costs	($701,000)	($20,000)	($721,000)
8. Increases funding for a maintenance agreement associated with new budget software	$403,000	$0	$403,000
9. Adds funding for a maintenance agreement associated with new electronic procurement software	$152,000	$0	$152,000
10. Increases funding for Microsoft Office 365 licensing expenses	$8,505	$197	$8,702
11. Adds funding for the Capitol complex rental proposal. **The House did not approve the Capitol complex rental proposal.**	$488,055	$0	$488,055
12. Removes funding for the Emergency Commission contingency fund. **The House reduced the funding for the Emergency Commission contingency by $100,000, from $500,000 to $400,000.**	($500,000)	$0	($500,000)
13. Reduces funding for bond payments	($2,610)	$0	($2,610)
14. Removes funding for grants related to boys' and girls' clubwork and the Council of State Employees	($54,000)	$0	($54,000)
15. Decreases funding for Prairie Public Broadcasting grants to provide a total of $1,020,000. **The House decreased the funding for Prairie Public Broadcasting grants by $400,000, from $1,200,000 to $800,000.**	($180,000)	$0	($180,000)
16. Decreases funding for community services supervision grants to provide a total of $297,500. **The House decreased the funding for community services supervision grants by $100,000, from $350,000 to $250,000.**	($52,000)	$0	($52,000)
17. Adds **one-time funding** for a facility consolidation study. **The House changed the funding source for the facility consolidation study from the general fund to the Capitol building fund.**	$350,000	$0	$350,000
18. Adds **one-time funding** from the Capitol building fund for special assessments associated with road work on Fourth Street adjacent to the Capitol grounds ($300,000), extraordinary repairs ($900,000), Capitol building automation ($518,800), and interior and exterior signage ($1,000,000). **The House provided $1,818,800 from the Capitol building fund, of which $300,000 is for special assessments, $500,000 is for extraordinary repairs, $518,800 is for building automation, and $500,000 is for signage.**	$0	$2,718,800	$2,718,800
19. Adds **one-time funding** from bond proceeds for various state agency extraordinary repairs and building projects. **The House did not provide bonding for extraordinary repairs and building projects.**	$0	$137,100,000	$137,100,000
20. Adds **one-time funding** for electronic procurement software. **The House changed the funding source for the electronic procurement software from the general fund to the strategic investment and improvements fund.**	$2,021,204	$0	$2,021,204

21. Adds **one-time funding** for state budgeting software. **The House changed the funding source for the state budgeting software from the general fund to the strategic investment and improvements fund.**	$1,230,100	$0	$1,230,100
22. Adds **one-time funding** for the state student internship program. **The House provided $100,000 for the state student internship program.**	$200,000	$0	$200,000
23. Transfers 2 FTE positions and $424,739 from ITD for a human resources services unification initiative, but the FTE positions and appropriation authority are not included in the budget (See the "Other Sections Recommended to be Added in the Executive Budget")	$0	$0	$0
24. The House increased the funding for guardianship grants by $100,000, from $1,950,000 to $2,050,000.			

The following is a comparison of funding from the general fund for statewide dues and memberships:

Statewide Dues and Memberships			
	2019-21 Biennium Legislative Budget	**2019-21 Biennium Revised Estimate**	**2021-23 Biennium Estimate**
Commission on Uniform State Laws (This budget includes travel costs, conference registration, and annual dues.)	$155,200	$148,000	$148,000
Council of State Governments	213,864	213,864	230,889
Western Governors' Association	72,000	79,200	79,200
National Governors Association	75,800	75,800	75,800
National Lieutenant Governors Association	2,000	2,000	2,000
Education Commission of the States	106,200	106,200	106,200
Western Interstate Commission for Higher Education[1]	0	0	0
Total dues and memberships	$625,064	$625,064	$642,089

[1]Funding for the Western Intrastate Commission for Higher Education is included in the higher education budget. The 2019-21 biennium budget included $294,000, and the 2021-23 biennium executive budget does not include funding for the dues.

The House provided $625,064 for statewide dues and memberships in the 2021-23 biennium, the same level of funding as the 2019-21 biennium.

Other Sections in House Bill No. 1015

Community service supervision fund - Section 3 appropriates any moneys in the community service supervision fund for distributions to community corrections association regions.

Township grants - Section 4 appropriates $8.1 million from the state disaster relief fund to the State Treasurer for grant distributions to townships in non-oil-producing counties.

Tax relief fund to human service finance fund - Section 5 transfers $187,385,888 from the tax relief fund to the human service finance fund during the 2021-23 biennium.

State student internship program - Section 6 authorizes the Office of Management and Budget (OMB) to transfer student internship funding to other state agencies. Section 21 allows 2019-21 biennium appropriation authority for the state student internship program to continue to be available in the 2021-23 biennium.

Capitol building fund - Section 7 identifies one-time funding from the Capitol building fund for a facility consolidation study, special assessments, extraordinary repairs, building automation, and interior and exterior signage.

Strategic investment and improvements fund - Section 8 identifies one-time funding from the strategic investment and improvements fund for IT projects related to procurement software and budget software.

Grant and expense designations - Section 9 identifies the funding designated for statewide memberships and dues, unemployment insurance, and the Capitol Grounds Planning Commission.

Risk management fund - Claims payments - Section 10 authorizes OMB to make payments from the risk management fund for attorney's fees incurred by a state employee resulting from a criminal investigation lacking a probable cause.

State employee compensation adjustments - Section 11 provides guidelines for an average salary increase of 1.5 percent to eligible state employees with a monthly minimum increase of $100 and a maximum monthly increase of $250 for the 2021-23 biennium. Employees whose documented performance does not meet standards would not be eligible for compensation adjustments.

Political subdivision budgets - Section 12 amends North Dakota Century Code Section 54-44.1-18 to remove the requirement for OMB to publish political subdivision budgets to OMB's website if a political subdivision submits the budget to OMB.

Environmentally preferable products - Sections 13 and 14 amend Sections 54-44.4-07 and 54-44.4-08 to remove the requirement to specify the amount of recycled content included in the items purchased by the state.

Oil and gas tax revenue allocations - Section 15 increases the allocation of oil and gas tax revenues to the state disaster relief fund by $5 million, from $15 million to $20 million, and aligns the allocations to the municipal infrastructure fund and the county and township infrastructure fund to receive allocations at the same time after the allocation to the strategic investment and improvements fund. Sections 16, 17, and 18 establish minimum amounts required to provide distributions from the municipal infrastructure fund and the county and township infrastructure fund.

State Employee Compensation Commission - Section 19 repeals Section 54-06-25 relating to the State Employee Compensation Commission.

Fiscal management exemption - Section 20 allows 2019-21 biennium appropriation authority for the Fiscal Management Division of OMB to continue to be available in the 2021-23 biennium.

Assessment of state lands and facilities exemption - Section 22 allows 2019-21 biennium appropriation authority for the assessment of state lands and facilities to continue to be available in the 2021-23 biennium.

Space needs study - Section 23 provides for a Legislative Management study relating to space needs of the executive, judicial, and legislative branches at the state Capitol.

Deficiency Appropriation

There are no deficiency appropriations for this agency. However, House Bill No. 1025 designates $875,632 from the litigation funding pool line in OMB's 2019-21 biennium appropriation for the payment of court-ordered judgements.

Continuing Appropriations

Risk management fund - Chapter 32-12.2 - Risk fund used to timely settle claims and lawsuits.

Risk management workers' compensation fund - Section 65-04-03.1 - Provides workers' compensation for state employees.

Human Resource Management Services training fund - Section 54-44-11 - State personnel training and development operating fund.

Capitol building fund - Chapter 48-10 - Income and interest of the fund may be used for Capitol grounds projects approved by the Capitol Grounds Planning Commission. The continuing appropriation amount is limited to 50 percent of the unencumbered balance of the fund on the 1st day of the biennium subject to a maximum amount of $175,000.

Preliminary planning revolving fund - Section 54-27-22 - Preliminary planning revolving fund for state agencies to study and plan for capital projects.

Postage revolving fund - Chapter 48-06 - Used to purchase postage for postage machines in central mailroom.

Indigent civil legal services fund - Section 54-06-20 - Used for distributions to legal services programs that provide civil legal assistance to indigent individuals.

State purchasing operating fund - Section 54-44-11 - Used for the procurement and maintenance of an equipment and supply inventory for state agencies.

Significant Audit Findings

The operational audit for OMB conducted by the State Auditor's office during the 2019-20 interim identified a significant audit finding regarding a lack of oversight related to the alternative procurement process.

Major Related Legislation

House Bill No. 1030 - Appropriates $750,000 from the Capitol building fund to OMB for accessibility improvements on the state Capitol grounds.

House Bill No. 1057 - Increases the state's liability limits resulting in increased costs for the risk management fund.

House Bill No. 1058 - Consolidates the sick leave and annual leave sharing programs into one new leave sharing program and requires the Human Resource Services Division of OMB to adopt rules for leave sharing.

Senate Bill No. 2146 - Appropriates $750,000 for the Capitol building fund to OMB for accessibility improvements on the state Capitol grounds.

Office of Management and Budget - Budget No. 110
House Bill No. 1015
Base Level Funding Changes

	Executive Budget Recommendation				House Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2021-23 Biennium Base Level	112.00	$32,915,852	$8,746,515	$41,662,367	112.00	$32,915,852	$8,746,515	$41,662,367
2021-23 Ongoing Funding Changes								
Base payroll changes		$125,958	$2	$125,960		$125,958	$2	$125,960
Salary increase		434,053	72,167	506,220		440,835	85,354	526,189
Retirement contribution increase		83,215	13,836	97,051				0
Health insurance increase		4,416	734	5,150		4,611	734	5,345
Transfers 4 FTE positions for IT unification	(4.00)			0				0
Adds funding for a human resource officer		110,869		110,869		110,869		110,869
Increases funding for procurement officers		104,824		104,824		104,824		104,824
Increases funding for temporary salaries			20,000	20,000			20,000	20,000
Changes funding source for the Facility Management Division		(5,245,161)	5,245,161	0				0
Decreases funding for operating expenses		(701,000)	(20,000)	(721,000)		(701,000)	(20,000)	(721,000)
Increases funding for budget software contract		403,000		403,000		403,000		403,000
Adds funding for procurement software contract		152,000		152,000		152,000		152,000
Increases funding for Microsoft Office 365 licensing expenses		8,505	197	8,702		8,505	197	8,702
Adds funding for the Capitol complex rent proposal		488,055		488,055				0
Decreases funding for Emergency Commission contingency fund		(500,000)		(500,000)		(100,000)		(100,000)
Reduces funding for bond payments		(2,610)		(2,610)		(2,610)		(2,610)
Removes funding for grants		(54,000)		(54,000)		(54,000)		(54,000)
Increases funding for guardianship grants				0		100,000		100,000
Decreases funding for Prairie Public Broadcasting		(180,000)		(180,000)		(400,000)		(400,000)
Decreases funding for community services supervision grants		(52,500)		(52,500)		(100,000)		(100,000)
Total ongoing funding changes	(4.00)	($4,820,376)	$5,332,097	$511,721	0.00	$92,992	$86,287	$179,279
One-time funding items								
Adds one-time funding for a facility consolidation study		$350,000		$350,000			$350,000	350,000
Adds one-time funding for special assessments (Capitol building fund)			$300,000	300,000			300,000	300,000
Adds one-time funding for extraordinary repairs (Capitol building fund)			900,000	900,000			500,000	500,000
Adds one-time funding for building automation (Capitol building fund)			518,800	518,800			518,800	518,800
Adds one-time funding for signage (Capitol building fund)			1,000,000	1,000,000			500,000	500,000
Adds one-time funding for various building projects (bond proceeds)			137,100,000	137,100,000				0
Adds one-time funding for procurement software		2,021,204		2,021,204			2,021,204	2,021,204
Adds one-time funding for budget software		1,230,100		1,230,100			1,230,100	1,230,100
Adds one-time funding for the state student internship program		200,000		200,000		100,000		100,000
Total one-time funding changes	0.00	$3,801,304	$139,818,800	$143,620,104	0.00	$100,000	$5,420,104	$5,520,104
Total Changes to Base Level Funding	(4.00)	($1,019,072)	$145,150,897	$144,131,825	0.00	$192,992	$5,506,391	$5,699,383
2021-23 Total Funding	108.00	$31,896,780	$153,897,412	$185,794,192	112.00	$33,108,844	$14,252,906	$47,361,750
Total ongoing changes as a percentage of base level	*(3.6%)*	*(14.6%)*	*61.0%*	*1.2%*	*0.0%*	*0.3%*	*1.0%*	*0.4%*
Total changes as a percentage of base level	*(3.6%)*	*(3.1%)*	*1659.5%*	*346.0%*	*0.0%*	*0.6%*	*63.0%*	*13.7%*

Other Sections in Office of Management and Budget - Budget No. 110

	Executive Budget Recommendation	House Version
Community service supervision fund		Section 3 appropriates any moneys in the community service supervision fund for distributions to community corrections association regions.
Township grants		Section 4 appropriates $8.1 million from the state disaster relief fund to the State Treasurer for grant distributions to townships in non-oil-producing counties.
Tax relief fund to human service finance fund	Section 3 would transfer $174,380,767 from the tax relief fund to the social services finance fund during the 2021-23 biennium.	Section 5 transfers $187,385,888 from the tax relief fund to the human service finance fund during the 2021-23 biennium.
State student internship program	Section 6 would authorize OMB to transfer student internship funding to other state agencies. Section 8 would allow 2019-21 biennium appropriation authority for the state student internship program to continue to be available in the 2021-23 biennium.	Section 6 authorizes OMB to transfer student internship funding to other state agencies. Section 21 allows 2019-21 biennium appropriation authority for the state student internship program to continue to be available in the 2021-23 biennium.
Capitol building fund		Section 7 identifies one-time funding from the Capitol building fund for a facility consolidation study, special assessments, extraordinary repairs, building automation, and interior and exterior signage
Strategic investment and improvements fund		Section 8 identifies one-time funding from the strategic investment and improvements fund for IT projects related to procurement software and budget software.
Grant and expense designations	Section 9 would identify the funding designated for statewide memberships and dues, unemployment insurance, and the Capitol Grounds Planning Commission.	Section 9 identifies the funding designated for statewide memberships and dues, unemployment insurance, and the Capitol Grounds Planning Commission.
Risk management fund - Claims payments		Section 10 authorizes OMB to make payments from the risk management fund for attorney's fees incurred by a state employee resulting from a criminal investigation lacking a probable cause.
State employee compensation adjustments	Section 10 would provide guidelines for an average salary increase of 2 percent to eligible state employees in 1st year and an average salary increase of 2 percent in the 2nd year of the 2021-23 biennium. Additional salary increases would be available if state agencies have savings in their current budget. Employees whose documented performance does not meet standards would not be eligible for compensation adjustments.	Section 11 provides guidelines for an average salary increase of 1.5 percent to eligible state employees with a monthly minimum increase of $100 and a maximum monthly increase of $250 for the 2021-23 biennium. Employees whose documented performance does not meet standards would not be eligible for compensation adjustments.
Political subdivision budgets	Section 24 would amend Section 54-44.1-18 to remove the requirement for OMB to publish political subdivision budgets to OMB's website if a political subdivision submits the budget to OMB.	Section 12 amends Section 54-44.1-18 to remove the requirement for OMB to publish political subdivision budgets to OMB's website if a political subdivision submits the budget to OMB.
Environmentally preferable products	Sections 25 and 26 would amend Sections 54-44.4-07 and 54-44.4-08 to remove the requirement to specify the amount of recycled content included in the items purchased by the state.	Sections 13 and 14 amend Sections 54-44.4-07 and 54-44.4-08 to remove the requirement to specify the amount of recycled content included in the items purchased by the state.

Other Sections in Office of Management and Budget - Budget No. 110

	Executive Budget Recommendation	House Version
Oil and gas tax revenue allocations	Section 30 would increase the allocation of oil and gas tax revenues to the general fund by $100 million, from $400 million to $500 million, per biennium.	Section 15 increases the allocation of oil and gas tax revenues to the state disaster relief fund by $5 million, from $15 million to $20 million and aligns the allocations to the municipal infrastructure fund and the county and township infrastructure fund to receive allocations at the same time after the allocation to the strategic investment and improvements fund. Sections 16, 17, and 18 establish minimum amounts required to provide distributions from the municipal infrastructure fund and the county and township infrastructure fund.
State Employee Compensation Commission	Section 17 would repeal Section 54-06-25 relating to the State Employee Compensation Commission.	Section 19 repeals Section 54-06-25 relating to the State Employee Compensation Commission.
Fiscal management exemption	Section 7 would allow 2019-21 biennium appropriation authority for the Fiscal Management Division of OMB to continue to be available in the 2021-23 biennium.	Section 20 allows 2019-21 biennium appropriation authority for the Fiscal Management Division of OMB to continue to be available in the 2021-23 biennium.
Assessment of state lands and facilities exemption	Section 8 would allow 2019-21 biennium appropriation authority for the assessment of state lands and facilities to continue to be available in the 2021-23 biennium.	Section 22 allows 2019-21 biennium appropriation authority for the assessment of state lands and facilities to continue to be available in the 2021-23 biennium.
Space needs study		Section 23 provides for a Legislative Management study relating to space needs of the executive, judicial, and legislative branches at the State Capitol.
2019-21 biennium legacy fund earnings	Section 4 would designate the 2019-21 biennium for the general fund ($335,630,000 and any additional legacy fund earnings), the common schools trust fund ($64,370,000), ITD's cybersecurity initiatives ($25,000,000), the unmanned aircraft systems fund ($27,000,000), the innovation loan fund to support technology advancement ($30,000,000), the housing incentive fund ($8,000,000), state park infrastructure ($10,000,000), the environmental quality restoration fund ($5,000,000), the state parks gift fund ($10,000,000), and the University System challenge grant program ($10,000,000).	
Bond proceeds	Section 5 would authorize OMB to transfer bond proceeds of $130,500,000 for extraordinary repair projects to other state agencies.	
Infrastructure revolving loan fund	Section 11 would amend the infrastructure revolving loan fund to increase the loan limits; to allow additional types of infrastructure projects; to designate specific amounts from bond proceeds deposited in the fund for water projects, bridges, and other projects; and to require approval from the Department of Transportation and State Water Commission for certain projects.	

Other Sections in Office of Management and Budget - Budget No. 110

	Executive Budget Recommendation	House Version
Bonding authorization	Sections 12, 13, 14, 32, and 33 would authorize the Public Finance Authority to issue up to $1,250,000,000 of bonds, including $700,000,000 for the infrastructure revolving loan fund, $302,400,000 for state road and bridge projects, $30,500,000 for state park projects, $45,000,000 for career academies, $19,000,000 for higher education challenge grants, $137,100,000 for state building projects, $14,000,000 for a North Dakota State University agriculture center, and $2,000,000 to Dakota College at Bottineau for an Old Main renovation project.	
Political subdivision bonding authority	Sections 15, 16, and 28 would allow political subdivisions to issue bonds for up to 30 years, rather than the current law limit of 20 years, and would authorize political subdivisions to use additional sources of mill levy authority to repay bonds.	
Legacy fund earnings funds	Section 17 would create two new sections to Chapter 21-10 relating to the deposit of legacy fund earnings for projects.	
Emergency Commission borrowing authority	Sections 18 and 19 would amend Section 54-16-04 and create Section 54-16-04.4 to authorize the Emergency Commission to borrow from the Bank of North Dakota to address a state contingency.	
Capitol complex rental program	Section 20 would amend Section 54-21-19 to authorize agency rental payments for space used on the Capitol grounds by agencies funded by appropriations from the general fund.	
Shared services fund	Section 21 would create a new section to Chapter 54-27 to establish a shared services fund to allow state agencies to make payments to each other for shared services, including equipment, operating expenses, or salaries.	
Budget stabilization fund limit	Section 22 would amend Section 54-27.2-01 to decrease the maximum balance of the budget stabilization fund from 15 to 10 percent of the most recent general fund budget.	
Facility management operating fund	Section 23 would amend Section 54-44-11 to authorize OMB to create an operating fund for the facility management division operations to fund the operations of the Facility Management Division from the proposed Capitol complex rental program.	
Business improvement projects	Section 27 would create Section 54-59-40 to authorize state agencies to borrow funds for business improvement projects if the projects are estimated to provide savings to the state agency within 6 years.	
County deficiency borrowing	Section 29 would amend Section 57-47-02 to allow counties to borrow for up to 20 years, rather than the current 5-year limit, if the county tax levies are insufficient to pay mandatory expenses.	
Transfer of water project loans	Section 31 would transfer loans for water projects held in an infrastructure revolving loan fund within the resources trust fund to the infrastructure revolving loan fund. Section 34 would transfer loans from the community water facility loan fund to the infrastructure revolving loan fund. Section 36 would repeal the community water facility loan fund and an infrastructure revolving loan fund within the resources trust fund.	

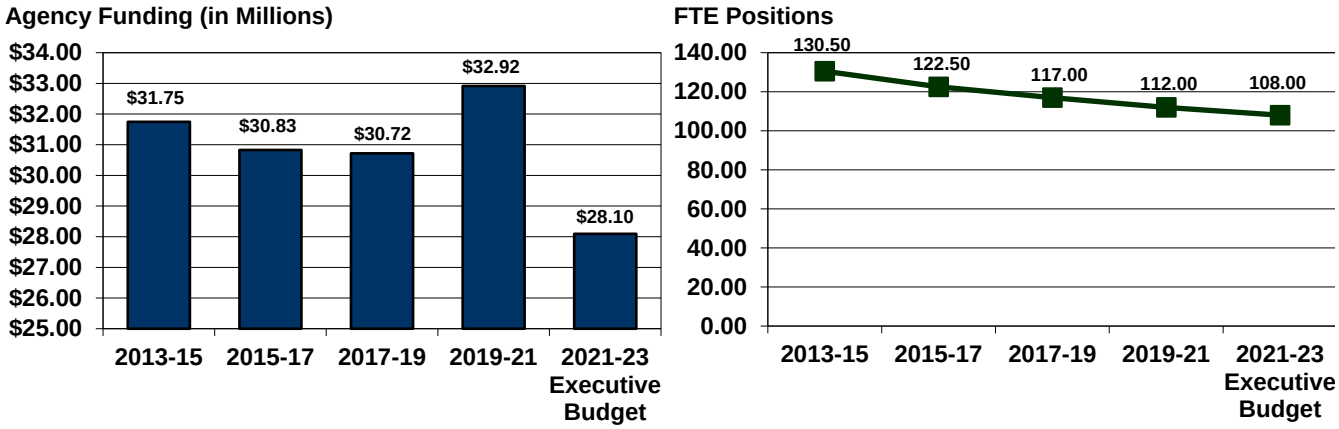
Other Sections in Office of Management and Budget - Budget No. 110

	Executive Budget Recommendation	House Version
Human resources services unification	Section 35 provide for OMB to transfer 2 FTE positions and $424,739 from ITD for a human resources services unification initiative. Section 38 would make the transfer effective on July 1, 2022.	
State Personnel Board	Section 37 would repeal Section 54-44.3-03 to eliminate the State Personnel Board.	

Department 110 - Office of Management and Budget

Historical Appropriations Information

Ongoing General Fund Appropriations Since 2013-15



Ongoing General Fund Appropriations					
	2013-15	2015-17	2017-19	2019-21	2021-23 Executive Budget
Ongoing general fund appropriations	$31,746,688	$30,826,724	$30,720,260	$32,915,852	$28,095,476
Increase (decrease) from previous biennium	N/A	($919,964)	($106,464)	$2,195,529	($4,820,376)
Percentage increase (decrease) from previous biennium	N/A	(2.9%)	(0.3%)	7.1%	(14.6%)
Cumulative percentage increase (decrease) from 2013-15 biennium	N/A	(2.9%)	(3.2%)	3.7%	(11.5%)

Major Increases (Decreases) in Ongoing General Fund Appropriations

2015-17 Biennium

1. Decreased funding for operating expenses	($150,003)
2. Added funding for community supervision grants	$125,000
3. Reduced funding for salaries and wages ($230,000), operating expenses ($351,525), the Emergency Commission contingency fund ($200,000), and Prairie Public Broadcasting ($100,000) related to the August 2016 budget reductions	($881,525)

2017-19 Biennium

1. Adjusted funding for FTE positions, including the removal of 1.5 FTE administrative assistant positions, 1 FTE maintenance position, 1 FTE computer and networking specialist position, 1 FTE facility construction engineer, and 1 FTE human resource officer position	($862,713)
2. Adjusted funding for operating expenses	$171,178
3. Increased funding for the Emergency Commission contingency fund	$100,000
4. Added funding for extraordinary repairs and bond payments	$773,477
5. Removed funding for community service supervision grants ($500,000) and reduces funding for other grants ($1,000)	($501,000)
6. Reduced funding for Prairie Public Broadcasting from $1,600,000 to $1,200,000	($400,000)
7. Removed funding for the state student internship program	($200,000)
8. Added funding for community service supervision grants	$350,000

2019-21 Biennium

1. Removed 5 FTE positions, including 3 FTE custodian positions and 2 FTE system mechanic positions	($560,182)
2. Underfunded salaries and wages for anticipated savings from vacant positions and employee turnover	($210,252)
3. Added funding to reclassify positions ($560,678) and for temporary employees ($56,400)	$617,078
4. Reduced funding for IT and maintenance costs	($588,483)

5. Added funding for contract custodians ($640,000), utility costs ($427,650), state accounting software and an employee onboarding project ($483,360), Microsoft Office 365 licensing expenses ($77,308), and statewide memberships and dues ($93,614)	$1,700,208
6. Reduced funding for the Emergency Commission contingency fund to provide total funding of $500,000	($100,000)
7. Reduced funding for bond payments to provide total funding of $567,125	($206,352)
8. Increased funding for guardianship grants by $621,400, from $1,328,600 to $1,950,000	$621,400
2021-23 Biennium (Executive Budget Recommendations)	
1. Adds funding for a human resources officer	$110,869
2. Increases funding for procurement officers	$104,824
3. Changes the funding source for salaries and wages associated with the Facility Management Division from the general fund to special funds. **The House did not approve the Capitol complex rental proposal so the funding source was not changed to special funds.**	($5,245,161)
4. Decreases funding for operating expenses primarily related to IT costs	($701,000)
5. Increases funding for a maintenance agreement associated with new budget software	$403,000
6. Adds funding for a maintenance agreement associated with new electronic procurement software	$152,000
7. Increases funding for Microsoft Office 365 licensing expenses	$8,505
8. Adds funding for the Capitol complex rental proposal. **The House did not approve the Capitol complex rental proposal.**	$488,055
9. Removes funding for the Emergency Commission contingency fund. **The House reduced the funding for the Emergency Commission contingency fund by $100,000, from $500,000 to $400,000.**	($500,000)
10. Reduces funding for bond payments	($2,610)
11. Removes funding for grants related to boys' and girls' clubwork and the Council of State Employees	($54,000)
12. Decreases funding for Prairie Public Broadcasting grants to provide a total of $1,020,000. **The House decreased the funding for Prairie Public Broadcasting grants by $400,000, from $1,200,000 to $800,000.**	($180,000)
13. Decreases funding for community services supervision grants to provide a total of $297,500. **The House decreased the funding for community services supervision grants by $100,000, from $350,000 to $250,000.**	($52,000)

GOVERNOR'S RECOMMENDATION FOR THE OFFICE OF MANAGEMENT AND BUDGET AS SUBMITTED BY THE OFFICE OF MANAGEMENT AND BUDGET

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the office of management and budget for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and Wages	$21,903,816	$ 123,527	$ 22,027,343
Operating Expenses	14,937,426	1,827,304	16,764,730
Contingency Fund	500,000	(500,000)	0
Capital Assets	767,125	142,767,494	143,534,619
Grants	54,000	(54,000)	0
Guardianship Grants	1,950,000	0	1,950,000
Community Service Grants	350,000	(52,500)	297,500
Prairie Public Broadcasting	1,200,000	(180,000)	1,020,000
State Student Internship	0	200,000	200,000
Total All Funds	$41,662,367	$144,131,825	$185,794,192
Less Estimated Income	8,746,515	145,150,897	153,897,412
Total General Fund	$32,915,852	($1,019,072)	$ 31,896,780
Full-time Equivalent Positions	112.00	(4.00)	108.00

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty- sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

One-Time Funding Description	2019-21	2021-23
Capitol South Entrance	$2,000,000	$ 0
Central Services Study	50,000	0
Special Assessments	320,000	300,000
Extraordinary Repairs	1,900,000	900,000
IT Risk Project	170,000	0
Real Estate Plan	500,000	0
Student Internship	250,000	200,000
Litigation Pool	3,500,000	0
State Budget System	0	1,230,100
Building Automation Upgrade	0	518,800
Facility Consolidation Study	0	350,000
Exterior/Interior Wayfinding Signs	0	1,000,000
Bonding Package	0	137,100,000
e-Procurement Software	0	2,021,204
Total All Funds	$8,690,000	$143,620,104
Total Special Funds	8,390,000	139,818,800
Total General Fund	$ 300,000	$ 3,801,304

The 2021-23 one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The office of management and budget shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021 and ending June 30, 2023.

SECTION 3. TRANSFER - TAX RELIEF FUND TO SOCIAL SERVICES FINANCE FUND. The office of management and budget shall transfer the sum of $174,380,767, or so much of the sum as may be necessary, from the tax relief fund to the social services financing fund during the biennium beginning July 1, 2021 and ending June 30, 2023.

SECTION 4. TRANSFER – LEGACY FUND EARNINGS. The office of management and budget shall transfer legacy fund earnings, transferred to the general fund at the end of the 2019-21 biennium in accordance with section 26 of article X of the Constitution of North Dakota, as follows:

1. First $100,000,000 to the general fund
2. Next $64,370,000 to the common school trust fund
3. Next $235,630,000 to the general fund
4. Next $25,000,000 to North Dakota information technology for statewide cyber security
5. Next $27,000,000 to unmanned aircraft systems fund
6. Next $30,000,000 to innovation loan fund to support technology advancement
7. Next $8,000,000 to the housing incentive fund
8. Next $10,000,000 to state parks for infrastructure upgrades
9. Next $5,000,000 to the environmental quality restoration fund
10. Next $10,000,000 to the state parks gift fund
11. Next $10,000,000 to North Dakota university system for the challenge grant program
12. Any remaining amounts to the general fund

SECTION 5. TRANSFER – BONDING PROCEEDS TO STATE AGENCIES - APPROPRIATION. The office of management and budget shall transfer up to $130,500,000 appropriated in section 1 of this Act to eligible state agencies for the purpose of completing extraordinary repair projects identified in the 2019 facilities study. Any amounts transferred pursuant to this section are hereby appropriated.

SECTION 6. STATE STUDENT INTERNSHIP PROGRAM. The office of management and budget may transfer funds from the state student internship program line item appropriated in section 1 of this Act to eligible state agencies for student internships during the biennium beginning July 1, 2021 and ending June 30, 2023.

SECTION 7. EXEMPTION. The amount appropriated for the fiscal management division, as contained in section 1 of chapter 40 of the 2019 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for continued development and operating costs of the statewide systems including accounting, management, and payroll, during the biennium beginning July 1, 2021 and ending June 30, 2023.

SECTION 8. EXEMPTION. The amounts appropriated for the real estate study in the operating line and the student internship program in the student internship line, as contained in section 1 of chapter 40 of the 2019 Session Laws, are not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for the continuation of those projects during the biennium beginning July 1, 2021 and ending June 30, 2023.

SECTION 9. INTENT. Within the authority included in section 1 of this Act are the following grants and special items:

State Memberships and Related Expenses	$ 531,304
Unemployment Insurance	$1,800,000
Capitol Grounds Planning Commission	$ 25,000

SECTION 10. STATE EMPLOYEE COMPENSATION ADJUSTMENT - GUIDELINES.

1. The 2021-23 biennium compensation adjustments for permanent state employees are to average 2 percent for each year of the 2019-21 biennium and are to be based on documented performance.

2. Agencies may use salaries and wages funding available due to vacant positions and employee turnover to provide additional salary increases for selected employees to address salary compression issues or to enhance merit-based increases for employees essential to the effective operations of the agency. The biennial cost of any additional salary increases must be within the agency's current salaries and wages funding level. An agency may not request any additional funding for the 2023-25 biennium to continue the additional salary increases.
3. The office of management and budget shall develop guidelines for use by state agencies for providing compensation adjustments for regular classified employees. The guidelines must follow the compensation philosophy statement under section 54-44.2-01.2.
4. Probationary employees are not entitled to the salary increase. However, at the discretion of the appointing authority, probationary employees may be given all or a portion of the increase effective in July, paid in August, or upon completion of probation. Employees whose overall documented performance level does not meet standards are not eligible for any salary increase.

SECTION 11. AMENDMENT. Section 6-09-49 of the North Dakota Century Code is amended and reenacted as follows:

6-09-49. ~~Infrastructure revolving loan fund - Continuing appropriation.~~

1. ~~The infrastructure revolving loan fund is a special fund in the state treasury from which the Bank of North Dakota shall provide loans to political subdivisions for essential infrastructure projects. The Bank shall administer the infrastructure revolving loan fund. The maximum term of a loan made under this section is thirty years. A loan made from the fund under this section must have an interest rate that does not exceed two percent per year.~~
2. ~~For purposes of this section, "essential infrastructure projects" means capital construction projects for the following:~~
   ~~a. New or replacement of existing water treatment plants;~~
   ~~b. New or replacement of existing wastewater treatment plants;~~
   ~~c. New or replacement of existing sewer lines and water lines; and~~
   ~~d. New or replacement of existing storm water and transportation infrastructure, including curb and gutter construction.~~
3. ~~In processing political subdivision loan applications under this section, the Bank shall calculate the maximum loan amount for which a qualified applicant may qualify, not to exceed fifteen million dollars per loan. The Bank shall consider the applicant's ability to repay the loan when processing the application and shall issue loans only to applicants that provide reasonable assurance of sufficient future income to repay the loan.~~

   ~~4. The Bank shall deposit in the infrastructure revolving loan fund all payments of interest and principal paid under loans made from the infrastructure revolving loan fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay for administrative costs which may not exceed one-half of one percent of the amount of the interest payment. All moneys transferred to the fund, interest upon moneys in the fund, and payments to the fund of principal and interest are appropriated to the Bank on a continuing basis for administrative costs and for loan disbursement according to this section.~~
5. ~~The Bank may adopt policies and establish guidelines to administer this loan program in accordance with the provisions of this section and to supplement and leverage the funds in the infrastructure revolving loan fund. Additionally, the Bank may adopt policies allowing participation by local financial institutions.~~

Infrastructure evolving loan fund - Bank of North Dakota - Continuing appropriation.

1. The infrastructure revolving loan fund is a special fund in the state treasury administered by the Bank of North Dakota. The Bank shall use moneys in the fund to provide loans to political subdivisions for eligible infrastructure projects pursuant to subsections 6, 7 and 8.
2. The Bank may adopt policies and establish guidelines to administer the loan program in accordance with this section, including policies to supplement and leverage the moneys in the fund and policies to allow participation by local financial institutions. A loan made from the fund must have an interest rate that does not exceed two percent per year. The maximum term of a loan for an infrastructure project under subsection 6 is thirty years or the useful life of the

project, and the maximum term for a loan for an infrastructure project under Subsections 7 and 8 is forty years or the useful life of the project.

3. All principal and interest payments received on loans made from the infrastructure revolving loan fund must be deposited into the fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay administrative costs, which may not exceed one-half of one percent of the amount of the interest payment. All moneys transferred to the fund, interest upon moneys in the fund, and payments to the fund of principal and interest are appropriated to the Bank on a continuing basis for administrative costs and for loan disbursement according to this section.
4. An applicant shall issue an evidence of indebtedness as authorized by law.
5. In processing loan applications under this section, the Bank shall calculate the maximum loan amount available to a qualified applicant. Each applicant may have up to forty million dollars of outstanding loans from the fund for infrastructure projects under subsection 6. The Bank shall consider the ability of the applicant to repay the loan when processing the application and shall issue loans only to applicants that provide reasonable assurance of sufficient future income to repay the loan.
6. Eligible infrastructure projects are capital construction projects to construct new infrastructure or to replace existing infrastructure, which provide the fixed installations necessary for the function of a political subdivision and are in the public interest. Capital construction projects exclude routine maintenance and repair projects, but include the following:
   a. Water treatment plants;
   b. Wastewater treatment plants;
   c. Sewer lines and water lines, including lift stations and pumping systems;
   d. Water storage systems, including dams, water tanks, and water towers;
   e. Storm water infrastructure, including curb and gutter construction;
   f. Road and bridge infrastructure, including paved and unpaved roads and bridges;
   g. Airport infrastructure;
   h. Electricity transmission infrastructure;
   i. Natural gas transmission infrastructure; j. Communications infrastructure;
   k. Emergency services facilities, excluding hospitals; and
   l. Essential political subdivision buildings and infrastructure.
7. The department of transportation shall approve county road and bridge projects. The department of transportation may adopt policies for the review and approval of loans under this section.
8. The State Water Commission shall review and approve eligible projects to construct new water- related infrastructure or to replace existing water-related infrastructure, which provide the fixed installations necessary for the function of a political subdivision and are in the public interest. The state water commission may adopt policies for the review and approval of loans under this section. Capital construction projects exclude routine maintenance and repair projects, but include the following:
   a. Flood control;
   b. Conveyance projects; c. Rural water supply;
   d. Water supply; and
   e. General water management.
9. Section 32 of this Act authorizes the North Dakota Public Finance Authority to bond for up to $700,000,000 to support the infrastructure revolving loan fund. Of this amount $450,000,000 is allocated to loans for flood control, water supply and water management; $200,000,000 is allocated to loans for infrastructure projects and $50,000,000 is allocated to loans to support the construction and renovation of bridges under the jurisdiction of North Dakota counties.

SECTION 12. AMENDMENT. Section 6-09.4-06 of the North Dakota Century Code is amended and reenacted as follows:

6-09.4-06. Lending and borrowing powers generally.

1. The public finance authority may lend money to political subdivisions or other contracting parties through the purchase or holding of municipal securities which, in the opinion of the attorney general, are properly eligible for purchase or holding by the public finance authority under this chapter or chapter 40-57 and for purposes of the public finance authority's capital financing program the principal amount of any one issue does not exceed five hundred thousand dollars. However, the public finance authority may lend money to political subdivisions through the purchase of securities issued by the political subdivisions through the capital financing program without regard to the principal amount of the bonds issued, if the industrial commission approves a resolution that authorizes the public finance authority to purchase the securities. The capital financing program authorizing resolution must state that the industrial commission has determined that private bond markets will not be responsive to the needs of the issuing political subdivision concerning the securities or, if it appears that the securities can be sold through private bond markets without the involvement of the public finance authority, the authorizing resolution must state reasons for the public finance authority's involvement in the bond issue. The public finance authority may hold such municipal securities for any length of time it finds to be necessary. The public finance authority, for the purposes authorized by this chapter or chapter 40-57, may issue its bonds payable solely from the revenues available to the public finance authority which are authorized or pledged for payment of public finance authority obligations, and to otherwise assist political subdivisions or other contracting parties as provided in this chapter or chapter 40-57.
2. The public finance authority may grant or transfer money as follows:
   a. To the Bank of North Dakota:
      i. Under terms and conditions requiring the Bank to use the proceeds to make loans for agricultural improvements that qualify for assistance under the revolving loan fund program established ~~by~~ under chapter 61-28.2; and
      ii. Under terms and conditions requiring the Bank to use the grants to make loans for infrastructure projects that qualify for assistance under the infrastructure revolving loan fund established under section 6-09-49
   b. To other agencies as authorized by the legislative assembly.
3. Bonds Issues for this purpose are payable in each biennium solely from amounts the legislative assembly may appropriate for debt service for any biennium or from a reserve fund established for the bonds, if necessary, or from the sinking fund established in section 17 of this Act. This section may not be construed to require the state to appropriate funds sufficient to make debt service payments with respect to the bonds or replenish a related reserve fund. The bonds are not a debt of the Bank or the state, and the full faith, credit, and taxing powers of the state are not pledged to the payment of the bonds. In addition to granting funds to the Bank, or other agencies as identified in subsection 2, the public finance authority may use the bond proceeds to pay the costs of issuance of the bonds and establish a reserve fund for the bonds, if necessary.
4. Bonds of the public finance authority issued under this chapter or chapter 40-57 are not in any way a debt or liability of the state and do not constitute a loan of the credit of the state or create any debt or debts, liability or liabilities, on behalf of the state, or constitute a pledge of the faith and credit of the state, but all such bonds are payable solely from revenues pledged or available for their payment as authorized in this chapter. Each bond must contain on its face a statement to the effect that the public finance authority is obligated to pay such principal or interest, and redemption premium, if any, and that neither the faith and credit nor the taxing power of the state is pledged to the payment of the principal of or the interest on such bonds. Specific funds pledged to fulfill the public finance authority's obligations are obligations of the public finance authority.
5. All expenses incurred in carrying out the purposes of this chapter or chapter 40-57 are payable solely from revenues or funds provided or to be provided under this chapter or chapter 40-57 and nothing in this chapter may be construed to authorize the public finance authority to incur any indebtedness or liability on behalf of or payable by the state.

SECTION 13. AMENDMENT. Section 6-09.4-10 of the North Dakota Century Code is amended and reenacted as follows:

6-09.4-10. Reserve fund.

1. The public finance authority, if deemed necessary, shall establish and maintain a reserve fund in which there must be deposited all moneys appropriated by the state for the purpose of the fund, all proceeds of bonds required to be deposited therein by terms of any contract between the public finance authority and its bondholders or any resolution of the public finance authority with respect to the proceeds of bonds, any other moneys or funds of the public finance authority which it determines to deposit therein, any contractual right to the receipt of moneys by the public finance authority for the purpose of the fund, including a letter of credit or similar instrument, and any other moneys made available to the public finance authority only for the purposes of the fund from any other source or sources. Moneys in the reserve fund must be held and applied solely to the payment of the interest on and the principal of bonds and sinking fund payments as the same become due and payable and for the retirement of bonds, including payment of any redemption premium required to be paid when any bonds are redeemed or retired prior to maturity. Moneys in the reserve fund may not be withdrawn therefrom if the withdrawal would reduce the amount in the reserve fund to an amount less than the required debt service reserve, except for payment of interest then due and payable on bonds and the principal of bonds then maturing and payable and sinking fund payments and for the retirement of bonds in accordance with the terms of any contract between the public finance authority and its bondholders and for the payments on account of which interest or principal or sinking fund payments or retirement of bonds, other moneys of the public finance authority are not then available in accordance with the terms of the contract. The required debt service reserve must be an aggregate amount equal to at least the largest amount of money required by the terms of all contracts between the public finance authority and its bondholders to be raised in the then current or any succeeding calendar year for the payment of interest on and maturing principal of outstanding bonds and sinking fund payments required by the terms of any contracts to sinking funds established for the payment or redemption of the bonds.
2. If the establishment of the reserve fund for an issue or the maintenance of an existing reserve fund at a required level under this section would necessitate the investment of all or any portion of a new reserve fund or all or any portion of an existing reserve fund at a restricted yield, because to not restrict the yield may cause the bonds to be taxable under the Internal Revenue Code, then at the discretion of the public finance authority no reserve fund need be established prior to the issuance of bonds or the reserve fund need not be funded to the levels required by other subsections of this section or an existing reserve fund may be reduced.
3. No bonds may be issued by the public finance authority unless there is in the reserve fund the required debt service reserve for all bonds then issued and outstanding and the bonds to be issued. Nothing in this chapter prevents or precludes the public finance authority from satisfying the foregoing requirement by depositing so much of the proceeds of the bonds to be issued, upon their issuance, as is needed to achieve the required debt service reserve. The public finance authority may at any time issue its bonds or notes for the purpose of providing any amount necessary to increase the amount in the reserve fund to the required debt service reserve, or to meet such higher or additional reserve as may be fixed by the public finance authority with respect to such fund.
4. In order to assure the maintenance of the required debt service reserve, there shall be appropriated by the legislative assembly and paid to the public finance authority for deposit in the reserve fund, such sum, if any, as shall be certified by the industrial commission as necessary to restore the reserve fund to an amount equal to the required debt service reserve. However, the commission may approve a resolution for the issuance of bonds, as provided by section 6-09.4-06, which states in substance that this subsection is not applicable to the required debt service reserve for bonds issued under that resolution.
5. If the maturity of a series of bonds of the public finance authority is three years or less from the date of issuance of the bonds, the public finance authority may determine that no reserve fund need be established for that respective series of bonds. If such a determination is made, holders of that respective series of bonds may have no interest in or claim on existing reserve funds established for the security of the holders of previously issued public finance authority bonds and may have no interest in or claim on reserve funds established for the holders of

subsequent issues of bonds of the public finance authority.

6. The industrial commission may determine ~~that~~ this section is inapplicable in whole or in part for bonds ~~issued under~~ section as follows:
   a. Under section 32 of this Act ~~6-09.4-06~~;
   b. Under section 6-09.4-24; or ~~under~~
   c. Under the public finance authority's state revolving fund program.

SECTION 14. Section 6-09.4-28 of the North Dakota Century Code is created and enacted as follows:

6-09.4-28. Debt service requirements - Infrastructure revolving loan fund. Each biennium, the public finance authority shall make debt service payments from the legacy bond sinking fund, or from other funds appropriated by the legislative assembly, for evidences of indebtedness issued by the authority to support the infrastructure revolving loan fund and other infrastructure grants and projects.

SECTION 15. AMENDMENT. Subsection 6 of section 21-03-07 of the North Dakota Century Code is amended and reenacted as follows:

6. The governing body of any county may also by resolution adopted by a two-thirds vote dedicate the tax levy authorized by section 57-15-06.6 and subsection 5 of section 57-15-06.7 and may authorize and issue general obligation bonds to be paid by the dedicated levy for the ~~purpose of providing funds for the purchase, construction, reconstruction, or repair of regional or county correction centers, or parks and recreational facilities~~ purposes identified under section 57-15-06.6 and subsection 5 of section 57-15-06.7; provided, that the initial resolution authorizing the tax levy dedication and general obligation bonds must be published in the official newspaper, and any owner of taxable property within the county may, within sixty days after publication, file with the county auditor a protest against the adoption of the resolution. Protests must be in writing and must describe the property which is the subject of the protest. If the governing body finds such protests to have been signed by the owners of taxable property having an assessed valuation equal to five percent or more of the assessed valuation of all taxable property within the county, as theretofore last finally equalized, all further proceedings under the initial resolution are barred.

SECTION 16. AMENDMENT. Section 21-03-19 of the North Dakota Century Code is amended and reenacted as follows:

21-03-19. Bonds - Terms. Bonds issued under this chapter must be authorized by resolution, bear such date or dates, be in such denomination or denominations, be in such form, be subject to redemption with or without premium, and be subject to such other terms or conditions as in the judgment of the municipality are in the public interest of the municipality, and must provide that the last installment of principal falls due not more than twenty years from the date of the bonds or not more than thirty years for bonds sold to the entities under section 21-03-30. The requirements of this section apply to each new issue of bonds, or if so determined by the governing body, to the bonds of a new issue combined with all of the outstanding bonds of one or more designated issues of bonds previously issued and similarly payable from taxes or other sources of revenues, or both, as the case may be.

SECTION 17. Two new sections to chapter 21-10 of the North Dakota Century Code are created and enacted as follows:

Legacy fund earnings funds – Continuing appropriation. There is hereby created in the state treasury the following special funds which shall be used for the deposit of legacy fund earnings pursuant to this chapter.

1. Economic diversification and strategic initiatives fund. Moneys in the fund may be appropriated for programs and initiatives that support economic diversification, community development and strategic initiatives, expand and develop new businesses and industries, and build healthy and vibrant communities.
2. Research and innovation fund. Moneys in the fund may be appropriated for programs and

initiatives that support research and innovation in higher education and the private sector, support the commercialization of products, and advance new technology to support industries in North Dakota.

3. Government transformation fund. Moneys in the fund may be appropriated for programs and initiatives that transform the delivery of government services, make government more effective and efficient, and reduce ongoing expenses for state government.
4. Legacy projects fund. Moneys in the fund may be appropriated for projects that:
   a. Have a positive impact on current and future generations of North Dakotan's.
   b. Have a positive impact on the state, region, or nation.
   c. Leverage other financial resources and have a positive return on investment.
   d. Do not add ongoing operational costs for state government.
   e. Build and strengthen communities.
   f. Diversify the North Dakota economy.
5. Legacy bond sinking fund. Moneys in the fund are hereby appropriated as a continuing appropriation to the public finance authority for the payment of debt service on any evidences of indebtedness payable from the legacy bond sinking fund.

Legacy fund earnings transfer. Legacy fund earnings transferred to the general fund at the end of each biennium in accordance with section 26 of article X of the Constitution of North Dakota shall immediately be transferred as follows:

1. Twenty percent to the economic diversification and strategic initiatives fund.
2. Ten percent to the research and innovation fund.
3. Ten percent to the government transformation fund.
4. Twenty percent to the legacy projects fund.
5. Forty percent to the legacy bond sinking fund.

SECTION 18. AMENDMENT. Section 54-16-04 of the North Dakota Century Code is amended and reenacted as follows:

54-16-04. May order transfer of moneys between funds - Line item transfers – Order may draw from state treasury. The emergency commission, upon the advice of the office of management and budget, may order money or spending authority transferred from one fund or line item to another fund or line item belonging to or appropriated for the same institution or board or the same state enterprise, may order a transfer of spending authority from the state contingencies appropriation, may order borrowing from the Bank of North Dakota pursuant to section 54-16-04.4, or, in an extremity, may authorize money to be drawn from the state treasury to meet the emergency until the legislative assembly can make an appropriation available. The following transfers, if authorized by the emergency commission, require the approval of the budget section of the legislative management:

1. A transfer of moneys or spending authority which would eliminate or make impossible the accomplishment of a program or objective funded by the legislative assembly.
2. A transfer exceeding fifty thousand dollars from one fund or line item to another fund or line item, unless the transfer is necessary to comply with a court order or to avoid:
   a. An imminent threat to the safety of people or property due to a natural disaster or war crisis; or
   b. An imminent financial loss to the state.

SECTION 19. Section 54-16-04.4 of the North Dakota Century Code is created and enacted as follows:

54-16-04.4. Authority to borrow funds. The emergency commission, upon the advice of the office of management and budget, may authorize the office of management and budget to borrow moneys from the Bank of North Dakota for state contingencies as provided in this chapter. Moneys borrowed from the Bank of North Dakota pursuant to this section may not exceed one million dollars during any state biennial period. Moneys borrowed pursuant to this section may be transferred by the office of management and budget to the state agency, board, commission, or officer requesting the funding to address a state contingency as approved by the emergency commission. Any state agency, board, commission, or officer receiving moneys pursuant to this section must return any unspent moneys within the biennium in which it was authorized. The office of management and budget shall request from the legislative assembly a

deficiency appropriation sufficient for the repayment of the amount borrowed plus interest.

SECTION 20. MENDMENT. Section 54-21-19 of the North Dakota Century Code is amended and reenacted as follows:

54-21-19. Director to furnish supplies and maintain capitol, state offices, and executive mansion - Authority to charge for services. The director of the office of management and budget shall provide all necessary fuel, electricity, insurance, janitorial, and other services necessary to maintain the state offices on the capitol grounds as well as all necessary furniture, fuel, electricity, express, freight, drayage, and all other necessary supplies for the executive mansion and the capitol grounds and shall make all necessary repairs. The purchases must be in accordance with chapter 54-44.4. The director shall charge an amount equal to the fair value of the office space and other services rendered to all departments ~~that receive and expend moneys from other than the general fund~~, except that for good cause the amounts charged may be waived by the director for a one-year period of time with the waiver subject to further annual renewals after proper application has been filed with the director.

SECTION 21. A new section to chapter 54-27 of the North Dakota Century Code is created and enacted as follows:

Shared services fund – Creation – Appropriation. There is created in the state treasury a state shared services fund. Any payment to a state agency or institution received from another state agency or institution as a result of a shared services agreement must be deposited in the state shared services fund. Any moneys deposited by a state agency or institution in the state shared services fund are hereby appropriated to that agency or institution for the purposes of defraying the costs of equipment, operating expenses, or salaries relating to the shared services agreement.

SECTION 22. AMENDMENT. Section 54-27.2-01 of the North Dakota Century Code is amended and reenacted as follows:

54-27.2-01. Budget stabilization fund. The budget stabilization fund is a special fund in the state treasury. The state investment board shall supervise investment of the budget stabilization fund in accordance with chapter 21-10. Any interest or other budget stabilization fund earnings must be credited to the fund. Any amounts provided by law for deposit in the fund and any interest or earnings of the fund which would bring the balance in the fund at the end of any fiscal year to an amount greater than ~~fifteen~~ten percent of the current biennial state general fund budget, as finally approved by the most recently adjourned special or regular session of the legislative assembly, may not be deposited in or credited to the fund but must be deposited instead in the state general fund.

SECTION 23. AMENDMENT. Section 54-44-11 of the North Dakota Century Code is amended and reenacted as follows:

54-44-11. Office's operating funds creation - Continuing appropriation.

1. The office of management and budget shall establish a state purchasing operating fund to be used for the procurement and maintenance of an inventory of equipment and supplies for the state departments and agencies. Funds in the state purchasing operating fund are appropriated on a continuing basis and may be spent by the office of management and budget for the procurement and maintenance of an inventory of equipment and supplies as provided in this subsection. The director of the office of management and budget shall transfer any unobligated balance in the fund, in excess of one hundred twenty-five thousand dollars, to the state general fund at the end of each fiscal year.
2. The office of management and budget shall establish a state printing operating fund to be used for the procurement and maintenance of an inventory of printing equipment and supplies for the state departments and agencies.
3. The office of management and budget shall establish a state personnel training and development operating fund to be used for the coordination of employee training and career development data, supplies, equipment, and services and for providing or arranging necessary training and development programs to state departments and agencies. Funds in the state personnel training and development operating fund are appropriated on a continuing basis to

the office of management and budget and may be spent for the purposes identified in this subsection. Any surplus in this fund in excess of twenty-five thousand dollars on June thirtieth of each year must be transferred to the state general fund.

4. The office of management and budget shall establish a facility management operating fund to be used for the salary and operations of the division of facility management. Rental fees collected pursuant to section 54-21-19 shall be deposited into the fund. The director of the office of management and budget shall transfer any unobligated balance in the fund to the state general fund at least once each biennium.

~~4~~5. Each office, agency, or institution provided with printing or personnel training services, unless exempted by law, shall pay to the office of management and budget a proportionate share of the cost of such service as determined by the director of the office of management and budget, based on actual costs and actual usage. The amounts paid to the office of management and budget by the various offices, agencies, and institutions must be deposited in the appropriate operating fund and must be expended in accordance with legislative appropriations.

SECTION 24. AMENDMENT. Section 54-44.1-18 of the North Dakota Century Code is amended and reenacted as follows:

54-44.1-18. Searchable database of expenditures.

1. The director of the budget shall develop and make publicly available an aggregate and searchable budget database website that includes the following information for the biennium:
   a. Each budget unit making expenditures.
   b. The amount of funds expended.
   c. The source of the funds expended.
   d. The budget program of the expenditure.
   e. Any other information determined relevant by the director of the budget.
2. The director of the budget shall include the name and city of the recipient of each expenditure in the budget database website after the director has completed implementation of a business intelligence component to the state's financial reporting system.
3. The director of the budget may not include in the database any information that is confidential or exempt under state or federal law.
4. The director of the budget may update the budget database website as new data becomes available. Each state agency shall provide to the director of the budget any data required to be included in the budget database website no later than thirty days after the data becomes available to the agency.
5. By January first of each even-numbered year, the director of the budget shall add data for the previous biennium to the budget database website. The director of the budget shall ensure that all data added to the budget database website remains accessible to the public for a minimum of ten years.
6. The budget database website may not redirect users to any other government website unless the website has information from all budget units and each category of information required can be searched electronically by field in a single search.
7. ~~The governing body of each political subdivision may submit the annual budget adopted by the governing body to the director of the budget. The director of the budget shall include on the office of management and budget website any information submitted by a participating governing body of a political subdivision. The official who submits the annual budget to the director of the budget may not submit any information that is confidential under state or federal law. In lieu of submitting the annual budget adopted by the governing body to the director, any participating governing body may provide to the director a publicly accessible internet link on which the annual budget adopted by the participating governing body is available.~~

SECTION 25. AMENDMENT. Section 54-44.4-07 of the North Dakota Century Code is amended and reenacted as follows:

54-44.4-07. Procurement of environmentally preferable products.

1. The office of management and budget, the institutions of higher education, and any other state agency or institution that has authority to purchase products are encouraged to purchase environmentally preferable products.
   a. Where practicable, specifications for purchasing newsprint printing services should specify

the use of soybean-based ink. The North Dakota soybean council and the agriculture commissioner shall assist the office of management and budget in locating suppliers of soybean-based inks and in collecting data on the purchase of soybean-based inks.

b. ~~In requesting bids for paper products, the office of management and budget must request information on the recycled content of such products.~~

~~c~~b. Where practicable, biobased products should be specified.

2. The office of management and budget, in coordination with the state board of higher education, shall develop guidelines for a biobased procurement program.

SECTION 26. AMENDMENT. Section 54-44.4-08 of the North Dakota Century Code is amended and reenacted as follows:

54-44.4-08. Purchase of recycled paper products. Where practicable,t~~T~~he office of management and budget, and any state agency or institution that has authority to purchase ~~products, shall ensure that at least twenty percent of the total volume of~~ paper and paper products ~~being purchased for state agencies and institutions contain~~should specify at least twenty-five percent recycled material. ~~The office of management and budget shall implement a methodology to track compliance with this section~~.

SECTION 27. Section 54-59-40 of the North Dakota Century Code is created and enacted as follows:

54-59-40 Business Process Improvement Projects – Borrowing authority for project with qualified return on investment – Appropriation. Any board, agency, commission, or officer of the state may undertake a business process improvement project if it is determined by the department that the estimated savings in capital expenses, operating expenses, and salaries over a period not to exceed six years will meet or exceed the cost of the project plus any associated financing costs for the project. Subject to approval by the emergency commission, and upon determination by the department that the project meets the requirements of this section, the board, agency, commission, or officer of the state may borrow from the Bank of North Dakota or other lender the amount required to implement the project, with a repayment term not to exceed six years. Any moneys borrowed pursuant to this section are hereby appropriated and may be spent by the board, agency, commission, or officer of the state to complete the business process improvement project.

SECTION 28. AMENDMENT. Section 57-15-06.6 of the North Dakota Century Code is amended and reenacted as follows:

57-15-06.6. County capital projects levy.

1. The board of county commissioners of each county may levy an annual tax not exceeding ten mills plus any voter-approved additional levy as provided in subsection 8 of section 57-15-06.7 for the purpose of the following capital projects:

~~1.~~ a. Constructing and equipping and maintaining structural and mechanical components of regional or county corrections centers or for the purpose of contracting for corrections center space capacity from another public or private entity.

~~2.~~ b. Acquiring real estate as a site for public parks and construction and equipping and maintaining structural and mechanical components of recreational facilities under section 11-28-06.

~~3.~~ c. Acquiring real estate as a site for county buildings and operations and constructing and equipping and maintaining structural and mechanical components of county buildings and property.

~~4.~~ d. Acquiring real estate as a site for county fair buildings and operations and constructing and equipping and maintaining structural and mechanical components of county fair buildings and property as provided in section 4-02-26.

~~5.~~ e. Acquiring and developing real estate, capital improvements, buildings, pavement, equipment, and debt service associated with financing for county supported airports or airport authorities.

~~6.~~ f. Expenditures for the cost of leasing as an alternative means of financing for any of the purposes for which expenditures are authorized under ~~subsections 1~~subdivisions a through ~~5~~e.

g. Improvement of the county road system, including the acquisition of land, construction of new paved and unpaved roads and bridges, replacement of existing paved and unpaved

roads and bridges, and maintenance and repair of existing paved and unpaved roads and bridges.

2. Any voter-approved levy for the purposes specified in this section approved by the electors before January 1, 2015, remains effective through 2024 or the period of time for which it was approved by the electors, whichever is less, under the provisions of law in effect at the time it was approved. After January 1, 2015, approval or reauthorization by electors of increased levy authority under this section may not be effective for more than ten taxable years.

SECTION 29. AMENDMENT. Section 57-47-02 of the North Dakota Century Code is amended and reenacted as follows:

57-47-02. County authorized to borrow - Term - Interest rate. Whenever in the judgment of the board of county commissioners all taxes authorized to be levied in any one year for general or special county purposes are insufficient to carry on the primary governmental functions, or to pay the mandatory obligations imposed by law upon a county, then such a county may borrow money in such an amount as the board shall determine to be necessary to meet the deficiencies existing in its general or special funds, or to carry on primary governmental functions, and to pay mandatory obligations. For the purpose of borrowing, a county may issue evidences of indebtedness, which must consist of an agreement by the county to pay a stated sum on a specified date, or on or before a specified date, not more than ~~five~~twenty years in the future, together with interest thereon at a rate or rates resulting in an average annual net interest cost not to exceed twelve percent per annum if sold privately, or with no interest rate ceiling if sold at a public sale or to the state of North Dakota or any of its agencies or instrumentalities. A public sale must comply with the procedures set out in chapter 21-03. There is no requirement for an advertisement for bids if an evidence of indebtedness is sold privately or to the state of North Dakota or any of its agencies or instrumentalities.

SECTION 30. AMENDMENT. Section 57-51.1-07.5 of the North Dakota Century Code is amended and reenacted as follows:

57-51.1-07.5. State share of oil and gas taxes - Deposits. From the revenues designated for deposit in the state general fund under chapters 57-51 and 57-51.1, the state treasurer shall deposit the revenues received each biennium in the following order:

1. The first two hundred fifty million dollars into the state general fund;
2. The next two hundred million dollars into the tax relief fund;
3. The next seventy-five million dollars into the budget stabilization fund, but not in an amount that would bring the balance in the fund to more than the limit in section 54-27.2-01;
4. The next two hundred fifty million dollars into the state general fund;
5. The next ten million dollars into the lignite research fund;
6. The next fifteen million dollars into the state disaster relief fund, but not in an amount that would bring the unobligated balance in the fund to more than fifteen million dollars;
7. The next thirty million three hundred seventy-five thousand dollars, or the amount necessary to provide for the distributions under subsection 2 of section 57-51.1-07.7, into the municipal infrastructure fund;
8. The next four hundred million dollars into the strategic investment and improvements fund;
9. An amount equal to the deposit under subsection 7 into the county and township infrastructure fund;
10. The next one hundred sixty-nine million two hundred fifty thousand dollars or the amount necessary to provide a total of two hundred thirty million dollars into the funds designated for infrastructure development in non-oil-producing counties under sections 57-51.1-07.7 and 57-51.1-07.8 with fifty percent deposited into the municipal infrastructure fund and fifty percent deposited into the county and township infrastructure fund;
11. The next twenty million dollars into the airport infrastructure fund; and
12. Any additional revenues into the strategic investment and improvements fund.

SECTION 31. TRANSFER INFRASTRUCTURE REVOLVING LOAN FUND FOR WATER PROJECTS TO INFRASTRUCTURE REVOLVING LOAN FUND. The state water commission shall transfer any outstanding loans from the infrastructure revolving loan fund under section 61-02-78 to the infrastructure revolving loan fund during the biennium beginning July 1, 2021 and ending June 30, 2023.

SECTION 32. PUBLIC FINANCE AUTHORITY - BOND ISSUANCE LIMITATION. The public finance authority may issue up to $1,250,000,000 of evidences of indebtedness, for bienniums beginning July 1, 2021 and ending June 30, 2025. The term of any evidences of indebtedness issued under this section may not exceed thirty years.

SECTION 33. PUBLIC FINANCE AUTHORITY – TRANSFER OF BOND PROCEEDS. The public finance authority may grant or transfer money as follows:

a. $700,000,000 to the Bank of North Dakota for capitalization of revolving loan funds
b. $302,400,000 to the Department of Transportation:
    i. $15,000,000 for bridge improvements,
    ii. $237,400,000 for the department infrastructure improvement plan, and
    iii. $50,000,000 for Highway 85 improvements.
c. $30,500,000 to the department of parks and recreation
    i. $20,600,000 for infrastructure improvements grants to park districts.
    ii. $9,900,000 for state park system infrastructure upgrades
d. $45,000,000 to the state board for career and technical education for cost-share projects to establish career academies.
e. $19,000,000 to the state board of higher education for Tier II and Tier III infrastructure improvement projects.
f. $137,100,000 to the office of management and budget:
    i. $130,500,000 for critical state building maintenance and repair projects,
    ii. $5,500,000 for capitol complex space utilization improvements
    iii. $600,000 for capitol complex accessibility improvements
    iv. $500,000 for renovation of the Brynhild Haugland room in the state capitol.
g. $14,000,000 to North Dakota state university for construction of the agriculture development center.
h. $2,000,000 to Dakota college for renovation of Old Main.
i. Other agencies as required.

SECTION 34. TRANSFER COMMUNITY WATER FACILITY LOAN FUND TO INFRASTRUCTURE REVOLVING LOAN FUND. The Bank of North Dakota shall transfer the community water facility loan fund under section 6-09.5 to the infrastructure revolving loan fund during the biennium beginning July 1, 2021 and ending June 30, 2023.

SECTION 35. POSITION TRANSFER AUTHORITY. During the 2021-23 biennium the office of management and budget has the authority to transfer two full-time equivalent positions and corresponding salary totaling $424,739 from North Dakota information technology to the office of management and budget for the unification of human resource services.

SECTION 36. REPEAL. Chapter 6-09.5 and section 61-02-78 of the North Dakota Century Code are repealed.

SECTION 37. REPEAL. Sections 54-06-25 and 54-44.3-03 of the North Dakota Century Code are repealed.

SECTION 38. EFFECTIVE DATE. Section 35 of this Act becomes effective July 1, 2022.

2021 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

HB 1015
3/17/2021
Senate Appropriations Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget.

Senator Holmberg opened the hearing at 8:30 AM.

Senators present: **Holmberg, Krebsbach, Wanzek, Bekkedahl, Poolman, Erbele, Dever, Oehlke, Rust, Davison, Hogue, Sorvaag, Heckaman and Mathern.**

Discussion Topics:

- Money for Capitol construction and upgrades
- Procurement for agencies
- IT System replacements
- State facilities assessment & maintenance
- Borrowing authority
- Management of Guardianships

Joe Morrissette, Director, Office of Management and Budget – testified in favor and submitted testimony #9647.

Terry Traynor, Executive Director, ND Association of Counties – testified in favor and submitted testimony #9634.

Audrey Ulhrich, Program Director, Guardian and Protective Services, Inc. – testified in favor and submitted testimony #9635.

John Harris, President & CEO, Prairie Public Broadcasting, Inc. – testified in favor and submitted testimony #9708.

Donna Byzewski, Director, ND Catholic Charities, Fargo ND – testified in favor and submitted testimony #9595.

Margo Haut, Director, Guardian Angels, Inc., **Jamestown, ND** – testified in favor and submitted testimony #9764.

Additional written testimony: #9120, #9235, #9495, #9558, #9838.

Senator Krebsbach closed the hearing at 10:18 AM.

Rose Laning, Committee Clerk

9647

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Testimony in Support of
Engrossed House Bill No. 1015
Senate Appropriations
March 17, 2021

TESTIMONY OF
Joe Morrissette, Director of OMB

Good morning Chairman Holmberg and members of the Senate Appropriations Committee. I am Joe Morrissette, the Director of the Office of Management and Budget.

My budget testimony consists of:

- The attached slide deck, which summarizes our current budget, 2019-21 accomplishments, goals for the 2021-23 biennium, and the changes we ask you to consider to the House version of House Bill 1015
- OMB organizational chart
- Spreadsheet summarizing fiscal year 2020 expenditures and the 2021-23 executive budget by line item and by ongoing and one-time expenditures
- Spreadsheet summarizing House changes to the Legislative Base level and the comparison to the Executive Budget Recommendation

I look forward to working with all of you this session and am available any time to address your questions regarding the OMB budget and any other aspect of the governor's executive budget.

Feel free to contact me either at jmorrissette@nd.gov, my office number at 701-328-4606, or my cell phone at 701-220-6361.

Joe Morrissette, Director
March 17, 2021

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1

WHO WE ARE

Mission Statement

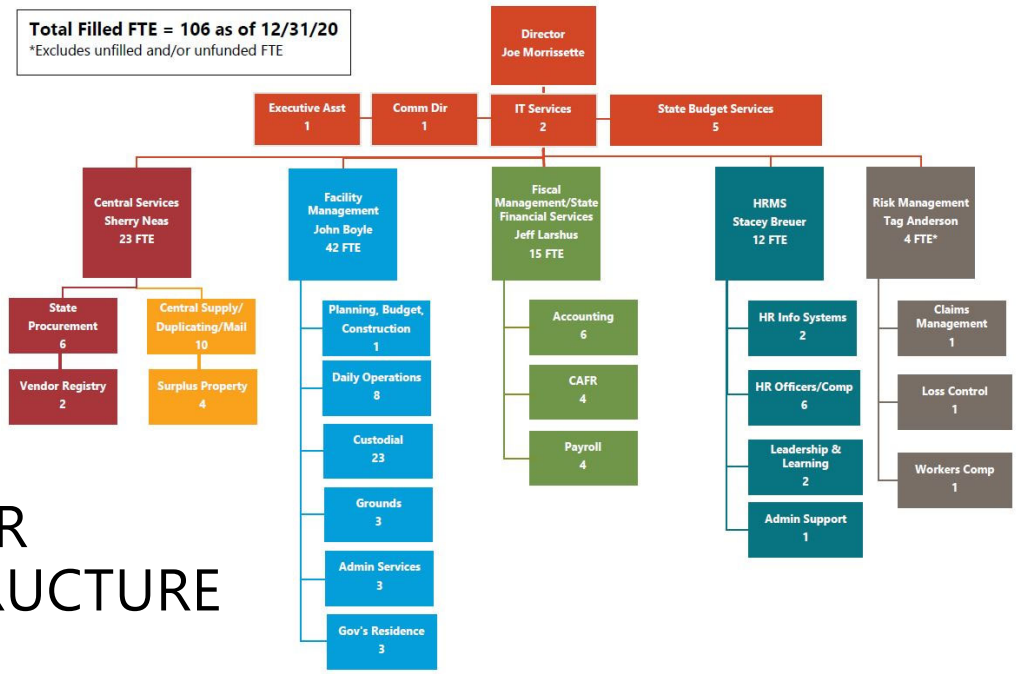
Provide innovative leadership and support to state government.

Structure – Five Divisions

- Central Services
- Facility Management
- Fiscal Management
- Human Resource Management Services
- Risk Management

2

OUR STRUCTURE



3

CENTRAL SERVICES DIVISION

What We Do

- Operate state procurement to obtain needed goods, services, printing and IT through a legal, fair, and competitive process.
- Establish state contracts to save time, money and create efficiency for government entities.
- Provide procurement training and help agencies purchase goods, services, printing and IT.
- Operate a central supply of office products.
- Operate the online vendor registry system which allows online registration to pay vendors and provide IRS 1099 reporting.
- Operate a central printing and mailing service to create efficiency and avoid duplication.
- Distribute state and federal surplus property to eligible entities and manage e-waste.

Who We Serve

- State agencies
- Vendors
- K-12, NDUS and political subdivisions

4

FACILITY MANAGEMENT DIVISION

What We Do

- Maintain the state Capitol complex.
- Approve all leases for space outside the Capitol complex.
- Provide space utilization and facility planning guidance to state agencies.
- Provide Capitol tours.
- Approve and coordinate events held on the Capitol complex.
- Support the Capital Grounds Planning Commission.
- Manage construction projects, major improvements and repairs within the Capitol complex.
- Manage the 2019-21 comprehensive real estate study.
- Plan for the future through the Capitol Grounds Master Plan.

Who We Serve

- State agencies
- The public

5

FISCAL MANAGEMENT DIVISION

What We Do

- Provide financial management and financial services to state government, including:
  - Budgeting ▪ Accounting ▪ Payroll ▪ Financial Reporting
- Manage the state purchasing card (P-card) program, creating a simplified and efficient payment process and generating rebates for the general fund and political subdivisions.
- Maintain the state financial transparency portal.
- Maintain the statewide PeopleSoft Financial/HR Enterprise Resource Planning (ERP) system.

Who We Serve

- State agencies
- State team members
- The governor
- The public
- Media
- Political subdivisions
- Legislators

6

HUMAN RESOURCE MANAGEMENT SERVICES

What We Do

- Provide HR guidance, assistance, and comprehensive HR services to state agencies.
- Promote consistent HR policies and practices.
- Establish and maintain the state classification system.
- Provide professional development and leadership training to state team members.
- Support agencies through the talent acquisition process.
- Maintain the state careers website.
- Support PeopleSoft Human Capital Management (HCM), Enterprise Learning Management (ELM) and job description system.

Who We Serve

- State agency HR leaders
- State team members
- Career seekers

7

RISK MANAGEMENT DIVISION

What We Do

- Promote safety and loss control practices.
- Coordinate the management of risk in state governmental activities including:
  - Risk assessment
  - Loss control
  - Risk financing
  - Claims administration
  - Litigation
- Maintain cyber insurance coverage for state government.
- Administer the single joint account for all state entities in cooperation with WSI as part of a large deductible program.

Who We Serve

- State agencies and institutions
- State team members
- Citizens

8

2019-21 ACCOMPLISHMENTS

Team member communications and training

- ✓ Launched OMB Agency Essentials training program with over 600 participants
- ✓ Launched procurement 2020 communications plan
- ✓ Delivered Leadership Everywhere training to over 3,100 individuals
- ✓ Launched Gallup Employee Engagement Survey

Efficiency through new technology

- ✓ PeopleSoft Fiscal upgrade
- ✓ Online onboarding process
- ✓ New Surplus Property marketing module
- ✓ Risk Vision software replacement
- ✓ Single use accounts payment process to facilitate electronic vendor payments
- ✓ New careers webpage
- ✓ Budget/actual transparency dashboard
- ✓ Total Rewards statement
- ✓ CARES Act transparency dashboard

Facilities

- ✓ South entrance remodel project
- ✓ Space utilization study/campus master plan
- ✓ Replacement of south Capitol sign
- ✓ Capitol building COVID-19 improvements

Fiscal management

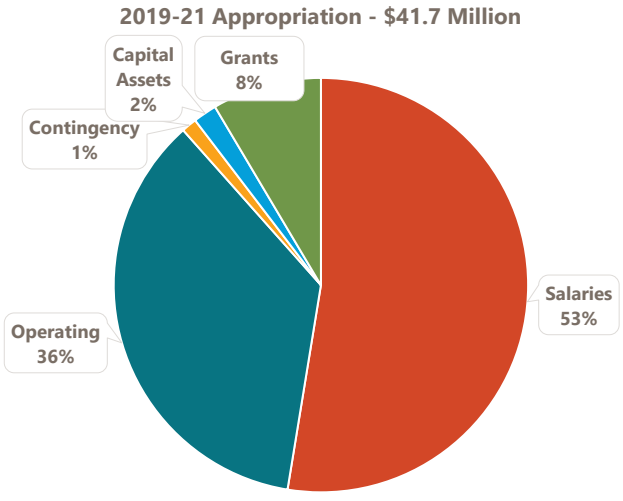
- ✓ Developed 10-year facility maintenance plans
- ✓ Synced budget documents to legislative base for improved clarity
- ✓ Managed distribution and reporting of $1.25 B federal Coronavirus Relief Fund
- ✓ Generated p-card rebate of $2.8 million in FY20

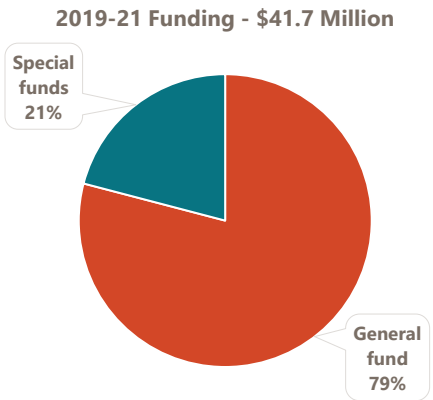
Efficiency through centralization

- ✓ BND and DOT printing
- ✓ Uniform HR policies
- ✓ HFA payroll processing
- ✓ eProcurement study with Higher Ed
- ✓ DEQ HR and payroll administration
- ✓ Small agency payroll administration
- ✓ Dept of Commerce procurement services

9

OMB LEGISLATIVE BASE BUDGET





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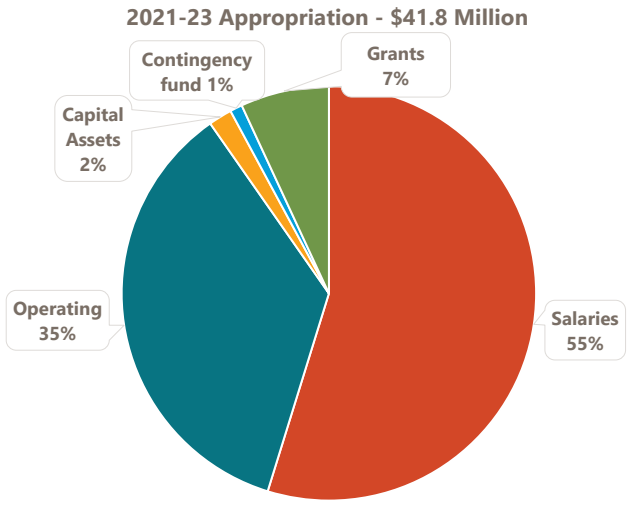
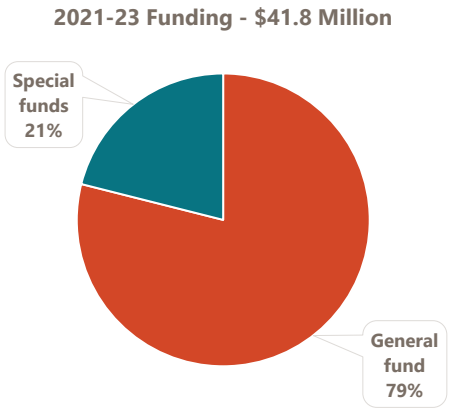
OMB BUDGET - HOUSE VERSION – ONGOING EXPENDITURES - .4% INCREASE





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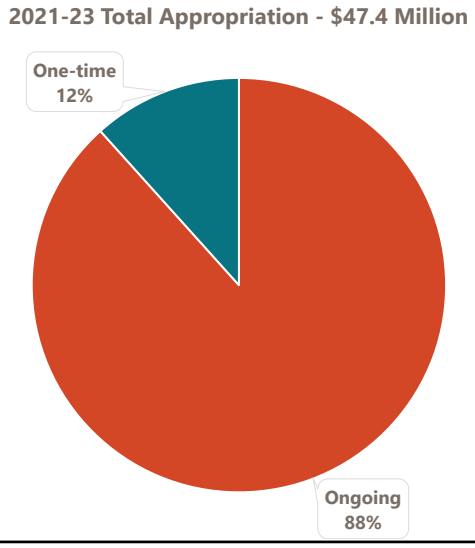
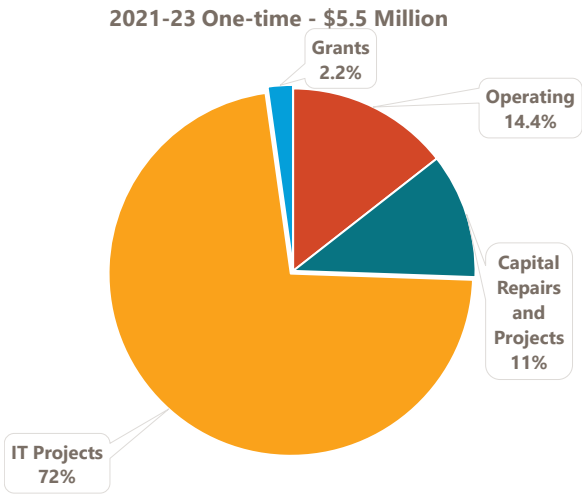
OMB BUDGET - HOUSE VERSION - ONGOING AND ONE-TIME EXPENDITURES





12

2021-23 GOALS AND OBJECTIVES

Improve team member communications and training

- ❑ Statewide intranet and communications
- ❑ OMB intranet
- ❑ New OMB website
- ❑ Continued development and delivery of OMB Agency Essentials training
- ❑ Continued development and delivery of Leadership Everywhere training

Improve efficiency through new technology

- ❑ Procurement automation system
- ❑ New state budgeting system
- ❑ PeopleSoft travel and expense module

Improve facilities

- ❑ Improve utilization of Capitol through space reconfiguration, ADA improvements and Brynhild Haugland Room remodel
- ❑ Improve state facilities by addressing backlog of deferred maintenance

Improve efficiency through unification

- ❑ Printing and mailing consolidation with additional agencies
- ❑ Payroll administration consolidation with additional small agencies
- ❑ HR services consolidation with additional small agencies
- ❑ Procurement consolidation with additional small agencies
- ❑ Study and analyze facility management opportunities for consolidation and efficiency

13

GOALS AND OUTCOMES

Improved Efficiency/Reduced Costs

Increased Consistency

Operational Improvement

Unification of processes, policies and operations.

14

UNIFICATION STRATEGY FOR HR, PAYROLL AND PROCUREMENT

Assess agency capability in HR, Procurement and Payroll

Unification of Policy
Business process remains with agency – Unification achieved through unified policies, training, education and support.

Agency capability or size above threshold

Agency capability or size below threshold

Unification of Business Process
Business process assumed by OMB rather than agency.

Agency Size and Capability

15

BUDGET CHANGES INCLUDED IN HOUSE VERSION

We ask your support for the following changes to the legislative base level <u>included in Engrossed House Bill No. 1015.</u>

16

BUDGET CHANGES

IT SYSTEM UPGRADES AND REPLACEMENTS

- New state budget system
  - One-time system acquisition and implementation
    - $1,230,100 funded from SIIF
  - Ongoing costs for maintenance and updates
    - Biennial cost of $403,000 funded from the general fund
    - Less than the $429,688 biennial maintenance and hosting costs associated with the current budget system
- eProcurement automation system
  - One-time system acquisition and implementation
    - $2,021,204 funded from SIIF
  - Ongoing costs for maintenance and updates
    - Biennial cost of $152,000 funded from general fund
- Building access automation system
  - Phase one - one-time system upgrade costs
    - $518,800 funded from Capitol Building Fund
    - Total project cost of $800,000

17

- Capitol Building Fund expenditures for repairs and projects - $1.65 million
  - $500,000 for exterior and interior wayfinding signage
  - $500,000 for parking lot and road repairs, mechanical system repairs, and other miscellaneous repairs on the capitol complex
  - $300,000 for special assessments
  - $350,000 for facility management consolidation and efficiency study

BUDGET CHANGES

CAPITAL REPAIRS AND EXPENDITURES

18

BUDGET CHANGES
IMPROVED SERVICE DELIVERY

Repurposing of 4 vacant FTE to expand OMB services:

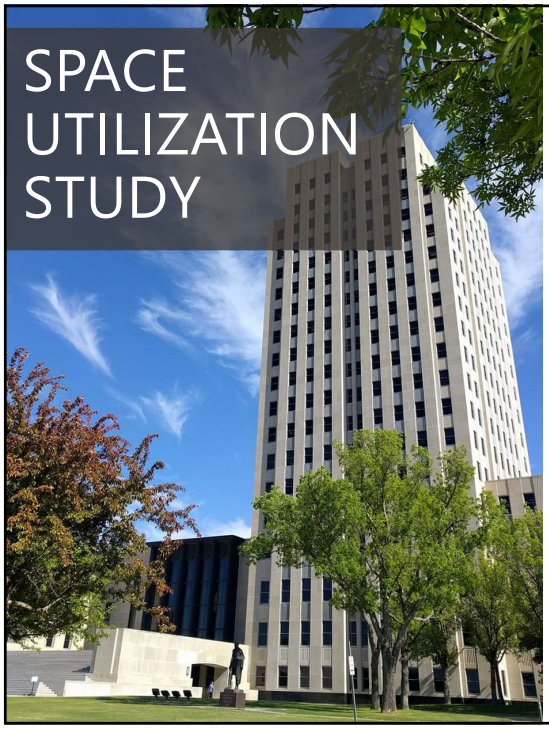
- Additional funding of $215,693 to fully fund vacant positions
- 1 additional HR officer to provide services to small agencies without dedicated internal HR staff, centralize the state leave sharing program and better meet the demands from agencies requesting help with HR issues
- 3 additional procurement officers to expand procurement services, manage the eProcurement system, provide additional services to small agencies without dedicated internal procurement staff, and provide more oversight of the procurement process

19

BUDGET CHANGES
CONTINGENCY FUNDING

- Reduced appropriation (included in House version):
  - Reduced by $100,000, from $500,000 to $400,000
  - Current appropriation of $500,000 has not been used
- Borrowing authority alternative (not included in House version):
  - Executive budget proposed authority for the Emergency Commission to authorize OMB to borrow up to $1 million from the Bank of North Dakota as a line of credit to respond to state contingencies
  - Borrowing authority would avoid the need for a contingency fund appropriation

20



Section 23 – Space Utilization and Rent Study

- Added by House in lieu of proposed change to Capitol complex rent model
- Capitol complex master plan updated during 2019-21
- Rent model change would have helped maximize space utilization
- We prefer moving forward with the rent model change as proposed, but support the proposed legislative study

21

CARRYOVER AUTHORITY

Section 20 – Fiscal Management

- Recurring section included in introduced bill and OMB bills from previous sessions
- Allows any unspent funds in Fiscal Management division to be carried forward to develop and maintain statewide accounting, management and payroll systems

Section 21 – State Student Internship Program

- COVID resulted in reduced expenditures during 2019-21
- Added by House to allow carryover to be used to continue this program
- $125,000 estimated turnback added to $100,000 new appropriation to allow the program to continue at $225,000 for 2021-23

22

CARRYOVER AUTHORITY

Section 22 – State Facilities Assessment

- $500,000 appropriation for 2019-21 used for:
  - Condition assessment of select state buildings
  - Development of space utilization alternatives
  - Update to Capitol complex master plan
  - Approximately $200,000 will be unspent
    - Contracted services related to proposed space utilization study, or
    - Continue building assessment and space utilization work if legislative study is not prioritized

23

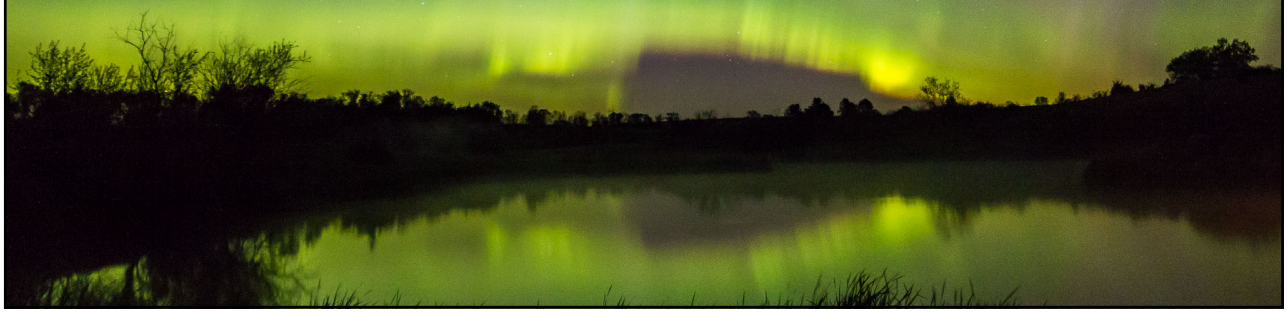
OTHER SECTIONS

- Section 3 – Community Services Supervision Fund
- Section 10 – Risk Management Fund – Claims payment
- Section 11 – State compensation adjustments
- Section 12 – Transparency site – Political subdivision info
- Section 13 and 14 – Procurement statutory cleanup
- Section 19 – Repeal of State Employee Compensation Commission

24

REQUESTED CHANGES TO THE HOUSE VERSION

We ask your consideration of the following changes to Engrossed House Bill No. 1015.



25

BUDGET CHANGES

UNIFICATION OF SERVICES

- IT Unification:
  - Transfer of 4 FTE positions from OMB to NDIT
    - Desktop Support Specialist
    - IT Coordinator/Network Specialist
    - Human Resources Information System Manager
    - Business Analyst I
  - Transfer of funding within OMB budget
    - Reduction of $845,545 to salaries and wages line item
    - Increase of $845,545 to operating expenses line item to pay NDIT charges for services
- HR Unification:
  - Transfer of 2 FTE positions from NDIT to OMB
  - Transfer of $425,000 from NDIT to OMB

26

BUDGET CHANGES
CAPITOL BUILDING IMPROVEMENTS

- Extraordinary repairs
  - OMB Request for $900,000; $500,000 included in House version
  - Would not allow for electrical and mechanical improvements to Capitol during the 2021-23 biennium
- Space reconfiguration
  - Executive budget included $5.5 million; $0 included in House version
  - Would allow reconfiguration and remodeling to best utilize Capitol complex space and provide high ROI
- Brynhild Haugland Room
  - Executive budget included $500,000; $0 included in House version
  - Would improve access and functionality of the largest meeting room in the Capitol

27

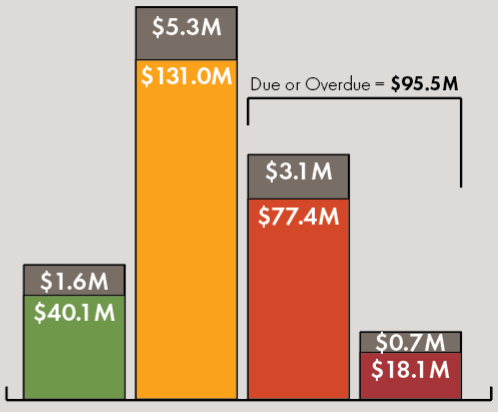
STATE FACILITY MAINTENANCE AND REPAIR PROJECTS

Executive budget proposed $130.5 million for critical state building maintenance and repair projects identified through 2019-2020 real estate study and condition assessment

PRIORITIZATION DEFINITIONS

ALARM	Equipment failure inevitable or excessively past useful life
ALERT	Equipment in need of repairs or nearing end of useful life
CAUTION	Equipment operating in a degraded condition
ACCEPTABLE	Equipment in acceptable condition and within useful life
BIENNIAL COST INFLATER	Additional cost incurred if projects are delayed two years

IDENTIFIED NEEDS SUMMARY



28

CONTINGENCY BORROWING AUTHORITY

Emergency Commission Borrowing Authority

- This proposal would allow the Emergency Commission to authorize OMB to borrow up to $1 million from the Bank of North Dakota, as a line of credit to respond to state contingencies.
- The current and past appropriations of $500,000 to $700,000 are rarely used in their entirety but would be inadequate to respond to a significant event.
- Any funds borrowed under this proposed authority would be repaid with a deficiency appropriation requested from the subsequent Legislative Assembly.

29

SHARED SERVICES AUTHORITY

Shared Services Fund

- This proposal would create a new state fund, called the Shared Services Fund.
- Creation of this fund would facilitate sharing between state agencies and has the potential to create long-term savings for the state.
- Without the creation of this fund, agencies have no incentive to create efficiency through shared service agreements.

Example:

- *Two agencies are collocated and could find cost savings through sharing costs for a copier.*
- *Without this fund, if Agency A purchases the copier and Agency B wants to share the costs, any payments made to Agency A typically must be deposited into the general fund and the agency receives no benefit and is unable to offset any costs.*
- *Creation of this fund would allow Agency A to accept payments from Agency B, deposit those moneys in the Shared Services Fund, then use those moneys to offset costs associated with the copier.*
- *Only one copier is purchased or leased, rather than two.*

30

BUSINESS PROCESS IMPROVEMENT BORROWING

Business Process Improvement Borrowing

- This proposal would create a new section to the NDCC modeled after existing language that allows borrowing for energy savings building improvements.
- This proposed language would allow agencies to borrow from BND to finance a business process improvement project, if NDIT certifies the savings from the project will pay for the project costs, plus interest, within at least six years.
- The repayments would come from existing appropriation levels; no new appropriation would be required to repay the loan.
- Long-term savings would benefit the state in subsequent bienniums.

31

STATE PERSONNEL BOARD REPEAL

- OMB proposes the repeal of NDCC Section 54-44.3-03 relating to the State Personnel Board.
- The Office of Administrative Hearings (OAH) now performs most of the functions originally performed by the State Personnel Board, including hearing all grievances relating to state agency employer actions.
- The two functions of the State Personnel Board are to approve changes to the state salary ranges and to hear appeals of reclassification requests.
- In the past two years the Board has only heard two appeals. There is currently a multiple step process to review reclassification requests prior to going to the Board. These appeals are handled by an internal committee of Human Resource professionals who have received training regarding the classification system.

32

Section 11 – Provides legislative guidelines for state team member compensation adjustments

- Executive budget proposal was 2%/2%, with agency flexibility
- Request to include language similar to 2019 SB2015:
  - Agencies may use salaries and wages funding available due to vacant positions and employee turnover to provide additional salary increases for selected employees to address salary compression issues or to enhance merit-based increases for employees essential to the effective operations of the agency.

33

OTHER TESTIMONY IN SUPPORT OF PASS-THROUGH GRANTS

- **Guardianship grants**
  - Terry Traynor, Executive Director, North Dakota Association of Counties
- **Prairie Public Broadcasting**
  - John Harris, President and CEO, Prairie Public Broadcasting

34

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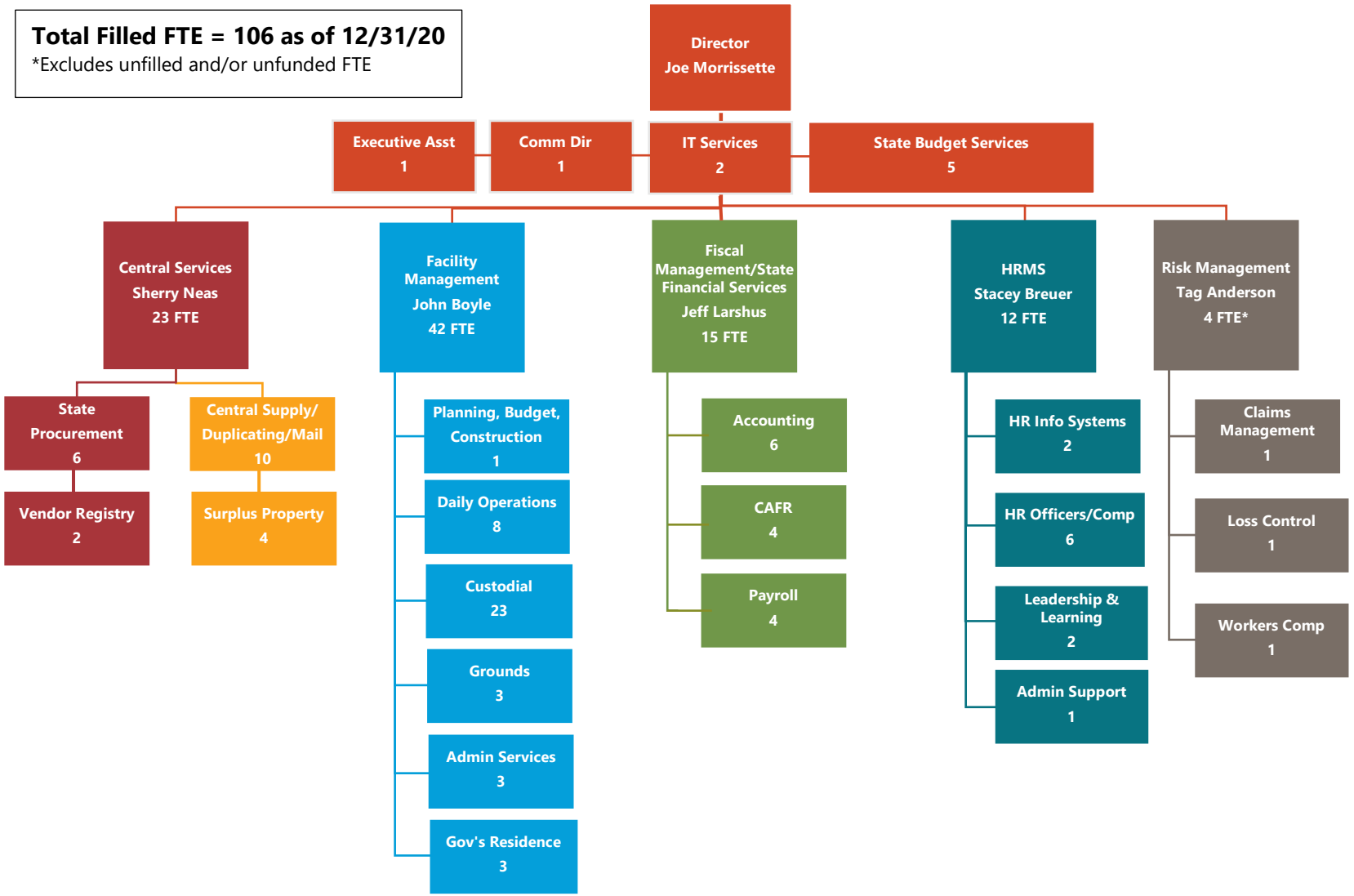
Total Filled FTE = 106 as of 12/31/20
*Excludes unfilled and/or unfunded FTE



Office of Management Budget
2019-21 and 2021-23 Biennium Budget

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2019-21 and 2021-23 Biennium Comparison

	Actual Expenditures FY 2020	Remaining appropriation for FY 2021	2019-21 Appropriation	2019-21 Base Level	Change from 19-21 to 21-23	2021-23 Budget Recomm.	On-going	One-time
Salaries and wages	$10,908,526	$10,995,290	$21,903,816	$21,903,816	$123,527	$22,027,343	$22,027,343	$0
Operating expenses	$7,068,589	$8,738,837	$15,807,426	$14,937,426	$1,827,304	$16,764,730	$16,114,730	$650,000
Contingency fund	$0	$500,000	$500,000	$500,000	($500,000)	$0	$0	$0
Capital assets	$1,376,157	$3,460,968	$4,837,125	$767,125	$142,767,494	$143,534,619	$764,515	$142,770,104
Grants	$27,000	$27,000	$54,000	$54,000	($54,000)	$0	$0	$0
Guardianship grants	$975,000	$975,000	$1,950,000	$1,950,000	$0	$1,950,000	$1,950,000	$0
Community service grants	$175,000	$175,000	$350,000	$350,000	($52,500)	$297,500	$297,500	$0
Prairie Public Broadcasting	$600,000	$600,000	$1,200,000	$1,200,000	($180,000)	$1,020,000	$1,020,000	$0
Litigation pool	$736,076	$2,763,924	$3,500,000	$0	$0	$0	$0	$0
State student internship	$67,591	$182,409	$250,000	$0	$200,000	$200,000	$0	$200,000
Total Funding	**$21,933,939**	**$28,418,428**	**$50,352,367**	**$41,662,367**	**$144,131,825**	**$185,794,192**	**$42,174,088**	**$143,620,104**
General Fund	$15,318,145	$17,897,707	$33,215,852	$32,915,852	($1,019,072)	$31,896,780	$28,095,476	$3,801,304
Other Funds	$6,615,794	$10,520,721	$17,136,515	$8,746,515	$145,150,897	$153,897,412	$14,078,612	$139,818,800
FTE			112.00	112.00	(4.00)	108.00		

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2019-21 and 2021-23 Biennium Comparison

	2021-23 Base Level	House Changes	2021-23 House Version	Difference Between House and Rec	2021-23 Budget Recomm.	On-going	One-time
Salaries and wages	$21,903,816	$893,187	$22,797,003	$769,660	$22,027,343	$22,027,343	$0
Operating expenses	$14,937,426	$492,702	$15,430,128	($1,334,602)	$16,764,730	$16,114,730	$650,000
Contingency fund	$500,000	($100,000)	$400,000	$400,000	$0	$0	$0
Capital assets	$767,125	$4,767,494	$5,534,619	($138,000,000)	$143,534,619	$764,515	$142,770,104
Grants	$54,000	($54,000)	$0	$0	$0	$0	$0
Guardianship grants	$1,950,000	$100,000	$2,050,000	$100,000	$1,950,000	$1,950,000	$0
Community service grants	$350,000	($100,000)	$250,000	($47,500)	$297,500	$297,500	$0
Prairie Public Broadcasting	$1,200,000	($400,000)	$800,000	($220,000)	$1,020,000	$1,020,000	$0
State student internship	$0	$100,000	$100,000	($100,000)	$200,000	$0	$200,000
Total Funding	**$41,662,367**	**$5,699,383**	**$47,361,750**	**($138,432,442)**	**$185,794,192**	**$42,174,088**	**$143,620,104**
General Fund	$32,915,852	$192,992	$33,108,844	$1,212,064	$31,896,780	$28,095,476	$3,801,304
Other Funds	$8,746,515	$5,506,391	$14,252,906	($139,644,506)	$153,897,412	$14,078,612	$139,818,800
FTE	112.00	0.00	112.00	4.00	108.00		

9634

Testimony Prepared for the
Senate Appropriations Committee
March 17, 2019
By: Terry Traynor, NDACo Executive Director

RE: Engrossed House Bill 1015 – OMB Budget/Public Guardianship Funding

Thank you, Mr. Chairman, for the opportunity to communicate our Association's support for the public guardianship funding in the OMB budget, and to urge your consideration and approval of an appropriation level of $2,500,000 to fully fund the actual guardianship need.

Since 2013, the legislature has appropriated General Funds in the OMB budget for distribution to the private agencies and private individuals that serve as Public Guardians for indigent adults. (This does not include individuals served under the Developmental Disabilities program as their guardians are contracted and funded through DHS).

These wards are individuals that the District Court has determined are incapacitated and cannot adequately look after their own affairs due to age/dementia, physical disability, mental illness, addiction, etc. An advisory group (Courts, OMB, DHS, 1 Provider, & NDACo) provides the guidance for the reimbursement of public guardians for (non-DD) wards whose resources total less than 100% of poverty and/or are receiving Medicaid-funded services.

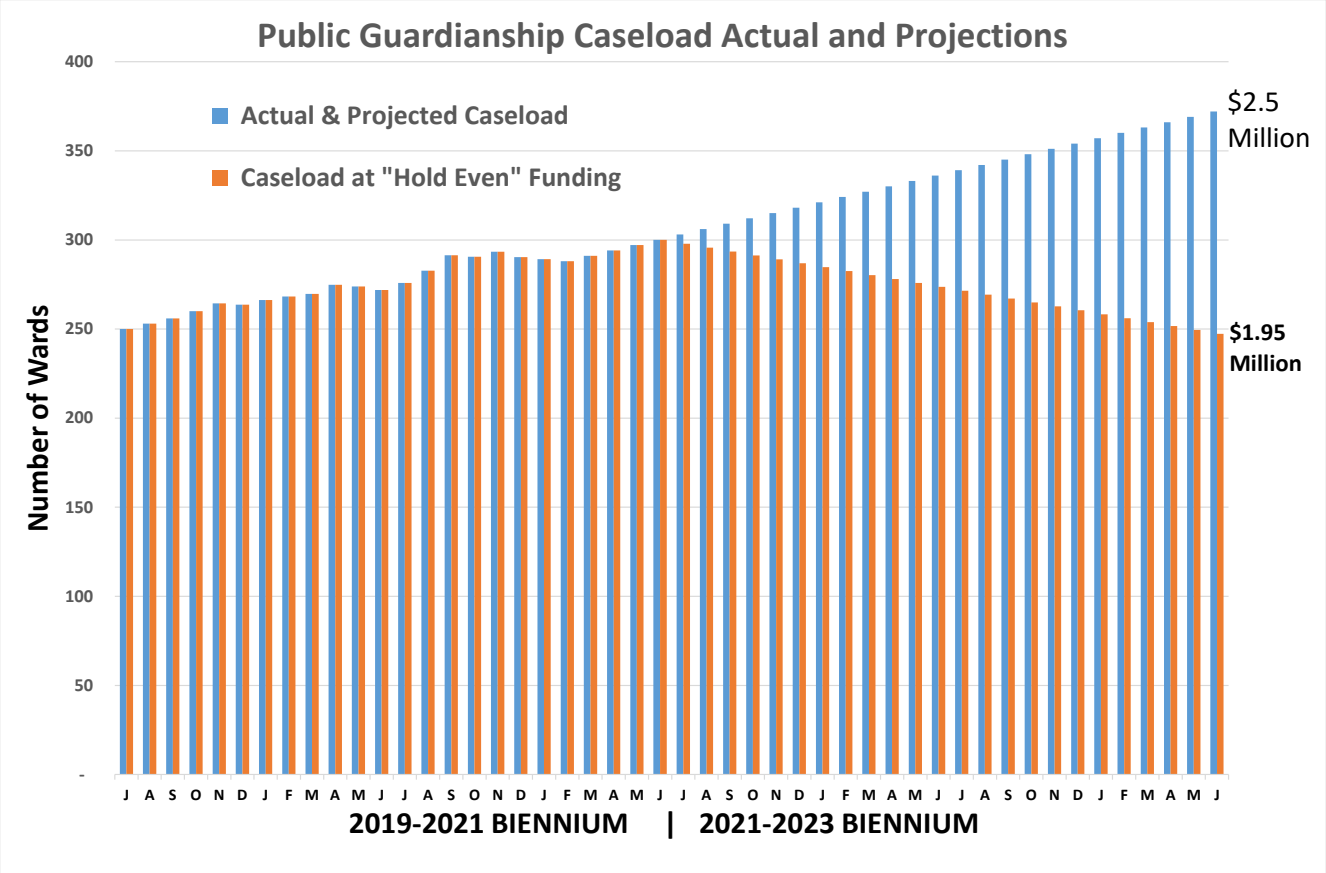
As the North Dakota's population of elderly and disabled individuals has grown, the number of those that lack resources has grown as well. This has steadily increased the need for public guardians.

- The current biennial funding supports a **$10/day per ward stipend** to the persons and charitable entities that are ordered by the State Court to serve these vulnerable individuals. Their collective **caseload has grown from 250 to 290 over the first 20 months of the biennium**. Each month we see the termination of 2-3 cases and the addition of 5-6 cases statewide. With a monthly net growth of three, the **caseload is projected to reach 310 by the end of the biennium**, and we expect the current appropriation amount ($1,950,000) to be sufficient to meet THIS biennium's need.

- **The Executive Budget, however, recommends flat funding for 2021-23**, and that would only be sufficient if caseloads were immediately frozen, and cases dropped by 3 per month until the total was back down to 250 – **leaving a projected 120 incapacitated adults without guardian support.** We expect the State Court will continue to seek guardians for a net increase of 3 wards per month for the upcoming biennium, and **to support this ultimate caseload of 372, an appropriation of $2,500,000 is necessary.**

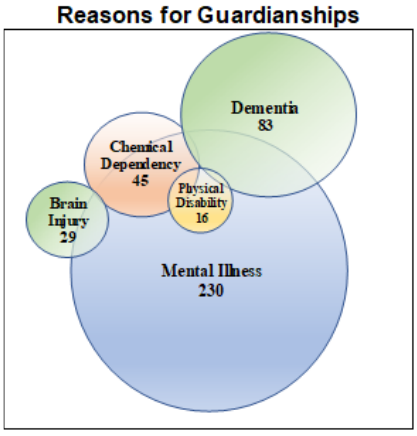
Public guardianships are a critical support for our most vulnerable citizens. Their ability to monitor and represent their wards not only benefits the wards, but serves the hospitals, clinics and nursing homes (as well as the Medicaid Program and other health insurance providers) when critical medical decision-making cannot take place for an incapacitated person without a legally appointed guardian.

Thank you, Mr. Chairman, and committee members, for your consideration of this extremely important request.



FUNDING OF PUBLIC GUARDIANSHIPS - BACKGROUND

In response to a previous interim study of guardianship issues by the Legislature's consultant, Dr. Winsor Schmidt, the 2013 Legislature began a process of reforming the Public Administrator "system." The haphazard and unequally funded public guardianships throughout the State were set on a course for greater uniformity, better training, and limited, but consistent, funding. This initiative was supported by a broad cross-section of medical and social service entities, recognizing the personal and financial impact caused by the existing system's deficits.



February 2020 Funded Caseload	
Catholic Charities	32
DKK, Inc.	70
Guardian & Protective Services	50
Guardian Angels	49
Lighthouse Associates	10
Lutheran Social Services of MN	61
Opportunity Inc	11
Veronica Miller	6

The legislature provided financial support to guardians serving indigent individuals that are not served separately by the developmentally disabilities system for guardianships. As the bubble chart indicates, many of those served are incapacitated due to several issues. Currently, seven agencies and one individual provide public guardianship services supported by this funding.

An Average of 340 Cases x $10/day x 730 days = $2,482,000

Senate Appropriations Committee
House Bill 1015 – OMB Budget/Public Guardianship Funding
Testimony by Audrey Uhrich, Program Director,
Guardian and Protective Services (GaPS) Bismarck, ND
March 17, 2021

Chairman Holmberg and members of the Committee I am Audrey Uhrich, the Program Director for Guardian and Protective Services. We are a non-profit organization that can be appointed by the court to serve as a public guardian for vulnerable adults.

As a public guardian our responsibility to these vulnerable individuals is to:

- Address the financial, medical, care, and housing needs
- Apply for appropriate benefits and access available resources and services
- And be available 24/7 for all emergent needs.

The services of public guardians are necessary to assist vulnerable adults in our state who are in need of a decision maker in their life. They may be remaining in terrible situations because they have no decision maker or guardian to advocate for them, stop exploitation, manage bills, set up needed services or find a safe setting for them.

Public guardians across our State depend on payments through this funding in order to provide these necessary services to individuals who have no resources to pay for the assistance needed. Every week we request new requests to serve as guardian. We will not be able to accept more vulnerable individuals without sufficient funding.

Public guardians are an essential piece in the continuum of care for vulnerable adults. We ask your support to ensure that public guardianship services are available for vulnerable adults in North Dakota by approving the public guardianship funding in the OMB budget and the requested increase to appropriately fund the actual guardianship need. Thank you for your time and consideration of this request.

Testimony on HB 1015
Senate Appropriations
John Harris, President & CEO
Prairie Public Broadcasting
March 17, 2021

Mr. Chairman and members of the committee, thank you for the opportunity to speak with you today about the budget request for Prairie Public Broadcasting, North Dakota's public broadcasting network.

For the record, I am John Harris, President and CEO of Prairie Public Broadcasting.

Prairie Public began service to the citizens of North Dakota in 1964 with a single broadcast tower and since then has grown to provide public media services that impact the citizens of our entire state—from childhood through all phases of life.

Prairie Public provides public media services that educate, involve, and inspire the people of the prairie region. Public media strengthens communities and helps them to prosper. The citizens of North Dakota know the importance of a strong and viable public broadcasting entity for our community. We are committed to respect for our audience, civil discourse, and lifelong learning.

Education is the cornerstone of Prairie Public's mission. We provide researched, high-quality digital resources and learning materials to students, educators, parents, counselors, librarians, and tech coordinators, and we conduct professional training opportunities to help them use those tools in our region's classrooms.

Public media served as a vital resource for 2020's changing educational needs. Prairie Public's educational services shifted focus from in-person events and stepped up to promote At Home Learning Resources. PBS LearningMedia saw a doubling in users, WORLD CHANNEL altered their schedule to broadcast classroom programs, and webchats served K-12 teachers in a peer-supported environment.

We're combining public media's greatest assets with outreach to make a positive impact on the lives of our children. No one provides a more valued educational experience for children than Prairie Public.

In addition, Prairie Public has embraced our public safety mission to maximize our spectrum for the public good. Public television stations are the backbone of the WARN system of presidential alerts in times of national emergency. Prairie Public is vital to our state as a locally owned and operated media organization that can serve in times of crisis.

Even as public distrust of national institutions and media is at an all-time high, studies show that public broadcasters retain the trust of the American people as an essential resource for well-informed citizens.

Prairie Public is a reliable source for international, regional, and local news from the worlds of politics, business, science, and the arts. In fact, our network of television, radio, and online services was one of the most comprehensive and trusted sources for statewide election coverage and debates during the 2020 election—vital for thoughtful citizens and healthy societies. Our coverage of the North Dakota legislature helps you to serve your constituents and communicate the good work you accomplish.

In addition to broadcasting nationally produced television and radio programs such as *PBS NewsHour, Nature, NOVA, Masterpiece, Morning Edition,* and *All Things Considered*, Prairie Public produces an extraordinary amount of quality programming that reflects North Dakota's history, culture, and concerns.

Our local productions cover topics ranging from community events to rural health care issues to legislative news. We partner with many local agencies to help inform our citizens of critical issues that affect each and every one of us.

Prairie Public looks at the history and cultural aspects of our region with shows like *Women Behind the Plow* and *Basketball, Water and the Lost City of Elbowoods*. We celebrate local artists with our series *Prairie Musicians*. We interview newsmakers every weekday on *Main Street* and weekly on *Prairie Pulse*.

The state of North Dakota has, for years, played a vital supporting role in the operation of our public media services. While the appropriation from the state of North Dakota does not cover all the expenses, many of the services would not be possible without state funding, which provides a foundation for support from many other sources. It is important that North Dakota sustain its public broadcasting system.

I cannot express enough the thanks Prairie Public and its members extend to you for your past support. In all the years Prairie Public has been broadcasting, technology keeps changing, but our mission to provide services that educate, involve, and inspire has not.

This year, the House Appropriations committee is recommending $800,000 for Prairie Public, a $400,000 cut.

In House Bill 1015 of this biennium's budget, we ask that you support funding for Prairie Public at a minimum of $1.2-million-dollar, as that amount allows us to operate the infrastructure required to provide a vast array of public media services to homes, schools, and workplaces throughout the state.

In closing, let me remind you that Prairie Public belongs to the citizens of our region, and with your support Prairie Public will continue to be a community leader and assist the state in achieving its goals of economic strength, educational quality, and pride in our rich heritage.

Mr. Chairman and Members of the Committee, thank you for your time and consideration.

Valued

Essential

Trusted

Educational

Inspiring

Accurate

Independent

Transparent

Fair

Inclusive

Accountable

Credible

Honest

Respectful

Prairie Public

Prairie Public Broadcasting, Inc.

Community Impact Report 2019

Fiscal Year 2019 began October 1, 2018, and ended September 30, 2019

Prairie Public Broadcasting is a trusted public media service dedicated to building an exciting and productive future for our region and its people by offering a window on the world and creating a forum for discussion of important issues.

When you support Prairie Public, your contribution goes to work to make great television and radio programs happen. It works to secure the very best of PBS and NPR programming, along with high-quality, original productions created to meet your interests and needs.

Individual and community support is a crucial part of Prairie Public's success, and this annual report celebrates our dedicated partners and contributors.

Prairie Public is a member of the Public Broadcasting Service, a private, nonprofit corporation that provides quality television programming and related services.

Prairie Public is a member of NPR, a privately supported, nonprofit membership organization that serves its audience in partnership with independently operated, noncommercial public radio stations.

Award-winning radio, television, and education services from **Prairie Public**

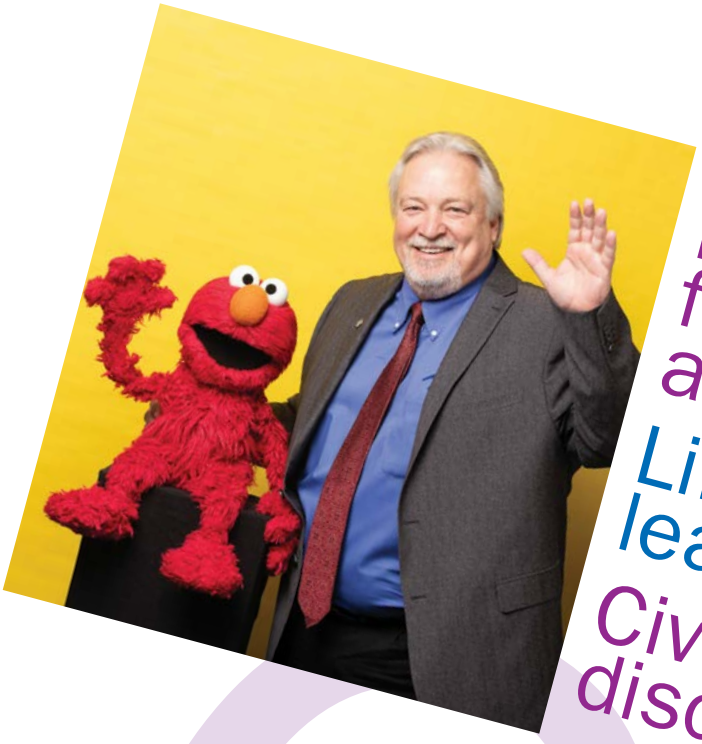
2019 National Educational Telecommunications Award

Media Integration and Creation Workshop

2019 Telly Awards

Coal: Engine of Change
Silver Award: Education
Bronze Award: History

2019



Respect for our audience. Lifelong learning. Civil discourse.

It's been sixty years since Dr. Ted Donat gathered some like-minded individuals together to form The North Central Educational Television Association—now known as Prairie Public.

Six decades later, technology has changed dramatically. You may be using smart speakers, apps, tablets, online streams, or a smart phone to watch our television programs or listen to our radio network.

We're innovating and embracing these changes. We're at the forefront of technology—delivering educational, involving, inspiring programming wherever our audience is.

But we're staying true to our fundamental ideology. The Prairie Public staff and I are committed to respect for our audience, to lifelong learning, to civil discourse. We're creating content that not only educates, but also fosters citizen participation, and builds understanding and trust. Just as Dr. Donat envisioned all those decades ago.

In this community impact report, we boast a little about our programming, and we publish our financial standing. But we use most of this report to acknowledge those who have made it all possible.

We are grateful for our strong member base, whose generous contributions allow us to broadcast programming that is relevant. We're grateful for our partners, our corporate supporters, and the legislators who understand that public media is essential for a healthy, strong community.

We are steadfast in our commitment to be an environment for the arts, for hard-hitting documentaries, for science, nature, and history programming. And, of course, for the award-winning children's programming that parents can trust. And we'll continue to look for those stories that may not find their way into the mainstream, being a voice for those who otherwise would not be heard.

Thank you for your trust.
Thank you for your support.

John E. Harris III
Prairie Public
President & CEO

20 Year in R

Public media is an essential part of the media landscape—serving the public interest and preserving the public's trust while presenting programs that address a broad range of beliefs, philosophies, and viewpoints.

Accuracy means more than merely verifying information. Prairie Public's news reporters put the facts in context, are mindful of the language used to frame the facts, and report in a respectful manner without favoritism or discrimination.

People believe that public media has integrity, proven by study after study. Our viewers and listeners become members because they expect the highest professional standards from us. They know Prairie Public will deliver radio, television, and educational programming they can trust.

Our listeners and viewers are curious about the culture and history of our region. Prairie Public original television productions that debuted in 2019, **Basketball, Water and the Lost City of Elbowoods**, **Women Behind the Plow**, and **Minnesota's Unsung History** document stories rarely told.

2019 Review

Throughout the year, Prairie Public offers radio, television, and educational programming that educates, involves, and inspires. As an independent, locally supported media network, Prairie Public is an essential civic partner that works to address the needs of our communities.

We are accountable and responsive to our audience—especially to our educators and our youngest viewers. In 2019, Prairie Public debuted **Weekly Web Chats** and the **Media Integration and Creation Workshop** to offer free professional development and networking to the teachers who guide those youngsters.

Our audience is open to a wide variety of ideas and perspectives, so our content is informed and informative to reflect those perspectives. **Breaking Barriers: Harvesting LGBTQ Stories on the Northern Plains**, **Hunger Free ND**, and **Dakota Datebook: Remembering Theodore Roosevelt** radio specials and podcasts foster engagement, and are also refreshingly smart and authentic.

Thought-provoking music and arts can offer an optimistic view of the world. **Prebys on Classics**, **Into the Music with Mike Olson**, **Prebys on Jazz**, and other music programming on radio and television bring the stage to you.

Prairie Public Broadcasting Boards 2018–2019

The Prairie Public Broadcasting family is fortunate to have dedicated, hardworking, and enthusiastic people to guide the organization and serve on its boards and advisory councils.

Prairie Public Broadcasting Board of Directors

The Board of Directors is the governing body of the organization, and members are appointed to serve two three-year terms.

Cesareo Alvarez, New Town, ND
Joshua Boschee, Fargo, ND
Ken Bull, Winnipeg, MB
Kathy Coyle, Detroit Lakes, MN
Greg Dandewich, Winnipeg, MB
Heidi Demars, Bismarck, ND
Paul Ebeltoft, Dickinson, ND
Bethlehem Gronneberg (Treasurer), Fargo, ND
John E. Harris III (President & CEO), Fargo, ND
Britt Jacobson (Chair), Park River, ND
Phyllis Johnson, Grand Forks, ND
Dick Kloubec, Fargo, ND
Jim Kotowich (Secretary), Winnipeg, MB
Karen Kreil, Bismarck, ND
Lisa Kudelka, Hensler, ND
Jerry Nagel (Past Chair), Apple Valley, MN
Crysta Parkinson, Williston, ND
John Petrik, Minot, ND
Connie Triplett, Grand Forks, ND
Nick Vogel, Fargo, ND
Sarah Smith Warren (Vice Chair), New Rockford, ND
Ken Zealand (President of Prairie Public Manitoba), Winnipeg, MB

Television Community Advisory Board

The Television Community Advisory Board reviews the programming goals established and the services provided by Prairie Public and advises the Board of Directors whether the programming and other policies are meeting the specialized educational and cultural needs of the communities served.

Mike Benson, Fargo, ND
Stephanie Blumhagen, Bottineau, ND
Craig Whippo (Chair), Dickinson, ND

Radio Council

The Radio Council was established to allow the partners in the service—Prairie Public and North Dakota State University—to be informed about the network's progress and plans and to provide input to management.

Jeff Dick, Minot, ND
John E. Harris III (President & CEO), Fargo, ND
Joe Mocnik (NDSU), Fargo, ND
Peter Morowski, Dickinson, ND
Paul Nyren (Chair), Garrison, ND
Fred Remer, Grand Forks, ND

North Central Council for Educational Media Services

NCCEMS is an organization of public schools in North Dakota and Northwest Minnesota that contracts with Prairie Public to create a virtual educational service unit and to provide links between educators and educational resources.

Nancy Bollingberg (Chair), Fessenden-Bowdon 25
Dr. Terry Brenner, Grand Forks Public Schools
Dr. Rupak Gandhi, Fargo Public Schools
Tonya Greywind (Vice Chair), ND Center for Distance Education
Dr. Robert Grosz, Fargo Public Schools
Tracy Hanzal, Hazelton/Moffit/Braddock Schools
John Harris, President & CEO Prairie Public
Dr. Sherlock Hirning, Divide Country Schools
Jason Hornbacher, Bismarck Public Schools
Rick Jacobson, Wahpeton Public Schools
Dr. Bruce Jensen, Northwest Service Cooperative
Michael Kaiser, Ellendale Public School
Jeremy Kovash, Lakes Country Service Cooperative
Jeff Manley, Cavalier Public School
Rep. David Monson, ND House of Representatives
Beth Slette, West Fargo Public Schools
Dr. Mark Vollmer, Minot Public Schools
Dr. Tim Wollenzien, Prairie Public

Prairie Public seeks people to serve on the Prairie Public Broadcasting boards. Anyone interested in serving is encouraged to inquire.

Prairie Public Broadcasting, Inc.
Annual Financial Report
for the Year Ending 9/30/19

	Television		Radio		
	Amount	*%*	*Amount*	*%*	*Total*
Sources					
Membership	$1,462,173	20%	$590,952	32%	$2,053,125
Underwriting	$165,762	2%	$191,383	10%	$357,145
Corporation for Public Broadcasting	$1,344,169	18%	$170,065	9%	$1,514,234
Local Production Funding	$110,129	2%	$23,087	1%	$133,216
State of North Dakota	$409,500	5%	$165,500	9%	$575,000
State of Minnesota	$603,231	8%	$0	0%	$603,231
Grants [1]	$1,338,983	18%	$0	0%	$1,338,983
Fees, Rents	$751,825	10%	$263,804	14%	$1,015,629
Charitable Gaming	$647,112	9%	$251,654	14%	$898,766
Planned Giving [2]	$244,271	3%	$50,500	3%	$294,771
Other	$397,076	5%	$142,050	8%	$539,126
TOTAL SOURCES	**$7,474,231**	**100%**	**$1,848,995**	**100%**	**$9,323,226**
Uses					
Programming & Production	$2,367,386	36%	$1,113,170	48%	$3,480,556
Engineering	$1,224,702	18%	$313,646	13%	$1,538,348
Administration	$1,047,622	15%	$407,409	17%	$1,455,031
Fundraising	$354,630	5%	$94,818	4%	$449,448
System Upgrade & Other	$1,549,625	23%	$330,287	14%	$1,879,912
Change in Prairie Public Endowment	$215,389	3%	$83,762	4%	$299,151
TOTAL USES	**$6,759,354**	**100%**	**$2,343,092**	**100%**	**$9,102,446**
EXCESS (DEFICIT) SOURCES OVER USES	$714,877		($494,097)		$220,780

Financial data provided from Eide Bailly LLP audited financial statements of Prairie Public Broadcasting, Inc.

Note 1. Grants include unrestricted support for operations and grants for capital construction and equipment, from the Federal Communication Commission totaling $950,042 for television.

Note 2. Planned giving includes contributions to Endowment Funds, Interest Earnings, and Realized and Unrealized Gains from Endowment Funds.

Local membership and underwriting is the largest source of unrestricted support for Prairie Public Broadcasting, Inc.

Investors Circle Support

Prairie Public Broadcasting gratefully thanks its Investors Circle members, a dedicated group of donors who have made annual gifts of $1,000 or more.

Platinum Investors • $10,000

Mr. and Mrs. Allen Arvig, Perham, MN
Corwin Wilson LLC, Fargo, ND
M Jean Fisher Donor Advised Fund, Seabeck, WA
Anonymous, Alamo, ND

Gold Investors • $5,000 to $9,999

Frederick P Baker, Bismarck, ND
Drs. Juliette E. and John Cooper, Winnipeg, MB
Mr. and Mrs. Gary Sorenson, Keene, ND

Silver Investors • $2,500 to $4,999

Jennifer, Cindy and Jay Anderson, Lloyd E. Anderson Ltd Partnership, Bismarck, ND
Margaret-Lynne and Jim Astwood, Winnipeg, MB
Fred Branch, Fargo, ND
Senator Kent Conrad and Lucy Calautti, Sarasota, FL
Dr. David R. Field and Mrs. Sherri Field, Bismarck, ND
Drs. Kimberly T. Krohn and John A. Fishpaw, Eastborough, KS
Dr. Walter and Carolyn Frank, Bismarck, ND
Dr. Rosanne Gasse, Brandon, MB
Mary Ann Johnson, Bismarck, ND
David Nygaard, Bowman, ND
Tim and Claudette Peterson, West Fargo, ND
Donna Plant, Winnipeg, MB
Al and Carol Samuelson, Bismarck, ND
Paul and Sylvia Steffens, Winnipeg, MB
Jack Trueman, La Salle, MB
Anonymous (1), Minot, ND
Anonymous (1), Winnipeg, MB
Anonymous (1), Bismarck, ND

Bronze Investors • $1,000 to $2,499

Mr. Dean Anagnost, Bismarck, ND
Robert Wayde Anderson, Grand Forks, ND
Robert Arusell, Fargo, ND
Howard and Dorothy Barlow, Fargo, ND
MacDonald and Taylor Barnes, Jamestown, ND
Mike and Jan Benson, Fargo, ND
Claudia Berg and Robert Matz, Bismarck, ND
Rodney Biggs, Winnipeg, MB
David and Myrna Blackstead, Bismarck, ND
Marjorie Blankstein, Winnipeg, MB
Paul Bonaime, Neche, ND
Kim and Barbara Booth, Fargo, ND
David and Ruth Borlaug, Washburn, ND
Andrew and Amy Brown, Bismarck, ND
Gloria Brown, Fargo, ND
Dr. Julie Bryant, Bismarck, ND
Ken Bull and Ann Klassen, Winnipeg, MB
Julie Burgum, Casselton, ND
Carol A. Christianson, Bismarck, ND
Dr. Yvonne C. Condell, Moorhead, MN
Patricia Crary, Fargo, ND
Troy Davis, Fargo, ND
Jane Dynes, Fargo, ND
Helen Elijah, Lisbon, ND
Terracon Development Ltd., Winnipeg, MB
Dr. Calvin K. Fercho, Fargo, ND
Dr. Marcus and Margaret Fiechtner, Bismarck, ND
John Gast, Fargo, ND
Mrs. J Gaynor, Winnipeg, MB
Jim and Sharon Geyer, Horace, ND
Edward Glass and Ann Buettner Glass, Fargo, ND
Adam Glazier, Fargo, ND
Ofe Obias Glazier, Fargo, ND
Bernice Goodman, Grand Forks, ND
Thomas and Barb Groutt, Minot, ND
Rev. Carl Hansen, Thief River Falls, MN
John and Suzanne Harris, Fargo, ND
Dr. Jonathan and Maniphone Haug, Grand Forks, ND
Curtiss L. Hegg and Judy Quam, Detroit Lakes, MN
Lloyd Hein, Winnipeg, MB
Senator John Hoeven and Mikey Hoeven, Bismarck, ND
Andrew and Kathleen Imes, Williston, ND
Sally and Cameron Inglis, Winnipeg, MB
Ruth Iversen, Sidney, MT
Christie Iverson, Bismarck, ND
Gene and Sue Jackson, Bismarck, ND
Michael and Debra Jensen, Glenburn, ND
Sonja Jensen, Fargo, ND
Phyllis Johnson, Grand Forks, ND
Sharon R. Ervin Johnson, Minot, ND
Dr. Myron and Muriel Johnsrud, Fargo, ND
Johnston Family Foundation, Hawley, MN
Paul and Gloria Kaste, Fertile, MN
Duane Keller, Fargo, ND
Rita F. Kelly, Bismarck, ND
James Kotowich and Lynne Guicheret, Winnipeg, MB
Marianne Krahn, Winnipeg, MB
Randy and Karen Kreil, Bismarck, ND
Jesse Hanson and Lisa Kudelka, Hensler, ND
Carol Jean Larsen, Bismarck, ND
Carl and Esther Larson, Dickinson, ND
Emile J Laurin, Winnipeg, MB
Jenette Leblang, Bismarck, ND
Reuben and Clarice Liechty through the Gwendolyn Ruth Liechty Memorial Endowment Donor Advised Fund, Jamestown, ND
Paul and Sharon Madson, Audubon, MN
Russell and Christina Martin, Mandan, ND
Chris and Janell Martin, Grand Forks, ND
Todd and Janet Mathistad, Minot, ND
Karen McBride, Bismarck, ND
Cheryl and George Mizell, Bismarck, ND
Jerry Nagel, Apple Valley, MN
Kathy Neugebauer, West Fargo, ND
Jerry and Jean Newborg, Bismarck, ND
Pastor John and Cheryl Nilsen, Minot, ND
Emelia Nyarku, Winnipeg, MB
Paul and Anne Nyren, Garrison, ND
Dr. Wayne and Linda Paquin, Winnipeg, MB
Jack and Kristen Paris, Bismarck, ND
Harry and Irene Pellaers, Winnipeg, MB
Richard and Virginia Portmann, Fergus Falls, MN
Richard and Arlette Preston, Fargo, ND
Joslyn Putnam, West Fargo, ND
Sanda Putnam, Bismarck, ND
Ken and Marcia Retzer, Fargo, ND
Richard Riha, Bismarck, ND
John and Kathleen Risch, Bismarck, ND
Jim and Cyndy Robinson, Garrison, ND
Dennis and Anita Rohde, New Town, ND
June Rowell, Winnipeg, MB
Dawn Rustad, Williston, ND
Joe and Katherine Satrom, Bismarck, ND
Robert Scheel, Fargo, ND
Mike and Kathy Schneider, Bismarck, ND
Bruce and Julie Schwartz, Bismarck, ND
James J. and Darlene Schwartz, Dickinson, ND
Elmer and Arlene Schwarz, Washburn, ND
Richard J. and Mary Scott, Winnipeg, MB
Mukund and Sungja Sibi, Fargo, ND
Nadeane Silbernagel, Bismarck, ND
Dr. and Mrs. Stephen Spellman, Fargo, ND
Debbie Spracklin, Winnipeg, MB
Drs. D. Sprunger and C. Siemens, Fargo, ND
Thomas Osborne Stair and Lucy H Caldwell-Stair, Newton, MA
Rodney Steiman, Winnipeg, MB
Richard Stevens, Grand Forks, ND
Karen Stoker, Fargo, ND
Kenneth and Nola Storm, Fargo, ND
Dale Summers, Fargo, ND
Charles Tax, Winnipeg, MB
Dave Thompson, Bismarck, ND
Dr. William D.B. Pope and Dr. Elizabeth Tippett Pope, Winnipeg, MB
Devan Towers, Winnipeg, MB
Constance Triplett and Gerald Groenewold, Grand Forks, ND
Susan and Bob Wefald, Bismarck, ND
Patrick and Becky Wheeler, Fairview, MT
Herbert Wildeman, Winnipeg, MB
Tina and Christopher Young, Fargo, ND
Kenneth and Pat Zealand, Winnipeg, MB
Anonymous (2), Bismarck, ND
Anonymous (1), Fargo, ND
Anonymous (1), Fergus Falls, MN
Anonymous (2), Grand Forks, ND
Anonymous (1), Hazen, ND
Anonymous (1), Jamestown, ND
Anonymous (1), Mandan, ND
Anonymous (1), Minot, ND
Anonymous (2), Moorhead, MN
Anonymous (1), Richardton, ND
Anonymous (1), Stanley, ND
Anonymous (1), Towner, ND
Anonymous (1), Watford City, ND
Anonymous (1), Wilton, ND
Anonymous (3), Winnipeg, MB

If we have inadvertently omitted or incorrectly acknowledged your support, please contact us at 800-359-6900, ext. 510.

Visionary Circle Support

Visionary Circle honors those who have demonstrated visionary philanthropic leadership and cumulative lifetime annual giving of $25,000 or more in support of Prairie Public's services. We are grateful for the steadfast, substantial commitment of these Visionary Circle members.

Stewards • $50,000+

Joyce* and Margaret* Beggs, Winnipeg, MB

Founders • $25,000 to $49,999

Idatonye and Linda Afonya, Crookston, MN
Gloria Y. Anderson,* Sun City, AZ
Mr. and Mrs. Allen Arvig, Perham, MN
Frederick P. Baker, Bismarck, ND
Ray* and Barbara Bailey, Winnipeg, MB
Bill Battershill,* Winnipeg, MB
Claudia Berg and Robert Matz, Bismarck
Julie Burgum, Casselton, ND
J. W. Burns, Winnipeg, MB
Kent Conrad and Lucy Calautti, Washington, DC
Drs. Juliette E. and John Cooper, Winnipeg, MB
Bob and Virginia Dambach, Fargo, ND
Jane Dynes, Fargo, ND
Paul and Gail Ebeltoft, Corning, NY
Noel and Judith Fedje, Fargo, ND
Dr. and Mrs. Calvin K. Fercho, Fargo, ND
Dr. David R. Field and Mrs. Sherri Field, Bismarck, ND
Dr. Walter and Carolyn Frank, Bismarck, ND
Dr. Rosanne Gasse, Brandon, MB
Jane Groves, Winnipeg, MB
Richard and Audrey Kloubec, Fargo, ND
Drs. Kimberly T. Krohn and John A. Fishpaw, Minot
Carol Jean Larsen, Bismarck, ND
Paul and Anne Nyren, Garrison, ND
Richard and Barbara Owens, Minneapolis, MN
Donna Plant, Winnipeg, MB
John and Rebecca Petrik, Minot, ND
John* and Jean* Rockey, Winnipeg. MB
Al and Carol Samuelson, Bismarck, ND
Mary and Richard Scott, Winnipeg, MB
Gus and Mary Staahl, Fargo, ND
Terracon Development Ltd., Winnipeg, MB
Jack Trueman, La Salle, MB
Joe Westby* and Rita Kelly, Bismarck, ND
Patricia and Kenneth Zealand, Winnipeg, MB
Anonymous, Jamestown, ND
Anonymous, Richardton, ND
Anonymous, Towner, ND

** Deceased*

T. L. Donat Legacy Circle

Prairie Public Broadcasting extends special appreciation to members of the T. L. Donat Legacy Circle. Named for Dr. Ted Donat, Prairie Public's founder, the Legacy Circle provides an opportunity for donors to leave a thoughtful legacy to our region by making a provision for Prairie Public in their wills, trusts, or other estate plans.

Geoff Chambers, Winnipeg, MB
Daniel Christ, Bismarck, ND
Apryl Davenport, Deering, ND
Marcus Fiechtner, Bismarck, ND
Margaret Fiechtner, Bismarck, ND
Carolyn Y. Frank, Bismarck, ND
Margaret Garr, East Grand Forks, MN
Rev. Carl Hansen, Thief River Falls, MN
Paul Hunter, Winnipeg, MB
Joanna Koulouriotis, Winnipeg, MB
Carol Jean Larsen, Bismarck, ND
R. Douglas and Sally Larsen, Fargo, ND
Mary Catherine Miller, Henning, MN
Dr. Douglas C. Munski, Grand Forks, ND
Dr. Laura Munski, Grand Forks, ND
Jacqueline Nelson, Winnipeg, MB
Barbara Owens, Minneapolis, MN
Richard Owens, Minneapolis, MN
Robin Reynolds, Hebron, ND
Bruce Schwartz, Bismarck, ND
Julie Schwartz, Bismarck, ND
Neil Souther, Mandan, ND
Alan D. and Phyllis Ann Thoren Fund
through The Winnipeg Foundation, Winnipeg, MB
Anonymous, Scottsdale, AZ
Anonymous, Surry, BC
Anonymous, Brandon, MB
Anonymous, Winnipeg, MB (4)
Anonymous, Detroit Lakes, MN
Anonymous, Moorhead, MN
Anonymous, Sabin, MN
Anonymous, Billings, MT
Anonymous, Bismarck, ND
Anonymous, Fargo, ND (4)
Anonymous, Grand Forks, ND (2)
Anonymous, Kenmare, ND
Anonymous, McVille, ND
Anonymous, Richardton, ND
Anonymous, Towner, ND
Anonymous, Charleston, SC

If you have provided for Prairie Public Broadcasting in your will or other estate plans, please let us know. By doing so, you will help us to plan for the future and will allow us to thank you for your outstanding commitment to the mission of public broadcasting.

Endowment: Funding the Future

Through endowed gifts from many donors, Prairie Public has established the Prairie Public Broadcasting Endowment Fund, a North Dakota tax-qualified endowment at Bremer Trust. Other endowment funds that are held on Prairie Public's behalf reside at Fargo-Moorhead Area Foundation, North Dakota Community Foundation, and The Winnipeg Foundation.

These professionally managed funds provide annual interest income that helps to ensure the future of Prairie Public and enhances the quality of programming, education services, and outreach services Prairie Public provides to those in our region.

Prairie Public thanks all donors who have contributed to these endowed funds. Endowment gifts of $5,000 or more are listed below.

$100,000+

Lucien C. Barnes and Edna Barnes Fund, a component of the Fargo-Moorhead Area Foundation, Fargo, ND

$50,000 to $99,999

Paul and Gail Ebeltoft, Dickinson, ND
Anonymous,* Winnipeg, MB

$25,000 to $49,999

Ruth Landfield,* Fargo, ND
Lloyd and Margaret Thilmony, Valley City, ND
John and Kathleen Risch, Bismarck, ND
Anonymous, Minot, ND

$10,000 to $24,999

Arnold L. Johnson, Garrison, ND
Duane Slovarp,* in memory of Alfred E. Slovarp, Bismarck, ND
Gus and Mary Staahl, Fargo, ND
Anonymous, Fargo, ND
Anonymous, Minot, ND

$5,000 to $9,999

Barbara and Steven Andrist, Bismarck, ND
Andrew and Amy Brown, Bismarck, ND
Arthur and Shirley Carlson, Bismarck, ND
William O. Chubb,* Winnipeg, MB
Gerald and Jean Newborg, Bismarck, ND
John and Rebecca Petrik, Minot, ND
Ron and Nancy Saeger, Fargo, ND
Myron Sommerfeld, Valley City, ND
Nicholas and Ene Vogel, Fargo, ND
Anonymous, Bismarck, ND (4)
Anonymous, Blanchard, ND
Anonymous, Minot, ND
Anonymous, West Fargo, ND

** Deceased*

If we have inadvertently omitted or incorrectly acknowledged your support, please contact us at 800-359-6900, ext. 510.

Board-Directed Endowment Fund

This fund, established in fiscal year 2007, comprises unrestricted assets allocated to the fund in accordance with policies adopted by Prairie Public's board of directors. The fund provides long-term general support to meet the financial needs of Prairie Public, and is managed by Bremer Trust based upon the investment policies approved by Prairie Public's board of directors.

Bequests

During fiscal year 2019, the following honored Prairie Public with gifts in their estates. With deep regard, we remember these friends for their special commitment to sustaining Prairie Public for future generations.

Estate of Mark Bernstein
Estate of John Bruce Delikatny
Estate of Dorothy Hayward
Estate of Carole M. Horne
Estate of Barbara Schaffer
Estate of Lois Selberg

Matching Gifts

Many businesses encourage their employees to be philanthropic by offering matching gift programs. We salute the companies listed below that matched their employees' contributions to Prairie Public.

Advanced Engineering and Environmental Services, Inc
Canadian Pacific
Catepillar Foundation
GE Foundation
IBM Corporation
Microsoft
Midland National Life Insurance Company
Thrivent Financial
United Health Group Foundation
US Bancorp

Matching Grants

Your gift to Prairie Public helps us to qualify for matching grants from sources including the National Endowment for the Humanities. When you make a contribution to Prairie Public, it is often matched dollar-for-dollar by these grants.

Additional Support

A broad base of individual, corporate, and foundation support generates substantial municipal, state, and federal support for Prairie Public's services. Funds support operations, capital improvements, and specific outreach programs and productions. Prairie Public received support from the following in fiscal year 2019.

AARP
Allegiance Fundraising Group
Altrusa International of Fargo
Benevity
Berdie and Irvin Cohen Memorial Fund through the Jewish Foundation of Manitoba
Casey's General Store
Chef's Table Catering
Corporation for Public Broadcasting
Energy and Environmental Research Center—U.S. Department of Energy NETL Program
Fargo, Moorhead, and West Fargo through an Arts Partnership grant
Humanities North Dakota
Jade Presents
Jewish Foundation of Manitoba
Lincoln High School Choir Department
Mandan, Hidatsa and Arikara Nation (MHA)
McIntosh County Bank
Opp Mertz Family
Floyd and Harriet Miller Endowment Fund through West Central Initiative
Michael M. Miller
The Minnesota Arts and Cultural Heritage Fund
Moore Engineering
Newman's Own Foundation
North Dakota Community Foundation
North Dakota Council on the Arts
North Dakota State University
PCOR Partnership
Public Broadcasting Service
State of Minnesota
State of North Dakota
Dr. Ken and Lorna Thorlakson
Thrivent Choice through Thrivent Financial for Lutherans
Twist
United Sugars Corporation
University of North Dakota
WGBH
The Winnipeg Foundation
The Winnipeg Foundation—Dr. Ken and Lorna Thorlakson Fund
The Winnipeg Foundation—Lampe Family Fund

Many Prairie Public original television productions are funded in part by the following:

Minnesota Arts & Cultural Heritage Fund with money from the voters on November 4, 2008, North Dakota Council on the Arts, North Dakota Humanities Council, and by the members of Prairie Public. Thank you!

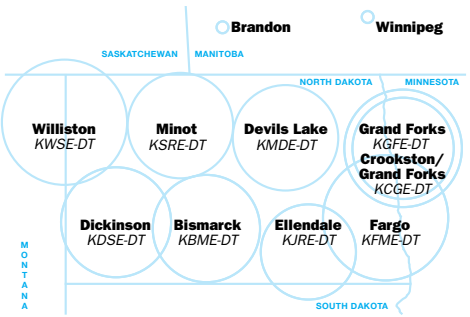
If we have inadvertently omitted or incorrectly acknowledged your support, please contact us at 800-359-6900, ext. 536.

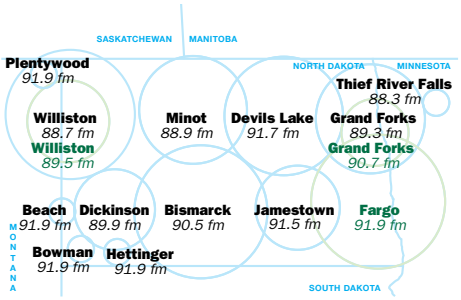
Sponsor Support

Prairie Public thanks the following for investing in underwriting support for television and radio program services in fiscal year 2019.

AARP North Dakota
Abalon Construction
Arts Center
Aspen Institute
Avant Hair & Skin Care Studio
Badger Dental Group
Badlands Opera Project
Basin Electric Power Cooperative
Bell Bank
Benedictine Health System
Bethany Retirement Living
Bismarck-Mandan Civic Chorus
Bismarck-Mandan Symphony
BNC National Bank
Books on Broadway
Bryant Clinic of Chiropractic & Acupuncture
Bush Foundation
Carellan Sewing Centre
Cass County Electric Coop
Children's Hospital Foundation
Children's Museum
Cinema 100
Classic 107fm Winnipeg
Cottonwood Productions
Creative Kitchen
Cross Ranch State Park
Cruise World Inc.
Dakota Stage Ltd.
Detroit Deli Cafe
Dickinson State University
Direct Travel
Easter Seals Goodwill ND, Inc.
Eide Bailly
Empire Arts Center
Erickson Motors
Exceptional Artists
Fargo Blues Fest
Fargo Moorhead Area Foundation
Fargo Moorhead Visual Artists Studio Crawl
Fargo-Moorhead Choral Artists
Fargo-Moorhead Convention & Visitors Bureau
Fargo-Moorhead Opera
Farmers Union
Foss Swim School
Great River Energy
Greater Grand Forks Community Theatre
Greater Grand Forks Symphony Orchestra
Greencrest Pharmacy
Hartz Foundation
Henning Landmark Center
Heritage Education Commission
High Plains Reader
Home of Economy
Hornbacher's
International Artists Series of Minot
International Music Camp
Jade Presents
Jamestown Choralaires
JAQ's Garage
Jazz Winnipeg
Joshua Boschee-Hatch Realty
Life 97.9fm
Livewire
Lundeen Foundation/Victor Lundeen Company
Lutheran Social Service of Minnesota
Manitoba Chamber Orchestra
Manitoba Gardener
Manitoba Opera
Manitoba Theatre for Young People
McPhillips Hearing & Audiology Centre Inc.
Medora Chamber of Commerce
Midco Communications
Mike's Pizza & Pub
Minot Chamber Chorale
Minot Symphony Orchestra
Minuk Denture Clinic
Missouri Valley Chamber Orchestra
Mohr Family-Dacotah Paper
Moore Engineering
MSUM College of Arts, Media and Communication
MSUM School of Performing Arts
ND Farmers Market & Growers Association
NDSU Division of Performing Arts
Nichole's Fine Pastry
Nodak Insurance Co
North Country Trail Association
North Dakota Academy of Nutrition and Dietetics
North Dakota Association of Rural Electric Cooperatives
North Dakota Horizons Magazine
North Dakota Humanities Council
North Dakota Living
North Dakota Museum of Art
North Dakota United
Northern Plains Dance
Oak Grove Lutheran School
Old Red Old Ten Scenic Byway
Otter Tail Power Company
Plain and Fancy Antique Mall
Plains Art Museum
Planned Parenthood of MN, ND, SD
Prairie Airwaves
Quilter's Guild of ND
Radisson Hotel Bismarck
Radisson Hotel Fargo
Ramkota Hotel of Bismarck
Red River Exhibition
Retina Consultants Ltd.
River City Jewelers
Ron Paul Garden Centre
San Francisco Falun Buddha Study Association
Scheels Arena
Sleepy Hollow Summer Theatre
Starion Financial
Stonehill National
Stoneridge Software
Temanson Law Office
Theatre B
Theodore Roosevelt Medora Foundation
Thrivent Financial
Trollwood Performing Arts School
UND Department of Aerospace
Under Brew Skies Beer Festival
University of Mary
UrgentMED
Valley City State University
Vogel Law Firm
West Acres Shopping Center
West Fargo Educational Foundation
Western Minnesota Steam Threshers Reunion
Western Plains Opera Company
Winnipeg Goldeyes Baseball Club
Winnipeg Montessori School
Wood House Restaurant
World of Sheepskin
Zandbroz Variety

If we have inadvertently omitted or incorrectly acknowledged your support, please contact us at 800-359-6900, ext. 510.





Television

Bismarck	*KBME*
Crookston/Grand Forks	*KCGE*
Devils Lake	*KMDE*
Dickinson	*KDSE*
Ellendale	*KJRE*
Fargo	*KFME*
Grand Forks	*KGFE*
Minot	*KSRE*
Williston	*KWSE*
Manitoba, Canada	*Via cable*

Prairie Public broadcasts four television program streams. Viewers who use a rooftop antenna receive all four. Viewers who use cable, dish, or satellite services will receive Prairie Public's primary schedule, and perhaps one or more additional program streams.

1 **Prairie Public** Prairie Public's high-definition schedule.

2 **World** Nonfiction, science, nature, news, and public affairs programs.

3 **The MN Channel** High-definition programs produced in and about North Dakota, Manitoba, Minnesota, and the region.

4 **PBS Kids** The number one educational media brand for kids offers opportunities to explore new ideas and new worlds through television.

Radio

Beach	**91.9 fm**
Bismarck	**90.5 fm**
Bowman	**91.9 fm**
Crosby	**91.9 fm**
Devils Lake	**91.7 fm**
Dickinson	**89.9 fm**
Fargo*	**91.9 fm**
Grand Forks	**89.3 fm**
Grand Forks*	**90.7 fm**
Hettinger	**91.9 fm**
Jamestown	**91.5 fm**
Minot	**88.9 fm**
Thief River Falls	**88.3 fm**
Williston	**88.7 fm**
Williston*	**89.5 fm**
Plentywood MT	**91.9 fm**

**Roots, rock, and jazz*

Listeners can choose from three radio formats and can access them all with an HD radio, online at *prairiepublic.org*, or with the Prairie Public app.

FM1 Classical music featuring **Prebys on Classics** plus public radio's signature news and entertainment programs.

FM2 Roots, rock, and jazz featuring **Into the Music with Mike Olson** and **World Café**, plus two hours of **Morning Edition** on weekdays and **Sounds Eclectic**, **Mountain Stage**, and **Acoustic Cafe** on the weekends.

FM3 Roots, rock, and jazz with **Morning Edition** and **All Things Considered**, **Marketplace**, and interviews and discussion on **Main Street**.

Like us
facebook.com/prairiepublic

Subscribe
youtube.com/prairiepublic

Download
Our app for your mobile device

Follow us
twitter.com/prairiepublic

Prairie Public

Prairie Public Broadcasting, Inc.
Television
Radio
Education Services
Enterprises

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Fargo ND 58102
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800-359-6900

Bismarck Office
1814 North 15th Street
Bismarck ND 58501
701-224-1700

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Winnipeg MB R3C 4B3

prairiepublic.org
info@prairiepublic.org

Prairie Public

cue

WINTER 2020

A quarterly newsletter for members and friends of Prairie Public

COMING *in* JANUARY!

James Herriot's adventures as a veterinarian in 1930s Yorkshire get a glorious new adaptation in a seven-part series based on his beloved stories.

MASTERPIECE

ALL CREATURES GREAT & SMALL

THE HEARTWARMING STORY COMES TO LIFE.

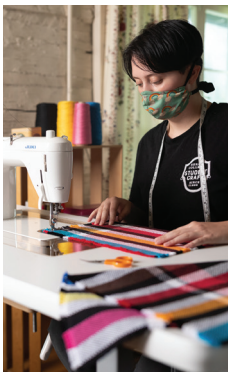
JANUARY 10 AT 8 PM

Television Highlights

The Horse Relative introduces us to the historic art of horse regalia—and its revival and reinterpretation by Dakota communities for a new generation. *Thursday, December 10, at 9 pm*

Charlie Russell's Old West chronicles his art and life as he witnessed—and documented—the end of the Wild West open range, and America entered the 20th century. *Monday, December 28, at 8 pm*

Two episodes from **Craft in America** highlight artists who use narrative to communicate universal truths and explore how craft is intertwined with the nation's defining principles. *Friday, December 11, at 8 pm and 9 pm*



American Masters—Laura Ingalls Wilder: Prairie to Page presents an unvarnished look at the unlikely author whose autobiographical fiction helped shape American ideas of the frontier and self-reliance. *Tuesday, December 29, at 7 pm*

Ella Wishes You A Swinging Christmas, with Vanessa Williams features her holiday classics presented by the American Pops Orchestra with many special guests. *Tuesday, December 15, at 7 pm*

NOVA calculates *Prediction by the Numbers*, considers entertaining real-world challenges, and asks experts to tackle that age-old question: Can we forecast the future? *Wednesday, January 6, at 8 pm*

This year's **Call the Midwife Holiday Special** promises snow, tinsel, Christmas dinner, and babies, but "beyond that it's a secret!" *Friday, December 25, at 8 pm*

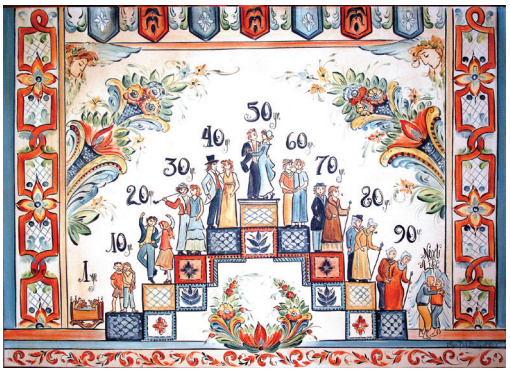
Masterpiece's *Miss Scarlett and the Duke* follows private eye Eliza Scarlet, Victorian England's first-ever female sleuth, as she solves crimes in six thrilling episodes. *Sundays beginning January 17, at 7 pm*

Are you receiving Prairie Public's weekly and monthly e-newsletters? Sign up at *prairiepublic.org* to get programming schedules and highlights.

Watch

Find Prairie Public's television schedules at *prairiepublic.org/schedule.*

Radio Highlights



Blizzards! The man who climbed atop a windmill to play his accordion. The fate of Poker Jim. **TellTale: Dakota Folklife and Stories** is a compilation of narratives from senior citizens as a part of the *Art for Life Program*, which seeks to improve the emotional and physical health of elders. Listen for the narratives throughout the radio schedule and in Prairie Public's podcast collection. **TellTale** is produced in partnership with Dakota Legacy, elder care and service organizations statewide, and North Dakota Council on the Arts.

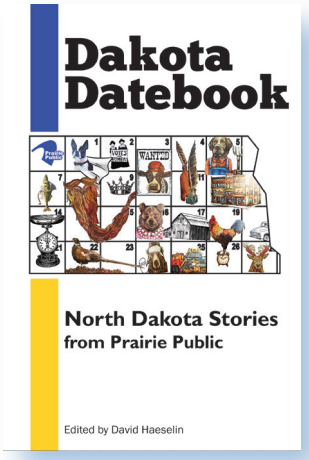
Don't miss a single **Main Street** conversation. Listen weekdays at 3 pm and 7 pm, subscribe to the podcast, or search through for topics at *prairiepublic.org/mainstreet*

Agriculture **Arts** Business
Folklore Food **Health**
MAIN STREET
History **Literature** Movies
Nature News **Travel**

FM1 FM2 FM3

FM1 or FM2 or FM3? Your choice! Choose your musical style, or change it up from day to day. You'll find classical music on **FM1**, roots rock and jazz on **FM2**, and more variety on **FM3**. Listen online or ask your smart speaker to "play Prairie Public."

The **NPR Student Podcast Challenge**, which has drawn more than 35,000 students around the country into the world of audio storytelling, is back with a big new addition: It's kicked up a notch to include college students. NPR has provided a host of training materials, guides for sound recording and audio production—even a podcast about making a good podcast! Find it all at *npr.org*.



The Dakota Datebook book is a great holiday gift!

shopprairiepublic.org

Greetings and welcome to the Winter issue of Cue!

We're excited about the upcoming season of radio and television programming that will take us through the holidays and into a new year. The months of winter often force us northerners toward indoor activities, and I'm pleased that you've chosen Prairie Public's world-class entertainment as a part of those activities. Thank you for welcoming us into your homes.

Your advocacy for Prairie Public and its programming is always so important—and we can't say "thank you" enough. I, our governing board (some members are in the photo below) and the television, radio, engineering, education, and development staff are grateful for you and for the opportunity to offer you exceptional programming that stands proud in a sea of media choices.

Sending you best wishes for a happy and healthy 2021,

John E. Harris III
President & CEO

Thanks go out to our board members past and present—volunteers from across our broadcast area who serve as Prairie Public's essential governing board.

Pictured here are Prairie Public President and CEO John Harris, Jim Kotowich (Chair), Sarah Smith Warren (Past Chair), Prairie Public Administrative Assistant Tina Young, Nick Vogel, Ken Zealand (President of Prairie Public Manitoba), Phyllis Johnson, Sandra Holmberg (Treasurer), Connie Triplett, Kjersti Armstrong (Secretary), Lisa Kudelka, Greg Dandewich, Kathy Coyle, Britt Jacobson, Crysta Parkinson, and Cesareo Alvarez. Not pictured are Joshua Boschee (Vice Chair), Judy Anderson, Carolyn Becraft, and Melissa Johnson.

If you are interested in serving on Prairie Public's Board or Advisory Council, contact Tina Young at 701-241-6900.

Esta Es Mi Casa—This is My Home

Television Premiere *Thursday, January 28, at 9 pm*

Join us for a Premiere Screening and Panel Discussion

Thursday, January 21, at 7 pm
Follow Prairie Public on Facebook
or watch in our email newsletters for your Zoom Invitation

Starting in the 1930s and continuing for decades, farmers in our region depended on Hispanic field workers—migrant laborers from Texas and Mexico who arrived to help with hoeing beet fields, tending crops, and bringing in the harvest.

These families' migration stories are as compelling as those of the families that migrated centuries earlier. They took extensive risks and experienced culture clashes, climate shock, and language barriers.

Now, one and two generations later, these hard-working people have assimilated and settled in the region. Their children and grandchildren are attending local universities and working as professionals. They have contributed their own cultural stamp to our region's art, cuisine, diversity, and economy.

Join us as we examine the amazing journey of the Red River Valley's Hispanic community with the 30-minute documentary **Esta Es Mi Casa—This is My Home**.

Add Your Story

Esta Es Mi Casa—This is My Home is Prairie Public's contribution to the **Moving Lives Minnesota: Stories of Origin & Immigration** television and online project.

The project brings people from our entire region together to recognize our backgrounds and experiences and to build understanding across our communities. You can add your family's story and photos to the project at *movinglivesmn.org*—no matter where you or your family is from.

A Charitable End to a Complicated Year

We all know that 2020 has been a year like no other.

Throughout all of the challenges, our public media network provided essential services—trusted news, educational children's programs, music to calm you, and entertainment to transport you to other times and places.

As we navigate the uncertainty together, we hope you continue to choose and support Prairie Public.

- Donate online at *prairiepublic.org*
- Make a qualified charitable distribution from your IRA
- Grow our endowment by making a legacy gift
- Donate your truck, boat, RV, or car
- Or, use the enclosed envelope

Thank you for making a tax-deductible, year-end gift to Prairie Public.

Troy Davis
Director of Development
800-359-6900, ext 510
tdavis@prairiepublic.org

P.S. Download your 2020 tax receipt today with your Prairie Public **MyAccount**. Create your online secure member account today at *prairiepublic.org/myaccount*.

Thank you, Prairie Public,

for the great educational resources available for families!

We started homeschooling this fall and found the educational materials for at-home learning to be high-quality, relevant, and interesting for our 3rd grader and our 6th grader. From interactive health lessons to science concepts and more, these materials should be on every parent's list of go-to educational resources. Your ongoing and continued support of children and families in the prairie region is appreciated.

Britt Jacobson,
Prairie Public member
Park River ND

Please remember Prairie Public Broadcasting in your will, trust, or general estate plans.

We value your membership in Prairie Public and strive to provide you with excellent service. Switchboard hours at Prairie Public are **Monday—Friday, 8 am to 5 pm CT**. After hours, you may leave a message and your call will be returned. Call us at **701-241-6900** or **800-359-6900**. Fax us at **701-239-7650** or use a TTY in North Dakota at **800-366-6888**. E-mail your questions and comments to **info@prairiepublic.org** and find Prairie Public on the web at **prairiepublic.org**

Prairie Public Broadcasting is a member of the Public Broadcasting Service, a private, nonprofit corporation. PBS provides quality television programming and related services to Prairie Public Broadcasting. Prairie Public is also a member of NPR, a network owned by its member stations.

Many Prairie Public local television productions are funded in part by the following:
Minnesota Arts & Cultural Heritage Fund with money from the voters on November 4, 2008, North Dakota Council on the Arts, North Dakota Humanities Council, and by the members of Prairie Public. Thank you!

CONGRATULATIONS

to Prairie Public's **More Than Just the Music**
and to **Prairie Mosaic** *Tim Pierce, Knife Maker*
Nominated for *Midwest Regional Emmy Awards*!

SO MANY WAYS TO **WATCH!**

You've enjoyed watching Prairie Public on your television for years—perhaps you have fond childhood memories of watching **Mister Rogers' Neighborhood** or **Sesame Street**.

In the past few years, we've added more options for watching our original productions on demand and on any device, so you choose when and how to watch. We added the special member benefit of Passport (now available in Canada!) for members who like to binge watch their favorite series.

And now, our newest way to watch ... live streaming! Don't miss a single scheduled program. Just visit *video.prairiepublic.org* and click on the "LIVE TV" link, or find it on the PBS Video App. It's so easy!

Senate Appropriations Committee
Testimony on House Bill 1015
Senator Ray Holmberg – Chairman
March 17, 2021

Chairman Holmberg and members of the Senate Appropriations Committee, my name is Donna Byzewski and I am one of the guardianship directors at Catholic Charities North Dakota (CCND). I am respectfully asking your committee to support an adjustment to Public Administrators Support Services (PASS) funding to $2.5 million which would result in an increase in the funded caseload to 320 wards.

In February 2020, Catholic Charities North Dakota began providing guardianship services on behalf of individuals with mental health issues, vulnerable elderly persons and people with a traumatic brain injury. A guardianship program in Devils Lake made the decision to no longer provide guardianship services and Catholic Charities ND stepped up to fill this need. Thirty guardianship cases were transferred to Catholic Charities ND of which 25 were funded by the PASS program. Catholic Charities ND would not have been able to assume responsibility for these cases had it not been for PASS funding. We provide guardianship services for individuals who live in Fargo, West Fargo, Arthur, Mayville, Ellendale, Jamestown, Devils Lake, Rugby, Lakota, Minot, Bottineau, Cando, Valley City, Carrington, Maddock, and Grand Forks.

Currently, our guardianship program is serving as guardian for 33 individuals. We receive PASS funding for 31 of the 33 individuals. We also have 13 people who are on our waiting list for services. Many of our referrals have come from judges, Vulnerable Adult Protective Services, hospitals, Veterans Administration and families. To continue to meet the guardianship needs of indigent people in North Dakota, it is vital that funding for the PASS program be increased. It would be devastating to vulnerable people to languish on a waiting list because of limited funding. Often the circumstances in their life place them at risk of harm and they need the support of a guardian. Increased PASS funding is extremely important to ensure that our most vulnerable people do not fall through the cracks and go without needed services. Thank you for your time and consideration.

Senate Appropriations Committee | Senator Ray Holmberg - Chairman
Testimony via House Bill 1015| March 17, 2021

Chairman Holmberg and Members of the Senate Appropriations Committee, my name is Margo Haut, I am Founder and Director of Guardian Angels, Inc., a nonprofit corporation located in Jamestown, ND. I respectfully request the consideration of the Public Administrators Support Services (PASS) Funding via the OMB Budget to include your support of the appropriation level of $2.5 million. Approval will allow Guardianship Agencies to serve additional Protected Persons in need of Guardianship Services throughout ND.

A Few Protected Persons served by "Guardian Angels, Inc" via PASS Funds include

- **Randy** is a 71-year-old man who lived on the streets in Fargo or a homeless shelter over the course of past 40 years. Upon becoming his Guardian, Randy experienced a significant change in health resulting in End of Life decisions and admission to Hospice. Randy transitioned from the Medical Hospital to a Nursing Home, with support of Hospice and Staff of SNF, Randy transitioned and continues to reside at a Basic Care facility in Fargo. A professional relationship assures Randy that he is not isolated nor alone with Randy expressing appreciation. Monthly visits and/or communication occurs on a regular basis.
- **Matt** is a 30-year-old who grew up in the system transitioning to an Adult Group Home at age 18. Per our continued involvement and assistance with Matt's Team of Professionals, Matt was able to transition to his own apartment via a less restrictive environment with wrap-around services. Matt is very appreciative of the continued support consisting of availability via phone, text and email to assist in meeting any potential needs allowing continued communication and support.
- **Melissa** is a 42-year-old woman who resided in a Transitional Living Group Home experiencing readmissions to NDSH due to medication non-compliance. Numerous meetings occurred with Melissa, staff of the TL Group Home and potential resources. Medication monitoring was established resulting in a successful transition to her own apartment. Meeting directly with Melissa occurs on a monthly basis with weekly calls and/or availability to assist Melissa at any time. Over the course of this past year, Melissa obtained a valid driver's license; with the assistance of her family, a vehicle was obtained allowing more independence.

Ultimately, there's People behind the Paper – Randy, Mat, and Melissa are a few examples of many Protected Persons served by Guardian Angels, Inc. via PASS Funds.
PASS Funds are crucial for Protected Persons who lack a funding source to pay for Guardianship services.
PASS Funds directly affect the feasibility for Guardian Angels, Inc. and other Guardianship Agencies to serve not only our current caseloads, but those on waitlists being in dire need of Guardianship services with the hope to serve in the future.

Chairman Holmberg and Members of the Senate Appropriations Committee, I respectfully urge your approval of the appropriation level of $2.5 million.

Thank you for your time and consideration.

9120

Committee Members

The North Dakota Veterans Legislative Council Supports this bill and urges your passage of this legislation.

Jim Nelson Legislative Director and President of NDVLC

Senate Appropriations Committee
67th Legislative Session
Senator Ray Homberg-Chair

Chairman Homberg and Senate Appropriations Committee,

Please accept this testimony in a support of HB 1015, line item "Guardianship grants". Several elderly or disabled ND Veterans and/or Veterans dependents are unfortunately unable to properly care for themselves and are court appointed a public guardian on their behalf. These public guardians receive very little payment for their services. Unfortunately, due to underfunding, several court-appointed public guardian services go unfunded.

Please consider,

- The Guardianship Grants funding appropriation through HB 1015 is at a governor recommendation of $1,950,000. The House amended to 2,050,000
- 2021-2023 caseload projections estimate a funding shortfall which will affect 150 court appointed public guardianships.
- The real need for Guardianship Grants is $2,500,000 a shortfall in the governors recommendation of $550,000 and the House recommendation is $450,000 short.
- I urge the proper funding of the guardianship programs during the 2021-2023 biennium.

The Guardianship programs protect the most vulnerable of ND Citizens. These programs should be among the highest priority for ND Legislators to fund.

Please feel free to reach out to me with any questions or concerns.

Thank you for your consideration,

Lonnie Wangen
Commissioner: NDDVA
4201 38th Street S Suite 104
Fargo ND 58104
701-239-7165
lwangen@nd.gov

House Bill 1015
Senate Appropriations Committee
Written Testimony
March 17, 2021

Chairman Holmberg and all committee members,

My name is Chelsey Williams and I am a member of the North Dakota Community Corrections Association [NDCCA]. I am providing this written testimony in support of House Bill 1015 which (among other financial items) calls for the allocation of funding to line item Community Service Supervision Grants [Page 2 / Line 4] on behalf of the North Dakota Community Corrections Association in the amount of $250,000 for the upcoming biennium. The original base level amount listed in the bill was $350,000; however, the House Appropriations Committee adjusted/passed the amount at $250,000.

As with many agencies across the state of North Dakota, the NDCCA was not spared from the dire financial impacts caused by COVID-19 and desperately need the assistance of the North Dakota 67th Legislative Assembly to pass House Bill 1015 calling for the allocation of funding to the Community Service Supervision Grants so that we can continue to keep our doors open. Many, if not all, members of the NDCCA have experienced numerous difficulties over the past year including having to suspend office operations, loss of community service work-sites, loss of referrals for community service and loss of income all related to the necessary state-wide restrictions taken in response to COVID-19.

To those who are unfamiliar with the North Dakota Community Corrections Association, the NDCCA was established in 1995 and is composed of sixteen agencies located across North Dakota that monitor low risk adult/juvenile offenders in the community who are ordered to complete community service as part of a court ordered sentence or as ordered by a probation department. Community service is a multifaceted tool as it can be used as an alternative to incarceration, a direct sanction by courts and drug courts, can be worked to pay off court ordered fines or supervision fees or implemented as an intermediate measure for supervised probation offenders.

Benefits of Community Service to Communities & Successfulness of Community Service

1) Allows offenders to remain in the community to continue their employment, education and maintain their family unit.
2) Offenders can learn life/work skills and maybe even gain employment at a community service work-site.
3) Is an opportunity for offenders to learn from their destructive behavior and change their behavioral and thinking patterns for the positive.
4) Serves as a restorative purpose as it requires offenders to repay their debt to their local community.
5) Non-profit organizations and government entities save on payroll when utilizing community service workers.
6) NDCCA covers offenders with volunteer workers insurance to ensure their wellbeing and so that the non-profits we work with do not accrue that risk or cost.
7) Communities can save money in jail costs when community service is used as an alternative to incarceration.
8) With local jails/prisons being filled to maximum capacity, community service is needed now more than ever in order to ease the high rates of incarceration. Furthermore, in these times of uncertainty with COVID19 being a concern for correctional facilities, community service is a great alternative to keep offenders out of jail.
9) As part of a NDCCA Recidivism Study, it was found that during a three year period (2016, 2017 and 2018) there was an average successful completion rate of 78.3% of offenders who were ordered to complete community service hours. Furthermore, during that same time frame an average rate of 69.9% of all offenders who were ordered to complete community service did NOT have an act of recidivism in the year following their offense.

Community service is an essential program and it is also a fiscally smart option. Over a 5 year time span (2016 through 2020) the NDCCA had a total of 10,467 clients perform 164,303 hours of community service; this calculated to $1,314,424 in saved payroll expenses for non-profits and $1,314,424 in saved jail costs for a total of $2,628,848. These savings are based on a wage of $8.00 per hour and the estimated cost of $80 per day to house an inmate in jail/prison. If those numbers aren't impressive enough, please consider this: in that same time frame in which $2,628,848 was saved, the NDCCA received state funding in the amount of $950,000 which means $1,678,848 was added into local communities across the state.

Monies received will be divided among the sixteen agencies over the upcoming biennium so that the NDCCA can continue monitoring community service offenders and supporting local communities. Funding will be used to help each agency offset the costs of maintaining a place of business, purchasing office supplies required for daily duties, financially supporting staff and allowing the NDCCA to remain as an alternative to incarceration for courts and probation departments. The NDCCA does not solely depend on the State of North Dakota for funding; however, monies received greatly impact the effectiveness of each office. Other sources of income are dependent upon each program, but in general include program fees as paid by offenders, grants and city/county funding.

In conclusion, I would like to impress upon you the importance of the North Dakota Community Corrections Association as we request your support for funding. We are a valuable resource to the State of North Dakota and its citizens as we are making a difference in the lives of offenders, helping non-profit organizations reach their goals and can be utilized as a way to lower incarceration rates as well as incarceration costs. We are greatly appreciative of any funding previously provided and believe we should continue to be funded because in a difficult budgeting session, we are a fiscally good decision.

Included with this testimony is multiple letters of support for the NDCCA including a letter from

Sincerely,
Chelsey Williams
NDCCA Member
Grand Forks Community Service Program
Lobbyist ID #1028

Joined by,
Darlene Lee
NDCCA President
Richland County Community Service Program
Lobbyist ID #1039

District Judge
Bradley A. Cruff

Court Recorder
Cindy L. Keller

State of North Dakota

DISTRICT COURT
SOUTHEAST JUDICIAL DISTRICT

418 Second Avenue North
Wahpeton, ND 58075

Telephone: 701-671-1510
Fax: 701-671-1512

November 13, 2020

Whom It May Concern

RE: Richland County Community Service

Dear Madames or Sirs,

I write to express my support for community service in North Dakota.

I use community service extensively in Richland County and find it to be very beneficial for both the participant and the community for the following reasons:

1) Child Support – As an alternative to incarceration I require non-paying or delinquent obligors to perform 40 hours of community service per week until an income withholding order is in place. This is a very effective incentive. Sitting in jail does not generate any money to support their children;
2) Community service as an alternative to incarceration is especially important during the pandemic due to our correctional center capacity cut in half, lengthy delays in prisoner transfers to the state penitentiary, and running at or near capacity on a daily basis;
3) Participants gain work experience, interview skills, confidence, and contribute to non-profits in the community, with some participants gaining permanent employment as a direct result of their community service;
4) Youthful Offenders – Community service is not something that mom, dad or somebody else can do for them such as pay their fines and fees and as such is a great deterrent.

Community service is integral to rehabilitation, saves significantly on incarceration, and benefits our community.

I appreciate your consideration,

Bradley A. Cruff, District Judge

District Court Judges

Donald Hager
Presiding Judge

Lolita G. Hartl Romanick
District Judge

John A. Thelen
District Judge

Jason McCarthy
District Judge

Jay D. Knudson
District Judge

State of North Dakota

Northeast Central Judicial District

Chambers in Grand Forks and Nelson Counties
124 South 4th Street
Grand Forks, ND 58206
Phone (701) 787-2730

Court Administration

Scott K. Johnson
Trial Court Administrator
(701) 787-2730

Kelly Hutton
Assistant Court Administrator
(701) 787-2732

Clerk's Office

Rebecca M. Absey
Grand Forks County
Clerk of Court
Civil (701)787-2715
Criminal (701) 787-2700

Erin Fossen
Nelson County
Clerk of Court
(701) 247-2462

Juvenile Court

Shawn Peterson
Director of Juvenile Court
(701) 787-2770

February 16, 2021

TO: The North Dakota legislature

RE: Community Service Office budget

Dear Congress members:

I serve as the Presiding Judge for the Northeast Judicial District. This letter is in support of the Grand Forks Community Service Office and their funding request for the next biennium.

The Community Service Office serves a valuable judicial and societal role by administering random drug testing as well as supervising community service defendants in lieu of incarceration. The testing is done at the order of the court for those persons who have been charged with drug-related crimes, and released on bond subject to the testing requirement. As such, it is the first step in guiding those persons towards treatment and accountability. While many fail at least once, they are released back to the testing to ensure monitoring. The random nature of the testing also serves as a deterrent for future drug usage and trafficking.

The second function of community service is a post-judgment alternative to incarceration. This has become even more important now with overcrowded jails. The Grand Forks County

Correctional Center no longer authorizes work release, so the court is left with the community service as the only viable release program which not only holds persons accountable for their crimes, but allows them to maintain employment and invest some goodwill personal service back to the community.

The Community Service Office is more important now than ever for the judicial system. Please strongly consider their needs in maintaining their services.

Thank you.

Donald Hager

State of North Dakota
Chambers of
The District Court

DANIEL D. NARUM
DISTRICT JUDGE
SOUTHEAST JUDICIAL DISTRICT

LAUREL ALBER
JUDICIAL SECRETARY
COURT RECORDER

January 7, 2021

67th Legislative Assembly of ND

To the Honorable Members of the 67th Legislative Assembly of North Dakota:

I am writing in support of legislative funding for the administration of the community service program in LaMoure County. Community service is often part of a sentence handed down in criminal court. It is used in a wide array of cases by judges across the state. Community service serves as punishment, rehabilitation, and has a restorative justice function within a community. These aspects of community service benefit those convicted of crimes and their communities, and these programs require funding to operate. For these reasons I urge you to support funding of the community service program in LaMoure County.

If you would like to further discuss community service or any aspect of the courts, please, do not hesitate to call me.

Sincerely,

Daniel D Narum

Honorable Daniel D. Narum
Presiding Judge
SEJD

☐ District Court Chambers P.O. Box 336 Ellendale, N.D. 58436-0036 Ph. 701-349-3249 Ext. 4

☐ District Court Chambers P.O. Box 128 LaMoure, N.D. 58458 Ph. 701-883-5301 Ext. 4

☐ District Court Chambers 301 Broadway Napoleon N.D. 58561 Ph. 701-754-2751

☐ District Court Chambers 355 Main Street South Suite #2 Forman, N.D. 58032 Ph. 701-724-6241

☐ District Court Chamber P.O. Box 179 Ashley, N.D. 58413 Ph. 701-288-3450

STATE OF NORTH DAKOTA

DISTRICT COURT
SOUTH CENTRAL JUDICIAL DISTRICT
514 E. THAYER AVE
BISMARCK, ND 58501

HON. BRUCE A. ROMANICK
SOUTH CENTRAL DISTRICT JUDGE
PRESIDING JUDGE

FAX (701)222-6689

KRISTEN KEEGAN, CT R.P.R. (701)222-6682 EXT. 125

November 4, 2020

To Whom It May Concern:

I am writing in support of the community service program operated by Centre, Inc.

The judges of our district find community service to be a valuable sentencing tool. Community service is a very important component of the drug court programs in our district. Community service is often an alternative to a jail sentence.

We could not order community service without the assistance offered by a program which:

1. Monitors completion of community service;
2. Matches agencies and those ordered to do community service; and
3. Provides coverage for individuals who are ordered to perform community service, who may be injured while completing the community service.

I'm convinced that we reduce costs of incarceration through use of the community service program. People who would otherwise be sentenced to jail instead perform community service. Non-profit organizations also benefit greatly by the service provided.

Thank you for your consideration.

Sincerely,

Bruce A. Romanick
SCJD Presiding Judge

Municipal Court

1900 4th Street North
Wahpeton, ND 58075
clerkofcourt@wahpeton.com
701-591-2112

November 19, 2020

Darlene Lee
Director of Community Service
413 3rd Ave. N.
Wahpeton, ND 58075

RE: Richland County Community Service Office

Dear Ms. Lee:

Please consider this an enthusiastic letter of support for the Richland County Community Service program.

As Judge of Municipal Court, I very much appreciate having community service available as one of the options in sentencing out of Municipal Court. In my opinion, community service is helpful to the participants. They give back something to their community. Also, they hopefully have some time to think about what got them into that position.

Locally, the Richland County Community Service Director has gone beyond the normal job description and expected work to maintain contact with participants (who sometimes don't do the best job of communicating). She has even helped several of them get some experience and with her help, be gainfully employed later.

Sincerely,

Don R. Krassin
Judge of Municipal Court

LAMOURE COUNTY STATE'S ATTORNEY

JAMES SHOCKMAN, STATE'S ATTORNEY
jshockman@nd.gov

KATIE SARBAUM, ADMINISTRATIVE ASSISTANT
katie@jamesshockmanlaw.com

January 8, 2021

RE: Community Service Program

To Whom It May Concern-

This Office is writing to express our support for the Community Service Program and Community Service Director.

The State's Attorney office carries out a wide spectrum of duties including, prosecution of criminal and traffic related offenses, and juvenile justice. This is in addition to our other responsibilities outlined in Chapter 11-16 of the North Dakota Century Code. In our work, we regularly rely on the Community Service Program.

The North Dakota Criminal Code sets forth specific goals in the criminal offenses and sentencing Chapter, which include; preventing re-offense of certain activity, deterrence, punishment, and rehabilitation. The Community Service Program is an essential tool utilized to meet these goals. Often times incarceration, fines, and fees are not an appropriate disposition in cases, so prosecutors, defense attorneys, and judges must look for an alternative disposition to support the goals of the criminal and juvenile statutes. For example, indigent defendants of lower level criminal offenses may be unable to pay fines and fees, and the inability to do so cause them to continuously be brought back before the court to explain why they cannot pay. This is an unnecessary use of time and resources, if there is an appropriate alternative. Community service offers that alternative. It affords offenders an opportunity to understand that their actions have consequences without unnecessarily punishing their families or preventing them from using their limited means on other personal needs.

Moreover, incarceration is not always appropriate, especially in lower level offenses. Excessive fines may not work to hold people appropriately accountable if they are of vast means. Community service is an appropriate sentencing alternative to hold certain individuals accountable and affords offenders an opportunity give back to the community. They can feel a sense of worth and responsibility that they wouldn't otherwise get from sitting in jail or paying a fine.

PHONE: 701.883.5418 | FAX: 701.883.5693
109 S MAIN ST | PO BOX 218 | LAMOURE, ND 58458

Finally, community service is an excellent tool for young offenders that either cannot afford fines or in cases where their parents pay the fine. It's an appropriate way to not overly punish them, but also show them that their actions have consequences and hopefully set them on the appropriate path in life.

This Office is in full support of the Community Service Program. Without it, needless county and state resources would be wasted. I believe in the work of this Office, and Community Service is crucial to this work. The Community Service Program supports the goals of this Office in representing the people in this community and the State of North Dakota.

Sincerely,

James Shockman
LaMoure County State's Attorney

GRAND FORKS COUNTY
HEART OF THE RED RIVER VALLEY

Office of the State's Attorney

February 12, 2021

ND Legislative Assembly
North Dakota State Capitol
600 E Boulevard Ave
Bismarck, ND 58505

Dear Distinguished Members of the Legislative Assembly,

I am writing to you in support of the Greater Grand Forks Community Service & Restitution Program. The organization provides drug testing to criminal defendants released on bond and administers community services hours imposed by the court.

An investment into this program saves taxpayer dollars and ensures accountability within the criminal justice system. Allowing low risk offenders to complete community service hours in lieu of jail time frees up space at our correctional center, which all too often is running near or at capacity. The administration of drug testing imposed by the court as a condition of bond for criminal defendants helps to keep our communities safer while also helping to alleviate correctional center capacity issues.

The program is very well run with low overhead. While a majority of its revenue is generated from fees from defendants using the program, the state dollars invested into the program over the years has become an essential portion of its operational budget.

I encourage you to continue your ongoing support for community service programs throughout the state as it has proved to be a very worthwhile investment. If you have any questions or wish to discuss this further, please feel free to contact the undersigned.

Sincerely,

Haley Wamstad

Haley L. Wamstad
Grand Forks County State's Attorney

124 South 4th Street | PO Box 5607 | Grand Forks, ND 58206

AID, Inc.

Self-Help Center & Thrift Shop

314 West Main Street • Mandan, ND 58554

(701) 663-1274 • (701) 663-2122

October 27, 2020

To Whom It May Concern:

I am writing to you to express my concerns for the future funding of Centre, Inc. As a non-profit operating in the Bismarck-Mandan communities we frequently utilize the services and diverse talents of the individuals of Centre, Inc.

Not only do we provide an avenue for those individuals navigating the court system, but we receive capable workers often for several days if not several weeks. Individuals put in hundreds of hours annually helping us with our mission of providing emergency, temporary assistance to the working poor and those working to help themselves.

The loss of a program such as this would have a significant impact on our business and put many more obstacles in the path of those needing the services that Centre, Inc. currently provides.

Please understand that we are the richer for this program.

Sincerely,

Patti Regan

Patti Regan
Executive Director
AID, Incorporated

easterseals
Goodwill®
North Dakota

November 9, 2020

To Whom It May Concern:

I am writing to provide my support for continued future funding for Centre, Inc. We are a non-profit that operates in the Bismarck-Mandan communities.

We have utilized the workers we receive through Centre, Inc. to help with the understaffing we experience in our Bismarck Goodwill store. These individuals put in many hours helping us to accomplish our mission.

This work program offered through Centre, Inc. provides the individuals with on the job experience and helps them develop the job skills needed to succeed.

Sincerely,

Catherine M Metz
COO/CFO

10/26/2020

To Whom it may Concern:

Centre Community service is essential to the wellbeing of this park. This program provides an essential service that otherwise could not be met due to manpower and budget restrictions. Many of the additional services provided not only maintain the park but also enhances beyond what would normally be attained. Along the way many of these individuals have discovered this park and have brought their children here. I believe this program to be a service to the community.

Regards,

David Robinson
McDowell Dam
701-226-4955

Letter of Support
RESTORE Program
March 11, 2021

This letter is in support of the services provided by RESTORE, a non-profit Community Corrections Program, which monitors community service sentences for the ND Department of Corrections Division of Parole and Probation.

The Arc of Cass County, a chapter of The Arc located in Fargo, has been partnering with RESTORE for the past 20+ years. Individuals who need to complete community service hours are assigned to one of the agency's thrift stores to help with the various tasks needed to run the stores successfully. Because The Arc is also a non-profit, the organization relies on free labor as much as possible to do our work.

The RESTORE program provides thousands of volunteer hours each year to The Arc's thrift stores. The current estimated value of volunteers nationally is $27.20 per hour. Accordingly, that means that every 1,000 hours provided by RESTORE is worth $27,200 to our organization. The value to The Arc is immeasurable.

It is also important to note that this community service program holds the offender accountable for their crimes by having them work off their debt to society. Not only does this close the gap on man hours for a business like The Arc but it also allows the individual to give back to their community. In many cases the individual can prove him or herself by doing a good job and then be successfully hired into a permanent position once the community service hours are completed.

We believe that the RESTORE program is extremely important to not only the individuals served but also the Fargo community as a whole. We are grateful for the services they provide to The Arc of Cass County.

Sincerely,

Kirsten Dvorak

Kirsten Dvorak
Executive Director
The Arc of North Dakota

Kirsten Dvorak is the executive director of The Arc of North Dakota, which includes all six Arc chapters in North Dakota: Bismarck, Bowman, Dickinson, Fargo, Grand Forks, and Valley City. The mission of The Arc is to improve people's quality of life with intellectual and developmental disabilities and actively support their full inclusion and community participation.

From: m4vmotorsports <m4vmotorsports@gmail.com>

To: Chelsey Williams & Kelsey Powell <gfcom@invisimax.com>

Date: Wed, Mar 10, 2021 07:40 AM

Re: I lost the letter

To all North Dakota state legislators.

My name is Larry Mendivil Jr, the president and founder of Miracles for Vets. M4V Is a nonprofit corporation that has been assisting veterans in need since 2012. My organization is very small, yet has a very important mission that is very well respected in the veteran community. M4V gathers resources such as vehicles and provides low income veterans with safe and reliable transportation with the community's contributions.

The Greater Grand Forks Community Service and Restitution Program is vital for my organization to operate. This program is more than service to the community and restitution, it's a real life changing experience for those who are given an opportunity to serve those who proudly served our great nation. Your approval for funding to the Grand Forks Community Service and Restitution Program is very important to me and to the future of our veterans. I am aware of senator Rich Warder's efforts of helping the NDCCA to obtain funding, yet I feel this letter would help explain the importance of the program that continues to allow my organization to thrive.

I look forward to doing anything in my power to better the lives of people in the community while serving our veterans one miracle at a time.

Sincerely,

Larry Mendivil Jr.

Miracles for Vets, Inc

Sent from my Verizon, Samsung Galaxy smartphone

Good Morning to the _____ Committee

Mr. Chairman and Committee Members;

My name is John Finstad from Lisbon, North Dakota and today I have been asked by the Ransom County Sheriff's office to put forth a letter in favor of the Community Service program that we have in our County. In 2016 I took over Oakwood Cemetery that is located in our community and soon afterwards I was asked to let some individuals come up to the Cemetery and work some time off of their Sentence of Community Service that the Courts have handed down for their infraction of the law. I want you to know that for me it is a pleasure to have these individuals work for us at Oakwood Cemetery. This help not only gives us some much needed free work for the upkeep of our 40 acre Cemetery, but it gives me a chance to make a difference in somebodies life and as an Eagle Scout and a father of 4 Children I have always impressed on my family as well as others that we are our brother's keeper. This source of interaction provides an opportunity to make a difference in an individual's life. I will give you one example: There was a young lady that was really struggling and she had so many hours of Community Service and when someone has Community Service with me I just don't send them out by themselves, we work hard together and I impress on them to take pride in their work. Then we talk on a break and what we talk about is about second chances and the opportunity for those second chances. I have had great success with this and I will give you one example;

After the young ladies completion of her Community Service some months later she had moved to Montana and we had each other's numbers and I received the following text message from her:

"Hi, this is Savannah Yates, I was on the of the kids you had for Community service a couple of years ago. I just wanted to thank you for helping me become the person I am today, you may not have known it but you were a major role in forming the woman I've become. I just want to say thank you are doing well, as always for you (Smiley Face).

So given what I have just showed you folks, I hope that whatever you are doing now can be only enriched for many more positive experiences in the future for those persons who are in need of a positive experience to help them through a difficult time in their lives. There is one last thing that I would like to suggest as food for thought. In Minnesota they have a program through the State of Minnesota that is called "Sentenced to serve" and the inmates (Non-Violent) offenders go out and do little tasks and the one that she brought up was Cemetery work, everything from Spring Clean-up to resetting Stones. The Cemetery is charged a small fee for the labor but for the Cemeteries it is much cheaper and gives the inmates a source of accomplishment and pride for those who have passed on.

I hope that I have presented a proper reason for this activity in a way that benefits all of us in this state.

All the best to all of you and please give this a Do-pass.

Sincerely John N. Finstad

John N. Finstad 3/13/2021

Chahinkapa Zoo Association
Prairie Rose Carousel
Rodger Ehnstrom Nature Center

Entrance located at 1st Street and 7th Avenue North
PO BOX 1325
1004 RJ HUGES DRIVE
WAHPETON, NORTH DAKOTA 58075
Telephone: (701) 642-8709 Fax: (701) 642-9285

Director: Kathy Diekman
kdiekman@chahinkapazoo.org
(701) 899-1711 (cell)

November 13, 2020

To Whom It May Concern,

I write this letter in support of the Richland County Community Service Program. The Chahinkapa Zoo has been a partner in this valuable program for many years. I believe its accomplishments are many. It behooves the zoo in gaining work resources in grounds keeping, general maintenance, and special projects. But, more importantly the participants in the restitution system gain so much more from their work experiences. I have witnessed this through my tenure as Zoo Director and know that community service instills work ethic, pride, and self worth. Often, former workers return to the zoo to show the outcome of their labor to friends and family. I have also received cards and letters that demonstrate same. For example one wrote, "You may not remember me, but I did community service at the zoo a few years ago. It was the best thing that could have happened to me at the time. It was such a positive thing in my life. Thank you!" This same message has been repeated by many. In our community it is utmost important to team with worthy agencies and the Chahinkapa Zoo Association will do whatever we can to continue our work with Richland County. Darlene Lee has been an excellent Program Director who respects our protocols and policies while maintaining this viable and successful partnership. Bravo!

I am happy to visit with you if more information is needed. Thank you.

Very Sincerely,

Kathy Diekman
Director
Chahinkapa Zoo

Butch Nelson

212 Dakota Avenue
Wahpeton, ND 58075
701-642-6116 ext. 894

November 17, 2020

Darlene Lee
Richland County Community Service Director
Wahpeton, ND 58075

Dear Darlene,

St. John's Church and School have opened our doors to support Richland County Community Service for more than 20 years. The church and school receive a benefit through the collaboration, but so do those for whom you provide services. The tasks these community service laborers perform here are general janitorial duties. Many of them gain self worth and often go on to find good jobs after finishing your program.

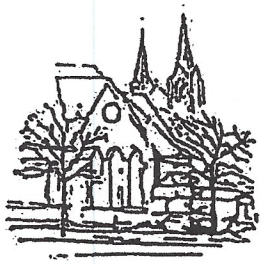
I like working with many of these people as they are nice to work with. I also see them give more respect to others after a good day's work, and maybe gain some respect for themselves in return.

Our church offers respite for people and it is no different for your community service people. As they work in the church, many of them talk to our priests, receiving peace and caring through the interactions.

As you can see, St. John's Church and School gains many blessings from working with Richland County Community Service and hope to continue to provide work for those who need a good place to work through their community service hours.

Sincerely yours,

Butch Nelson



St. John the Evangelist
Rev. Dale Lagodinski, Pastor
115 2nd Street North
Wahpeton, ND 58075-4505
Telephone 701-642-6982

November13, 2020

To whom it may concern:

I want to express my gratitude that you have inlcuded Saint John's as a work site for those who have service hours to complete. Over this past year there have been some remarkable people who have lightened our load and I trust that we have given them blessings as well.

Most recently, a young community service man stopped by my office just to thank us for the opportunity of being able to help here. He was grateful for the respect he was shown and the confidence we placed in his ability to be responsible in his work. He was not the only one to express that sort of genuine gratitude. Even more remarkable are those who choose to put in more time than required just because they saw our need and recognized their opportunity to give back a kindness. The young woman with us these past days has also been amazing in attitude and conscientious work.

I am humbled every time one of the community service people comes to me and asks to talk. More than once, real life changing conversation with good humor happens.

I am grateful to have a staff who treat our community workers with such respect and kindness. Although I am not privy to the conversations he has with the workers, I suspect that our maintenance man does a fine job of coaching those who are sent here. With occasional exceptions in human nature, language and behavior on their part is consistently appropriate for our church setting.

We are grateful for your willingness to entrust community service people to us and we are glad for the ways our environment affects them for the good,

Sincerely yours,

Fr. Dale Lagodinski
Pastor

Wahpeton Park Board
304 South 5th Street
Wahpeton, ND 58075
Phone: (701) 642-2811 Fax: (701) 642-5055
Email: woppark@702com.net

November 13, 2020

To: Whom It May Concern
From: Wayne Beyer / Parks & Recreation
Re: Community Service

The Wahpeton Park Board has greatly benefitted from the Richland County Restitution and Community Service Program.

The workers have helped with many important park services like landscaping, highway ditch cleanups, painting buildings, groundskeeping, zoo maintenance, river cleanups, forestry care, etc.

We believe public service is a very valuable tool in the tool box to help people who have committed crimes. As an option to incarceration, they learn about the importance of hard work and sometimes learn skills that assist them in their rehabilitation. Community service workers can also take pride in improving natural resources, attractions like Chahinkapa Zoo, well-used green space and city beautification.

Thank you for your consideration to continue financial support of the Richland County Restitution and Community Service Program.

Wayne H. Beyer

11/11/20

TO WHOM IT MAY CONCERN -

I AM WRITING THIS LETTER ON THE BEHALF OF THE LAMOURE COUNTY COMMUNITY SERVICES PROGRAM.

I FEEL COMPELLED TO LET PEOPLE KNOW WHAT A GREAT PROGRAM I THINK THIS IS AND HOW IT BENEFITED ME.

SO HERE IS MY STORY ... SEE WHEN I FIRST MOVED TO NORTH DAKOTA 3 YEARS AGO I WAS ADDICTED TO METH. I EVENTUALLY GOT INTO TROUBLE BEHIND THAT GODAWFUL DRUG AND WAS SENTENCED TO PRISON. I DID MY 3 MONTHS IN NEW ENGLAND PRISON AND WAS SENT TO TREATMENT AT THOMPKINS FOR 3 MONTHS.

WHEN I WAS RELEASED I WENT TO LIVE AT MY MOM'S HOUSE. I COULDN'T WORK AND FELT TOTALLY HOPELESS. WELL I HAD SEEN 2 BAGS OF GROCERIES AT THE GROCERY STORE ON THE BENCH SO I PICKED THEM UP AND TOOK THEM HOME. SUBSEQUENTLY I WAS CHARGED WITH A MISDEMEANOR AND ENDED UP HAVING TO COMMUNITY SERVICE IN LAMOURE. BY HAVING TO DO THAT 40 HOURS OF COMMUNITY SERVICE I THEN REALIZED I WAS CAPABLE OF MORE THEN I HAD THOUGHT.

AS I CAME TO THE END OF COMPLETEING MY COMMUNITY SERVICE I HAD BUILT UP ENOUGH SELF ESTEEM TO REALIZE I COULD WORK AND I ALSO REALIZED THAT PEOPLE LIKED ME AND THOUGHT I WAS A HARD WORKER.

DON'T GET ME WRONG COMMUNITY SERVICE WAS NOT THE ONLY THING THAT HELPED ME THEN - IT

WAS A COMBINATION THINGS. THE KINDNESS I WAS SHOWN BY SHERIFF BOB FERNANDEZ AND STAFF AT THE SHERIFF'S OFF AND THE HELP AND SUPPORT FROM PAROLE OFFICER RHONDA BEARDSON COUPLED WITH THE TREATMENT I RECIEVED AT THOMPKINS DRUG TREATMENT ALL LED ME ON THE RIGHT PATH. I HAVE SINCE BEEN WORKING STEADILY AND HAVE MY OWN PLACE TO LIVE. I HAVE REMAINED FREE OF DRUGS AND THE CRIMINAL WAY OF LIFE EVER SINCE.

SO MY POINT IS THAT PROGRAMS LIKE THESE CAN AND ARE VERY BENEFICIAL TO PEOPLE!

THANK YOU FOR YOUR TIME IN READING THIS LETTER. STAY SAFE AND GOD BLESS YOU ALL.

SINCERELY

DAWN ANDRACK

Dawn Andracki

Testimony of Brent and Trish Levinson
for the
North Dakota Senate Appropriations Public Hearing on March 17th 2021.

Chairman Holmberg and committee members of the Senate Appropriations Committee,

This testimony is presented by Brent and Trish Levinson the owners of Affinity Global Solutions (AGS) whose IBARS (Internet Budget Analysis and Reporting System) product is used to source, analyze, and generate publications for the State's budget. In the upcoming biennium IBARS is to be replaced through a project sponsored by OMB and the Governor's Office. OMB has requested an "annual contract for a new budget system" with a request amount of $1,230,100 (see Exhibits A and B) with additional funding to be sourced through the Strategic Investment and Improvement Fund. It is unclear what the intent and scope of this contract is. Perhaps, this is a long term software as a service (SaaS) contract for $1,230,100 per year where the State owns no solution?

AGS has been a partner with the State of North Dakota in sourcing, analyzing and producing reports and publications for the State's budget for over 25 years. The origins of IBARS were built to meet the needs of North Dakota's State budgeting process and then enhanced to meet the needs of many other States. For example, IBARS went live in December 2019 for the State of New Jersey. IBARS is an actively supported, developed, vibrant and competitive product built by and for North Dakotans. 2020 maintenance of IBARS for the State of North Dakota was $93,635. North Dakota has a perpetual license for IBARS. IBARS is consistently the most competitive solution in the marketplace. 100% of IBARS is developed and supported in the State of North Dakota. Therefore, keeping small business alive and staff employed.

On April, 30th of 2020 AGS was advised that the State intended, on the following day, to release an RFP to replace the State's IBARS budget system. This blindsided AGS. AGS is unaware of any deficiency of functionality, support, or other issue that would necessitate the State to find a new solution. On the contrary, year after year AGS works closely with OMB staff to ensure that IBARS performs the many complex data collection, analysis, simulations, reporting and publication tasks needed to generate the Governor's Budget. Also, Legislative Council (LC) uses IBARS. LC receives the Governor's Budget in their IBARS and has further processes and reporting supported by AGS.

Having worked with State of North Dakota since 1995 for various departments within the Executive Branch we have been exposed to rigid procurement practices that force agencies to go through extensive consultation processes with existing vendors before undertaking any purchase of replacement systems. We have seen this result in agencies staying with existing solutions rather than purchasing new systems.

No such due diligence has been followed by the State to replace the current budget system. There is no feature or functionality that cannot be provided by AGS in IBARS that another product can provide. Further, the RFP released by OMB and Governor's Office included:

1) An explicit statement that the selected solution would "***replace IBARS***" (page 8 of the RFP- Exhibit C) thereby excluding an AGS' IBARS solution, and
2) An itemization of ***only 39 requirements***. Typical State budget system RFPs have 500 to over 1000 requirements. This means that any solution provided under the terms of the State's RFP is bound to be laden with change orders certainly making the original bid a step stone to a much more costly and disruptive endeavor.

Implementations of Statewide budget solutions range from $10 million upwards towards $40M. This money will go out of State versus supporting a local vendor that employs North Dakotans who contribute to the North Dakota economy and pay North Dakota taxes. The implementation costs referenced do not include direct State costs to provide the tens of thousands of resource hours needed for such an undertaking in the way of a State project team, acceptance testing, user time in training and learning a new system.

We, as citizens of North Dakota, partners in providing the State's budget solution, a North Dakota technology company employing North Dakota technology professionals, and as North Dakota tax payors both personally and corporately find this planned purchase extremely frustrating. This is an example of yet another ill-advised and ill-conceived IT project that will burn through millions of taxpayers' dollars unnecessarily.

We ask the North Dakota Legislature to send this matter back to the Governor's Office and OMB without funding. Insist that they communicate to AGS their needs of needed features so those can either be enabled or developed as required to IBARS, a product that is proudly North Dakota built and supported. This will save tax payors millions of dollars and keep highly valued technology jobs in North Dakota.

Included with this submission are our prior outreach to the Governor and OMB when this matter came to our attention (see Exhibit D). Our letter went unanswered.

Also included is a similar message provided to select legislators (see Exhibit E).

Thank you for your help in this matter and we certainly hope that you share our concern in the way this solicitation has been handled. AGS takes pride in its contribution to budget development in North Dakota and sees the planned to change as a needless and costly decision to replace a proven solution and North Dakota vendor.

Thank you for your time,
Brent and Trish Levinson

Return to Report Guide

BUDGET CHANGES NARRATIVE

110 Office of Management and Budget

Date: 11/30/2020
Time: 13:28:33

Change Group: A	**Change Type:** A	**Change No:** 2	**Priority:**

Facility Management

Restoring ongoing bond payments of 564,515

Change Group: A	**Change Type:** A	**Change No:** 5	**Priority:**

Central Services

Equipment over $5,000 provides for the replacement of existing production equipment and enhancements to existing IT solutions.

Change Group: A	**Change Type:** A	**Change No:** 100	**Priority:**

15% Base Budget Reduction

Removed 15% from all pass-through grants and statewide dues, removed contingency appropriation, underfunded some positions and reduced operating in all divisions.

Change Group: A	**Change Type:** A	**Change No:** 200	**Priority:**

5% Reprioritization Decrease

Decrease Special funds for reprioritization

Change Group: A	**Change Type:** A	**Change No:** 300	**Priority:**

5% Reprioritization Increase

Increase of special funds for reprioritization

Change Group: A	**Change Type:** C	**Change No:** 1	**Priority:** 4

Fiscal Budget System Annual Contract

Add funding to pay annual contract for new budget system.

Change Group: A	**Change Type:** C	**Change No:** 2	**Priority:** 9

Restore Statewide Grants

Restore Guardianship, Prairie Public, Community Service, COSE, and Boys and Girls Club Grants from 15% reduction.

Change Group: A	**Change Type:** C	**Change No:** 3	**Priority:** 10

Return to Report Guide

IT EQUIPMENT OVER $5,000

110 Office of Management and Budget

Version: 2021-R02-00110

Date: 12/09/2020

Time: 13:23:11

Description	Funding	2021-2023 Request	2021-2023 Optional Request	2021-2023 Recommendation
New Eprocurement Software	General Fund	0	2,021,204	2,021,204
	Federal Funds	0	0	0
	Special Funds	0	0	0
Total New Eprocurement Software		**0**	**2,021,204**	**2,021,204**
New budget system	General Fund	0	1,230,100	1,230,100
	Federal Funds	0	0	0
	Special Funds	0	0	0
Total New budget system		**0**	**1,230,100**	**1,230,100**
Virtual Tour Program	General Fund	0	100,000	0
	Federal Funds	0	0	0
	Special Funds	0	0	0
Total Virtual Tour Program		**0**	**100,000**	**0**
Agency Totals				
	General Fund	0	3,351,304	3,251,304
	Federal Funds	0	0	0
	Special Funds	0	0	0
	Agency Total	**0**	**3,351,304**	**3,251,304**

Exhibit A

SECTION TWO – BACKGROUND

2.0 BACKGROUND INFORMATION

North Dakota Office of Management and Budget's (OMB) mission is to provide innovative leadership and support to state government. Our vision is that OMB will set the standard for leadership and expertise in state government; and our core values include respect, integrity, excellence, resourcefulness, and responsiveness. OMB is comprised of five separate divisions, each with a unique mission and function, but sharing a common purpose of service to the agencies of state government, the team members of all state agencies and the people of North Dakota.

Within OMB, the budget office assists the Governor and his staff in developing executive budget recommendations that are presented to the legislature each biennium and monitors these recommendations throughout the legislative process.

The functions of the Budget Office include:

1. Budget Development
2. Financial / Economic Analysis
3. Budget Implementation
4. Planning and Reporting

North Dakota employees about 15,800 workers within seventy-four state agencies. The total state budget for the current 2019-21 biennium is over $14.6 billion including a mix of general, federal, and other funding sources. The state budget solution will be used to budget for all these agencies and state employees.

ND OMB has been using various iterations of the current IBARS system since 1995, the resulting system from this RFP will replace that application.

The ND OMB is soliciting proposals from qualified vendors to provide a statewide budget system solution to support the STATE's biennial budgeting process. The goal of the STATE is to have a new budget system that will be useful into the foreseeable future. The system should be easily maintainable with a clear upgrade path for the underlying software components.

2.1 BUDGET

The funds for payment of this contract are contingent upon appropriation of funding. Funds will be requested through the 2021-2022 legislation session.

2.2 TECHNICAL ARCHITECTURE OVERVIEW

A brief description of each component of the technical architecture is provided in the Technical Architecture Overview – Attachment B to this RFP.

Affinity Global Solutions
"Implementing Tomorrow's Technology Today"
812 Burlington Drive, Suite 300, Bismarck, ND 58504
Phone: 701-223-3565 Fax: 701-223-3659
www.affinitygs.com

June 2, 2020

Honorable Doug Burgum
Governor of North Dakota
600 East Boulevard Ave
Bismarck, North Dakota
58505-0001

Dear Governor Burgum:

RE: RFP 110.7-20-017 State Budget System

RFP 110.7-20-017 was issued on May 1, 2020 for a State Budget System and it clearly states that the State wants to replace IBARS. Affinity Global Solutions (AGS) is the owner of IBARS and we have been supporting the ND Budget process for the past 25 years, through 3 prior Republican administrations. We also provide our budget software in 6 other states and also have other states that self-support prior versions of our budget system. This RFP is clearly written to exclude us, therefore, AGS sees no opportunity in responding despite the fact that IBARS vastly covers the State's documented requirements, is proven on State infrastructure, proven to deliver the State's budget, well supported, vital, and cost effective.

AGS has responded to dozens of RFPs for either a State wide budget system and city/county wide systems. All other RFPs have intense requirements that range from 500-1000 in count. ND's RFP has 39, very broad requirements. These do not reflect the needs of the State. Any purchase made through this RFP will result in much increased total price due to vendor Change Orders every time the State finds it has a need that was not itemized in the RFP.

OMB will purchase a new system and those funds will go to a out-of-state vendor. What happened to the 'great' state of ND and it's people?

To date, no one at the State has made any feature requests or asked for any enhancements to the IBARS product, or described any limitation of the current software that would explain a need to replace the IBARS system.

There are aspects of the RPF asked to "simply" the State's budgeting process. We have offered to the State to take aspects of the system configuration, or to streamline aspects of the budget system, however, the State have never gotten back to us on these offerings.

Affinity Global Solutions is based in Bismarck, North Dakota and owned by Trish and Brent Levinson. We are a small business entity and a woman owned business. We have 17 employees. 15 staff members are dedicated to ongoing support, hosting, development and R&D. Our offices and data center reside in the 23,000 square foot Levinson Technology & Business Center.

AGS was founded in 1995 by managers who gained their experience by implementing large public sector financial systems while employed by Andersen Consulting, EDS and KPMG Peat Marwick. The origins of IBARS go back to 1995 when the State of North Dakota and Affinity Global Solutions partnered to build the State's budget system called SIBR. Trish Levinson was the project manager of the SIBR implementation and is now the majority owner of AGS. AGS went on to market that system to other States. AGS then paid the State of North Dakota royalties which more than paid for the State's contribution to the system. This successful history has continued:

- During mid-90s AGS consolidated the various SIBR based budget solutions to a core system called BARS.
- Starting in 2000 AGS rewrote BARS to be web based and released IBARS in 2004 using its new eGov Framework. Nearly all AGS State's have upgraded to IBARS.
- AGS started providing hosted IBARS solutions in 2008.
- More recently starting in 2017, AGS began to rewrite the eGov Framework user interface that IBARS is built on. This new user interface is now used in AGS provided Inspections and Crash Reporting systems.
- Now in 2020 IBARS is undergoing a conversion effort to support this new user experience that supports a slide out menu and a widget driven work flow.

With AGS' 25 year history, it is well known for its commitment to customer service, ability to meet deadlines, and has budget savvy professional software development staff that excel at crunch time. As a small company we provide expedited, and cost effective, services that large competitors cannot. Despite our small size we exceed our competitors in budget focused/dedicated staff count.

IBARS is built specifically for public sector budget and for the State of North Dakota by Affinity Global Solutions.

What sets IBARS apart:

- Enterprise licensed - One license for statewide use, for an unlimited number of users, with an unlimited number of application instances.
- Optional source code agreement - As a commitment to looking out for the best interest of our customers, AGS optionally provides source code and a building system holding agreement on a memory stick to ensure customers able to support their budgeting needs into the future.
- No 3rd party licensing - In order to provide the best return on investment, AGS requires no 3rd party licenses (note: IBARS runs against MySQL/MariaDB in order to eliminate database licensing requirements).
- Yearly Configuration - Configuration rules in IBARS are tagged by year, this means that system rules can change dynamically each year and all processing and functional aspects of IBARS operate seamlessly according to the year of the data.
- Standard 24 hour, year round support - AGS staffs only Tier 1 support who are available during regular business hours and via cell phone support after hours at no additional cost.
- Rule driven model - The IBARS system is highly rule driven, this means that at every possible design point in the application, AGS includes administrative capabilities to change form rules, formulae, work flow, security, etc. Therefore, when business needs change, our clients typically do not require programming efforts by AGS. Clients can undertake creating

new forms, rules, workflow and security configuration on their own. For example, we have a State using IBARS to build out their own COVID 19 tracking schedule.

- Publications/Rich Narrative - The reporting and print ready publication system is fully integrated and configuration "aware". This means that as client system configurations change, reports and publications adjust so that programming is not required to support reporting. This also means that historical configuration reports operate seamlessly.
- Schedule Driven - IBARS Schedules provide for administratively building forms that can collect any type of data and have independent or integrated workflow. This means that data collection can also include department specific data requirements like tracking case loads, grants, COVID 19 fund dispersion, etc.

The vitality of IBARS is demonstrated in the many, many, new features recently added to IBARS, which ND has chosen not to use. Most features are deep "in the weeds" of rules, security and selections, however, there are some notable high level enhancements such as:

- Performance and Metrics - Performance budgeting (budgeting by metric) has been available in IBARS for many years, more recently the metrics schedule engine has been added to allow for data collection and reporting of performance measures in independent schedules, or in an integrated manner through posting to "drive" budgets.
- Subschedule rates - Formulae are enhanced to allow for rate lookups which provides for case driven, commodity driven, or claim driven rates to be applied to metrics and then resulting amounts post into department budgets.
- Testlink - AGS integrated unit testing with its issue tracker and provide clients with training and access to Testlink. This allows clients to document their unique step-by-step process rules for both internal and AGS usage.
- Automated Testing (Selenium) - Integrated with IBARS is an automated testing and load tool that simulates system usages of specific scenarios in order to perform critical test cases, find multi-user contention issues, and generally load-test server systems.
- Notifications and Job control - Provides on screen and/or email notifications based on rule defined system events. In addition, this module provides automated process (batch) control.
- Ad hoc query Service - Provides the ability for users to query IBARS data from any tool while restricting data access according to each user's privileges.
- Ad hoc Pivot Sample - An Excel sample automatic Pivot builder based on the ad hoc query service.
- Dashboard - A new dashboard tab allows for graphs, charts, and reporting, to be dynamically arranged according to user preference and security.
- Live Deployment - Provides for deploying new releases of IBARS while users are working on the system.
- Password Reset - A comprehensive and configurable email token and question/answer based password reset solution.
- Language Compare - Allows for reporting that compares narratives between versions to underscore, strike through, red line, or bracket changes between text or rich narrative between versions of a budget.

Features to be Imminently Released:

- Browser based GUI form designer - IBARS schedule form design migration to drag and drop browser based form builder.
- New User Interface - New menu system and screen designs that are "frameless" to provide more usable screen area with a slide out menu.
- Widget navigation – A fully configuration driven widget based navigation system.
- Data Collection Tool (DCT) Integration - Standalone mobile device data collection and data sync with IBARS.
- Pin and Cluster Mapping - As part of our DCT integrate effort, IBARS now gains the advantage of license free mapping for presenting financials and project data geospatially.

2021 and on:

- Ad hoc Query Edit - Allows for users to query data, edit it, and then post it back to the main data store.
- Dashboard R2 - The next release of the dashboard will enable drill down on charts and graphs, where applicable, to source data entry screens.
- Budget Check Out - Optionally allow users to "check out" budget data and work independently (offline) then check-in and synchronize the changes back to the central server.
- And much more, can be found at www.affinitygs.com/roadmap.htm.

From our experience in supporting OMB over the years, we understand that statutory requirements significantly dictate the budget process and reporting. Legislative requirements have often directed the configuration of IBARS as Legislative action would be needed to change the budget process or budget publications. IBARS strength is its flexibility to adapt through administrative configuration (without programming). AGS would certainly prefer to retain North Dakota in the IBARS community. We are more than happy to continue our relationship with OMB and streamline your IBARS budget process and collection of data to help the agencies and the Governor's Office obtain a better end result and user experience.

Sincerely,

Trish Levinson
President

cc: Joe Morrissette - Director, Office of Management and Budget

May2020_Legislators_email.txt

On May 7, 2020, at 1:42 PM, Trish Levinson <trishp@affinitygs.com wrote:

PLEASE READ BELOW - are you available to meet with us to discuss this matter on a conference call at your convenience?

On May 1st North Dakota OMB and the Governor's Office came out with an RFP to replace the IBARS budget system. Levinson Enterprises, Inc. dba Affinity Global Solutions (AGS), the owners of IBARS of Bismarck, has been a provider of the State's budgeting solution since 1995. The AGS budget solution has improved, evolved and been re-engineered over the years and continues to be a vital product. The State of New Jersey just went live with IBARS in 2019.

We have had a relationship with the State of ND budgeting that began with Governors Schafer, and followed with Governors Hoeven and Dalrymple. Governors Hoeven and Dalrymple were speakers at the opening of our Bismarck headquartered offices in the Levinson Technology Center. We pride ourselves on our commitment to the State for providing quality service at a great financial price.

The situation with this RFP extremely troublesome for many reasons which we will outline below. Some of these reasons are troubling in general, and others are not only troubling but we believe also demand legislative action.

1) The specifically worded intent of this RFP is

to "replace IBARS". AGS has never been made aware of any lack of features, functionality of IBARS for collecting, analyzing and producing the State's budget, nor have any of AGS' services been questioned. Because of this wording, we are not allowed to bid.

2) Budget systems are complex implementations. An RFP for a Statewide budget system usually has 500-1000 documented requirements. We know this as we have bid on many RFPs for budgeting and we currently provide our IBARS product to Montana, Kansas, Wyoming, New Hampshire and New Jersey. The OMB's RFP has 39 requirements, thirty-nine. 39 requirements do not make for authentic RFP or show due diligence for any information technology RFP, never mind a Statewide budget solution.

3) The annual maintenance for IBARS is $90,000. For this the State gets unlimited support and continuous access to new product development without restriction to use IBARS for an unlimited number of users, an unlimited number of product instances, for use statewide by the State of North Dakota. Budget system replacement replace costs start at $10 million and run upwards, any bid to replace the State of North Dakota's system should well exceed this amount. And, if a bid is less, that means the bid specifically intends to provide a basic solution footprint and then bill for the final product through another contract mechanism. Truthfully, no company can provide true bid to the RFP the state has provided.

4) Any State procurement should be required to duly investigate and exhaust existing alternatives to any needed solution before bidding to replace a system, unless there is some cost factor that makes pursuing a purchase a money saver to tax payers (clearly Not the case here). OMB and the Governor's have never reached out to AGS and described any desired features or functionality that is needed in the IBARS budget solution. We have "heard" that the Governor wants a dashboard, but any generalities or specifics of this are unknown to us. IBARS does have a dashboard, but OMB has not configured it, and if IBARS was in some way lacking a feature, AGS would develop it.

5) On May 1st Governor Burgum and OMB announced that State agencies were to reduce spending 5-15%. How in conscience can OMB and the Governor ask for 5-15% budget cuts at the same time seeking to procure a budget solution that will cost millions of dollars? How will the RFP be funded? The State is receiving 626 million(x2) for Covid relief? How will that money be spent? Will they buy a new budget system?

6) AGS is a North Dakota business employing 17 technology professionals. Although we do not necessarily expect any special competitive treatment, why would the State of North Dakota go out of it way to dispense of a 25 year partnership with a North Dakota business, that employees North Dakotans, whom pay North Dakota taxes and directly contribute to North Dakota's economy? Any other vendor that supplies a budget solution to the State will send all dollars for their company out-of-State.

TRISH LEVINSON <trishp@affinitygs.com
PRESIDENT
701-223-3565, ext. 16
AFFINITY GLOBAL SOLUTIONS

Testimony in support of HB 1354

67th Legislative Session

Representative Kathy Skroch, District 26

Chairwoman Krebsbach and members of the Senate Appropriations Committee, I am Representative Kathy Skroch, representing District 26 which is made up of portions of Dickey, Ransom, Richland and all of Sargent counties of ND. I was appointed to the Subcommittee on Guardianship during the interim and worked to find solutions for the extreme shortage of guardians in North Dakota. I am providing this testimony in support of HB1015 which appropriates funding to guardianship programs in ND.

To address this shortage, one of the solutions offered was to set up a Commission on Guardianship. The proposed bill HB 1354 was offered in response to exhaustive studies on guardianship. This included the Winsor C. Schmidt national study on guardianship, **"Wards of the State: A National Study of Public Guardianship"**. The study was conducted to assess the state of guardianship as it relates to current law, its provisions and meeting the demand for guardianships. The study has been used as a model for adopting state statutes for guardianship programs across the nation. Concerns about a coming crisis drew national attention of the U.S. Congress in the early 1980 and change began. Despite efforts to address the critical shortage of guardianship services in ND and across the nation the problem has persisted for well over 25 years.

A similar study relating only to North Dakota was requested by the ND Department of Human Services in cooperation with the ND Legislative Council. This study, **"Guardianship for Vulnerable Adults in North Dakota: Recommendations Regarding Unmet Needs, Statutory Efficacy and Cost Effectiveness".** It was also conducted by Winsor C. Schmidt. Recommended changes proposed took into consideration compliance with the **Olmstead Commission** requirements. At the time of this 2010 study there were 2,038 guardianship and conservatorship cases in ND. There were 323 new filings in 2010. In 2007 the ND Legislature approved funding for 35 additional openings for corporate guardianship services for people with developmental disabilities. Those funds were quickly exhausted.

Catholic Charities of ND contracts with the state to provide guardianship services, the Guardianship Program of Catholic Charities, in 2011 had nearly reached its capacity of 414 wards. CCND continues to have a waiting list for guardianship appointments.

The study also pointed out best practice standards for the guardian/ward ratio set as a 1/20 ratio. So critical is the need for services, that providers often face heavy caseloads and emergency guardianship request situations. Providers at times are operating at a 1/30 to 1/35 ration. Additional funding would allow staff increases to meet this demand for services.

The shortage has been further impacted by increased demand to provide for individuals suffering with drug addiction and mental illness; an aging population of the “baby boomer” generation and loss of spousal care givers; and lack of family support available.

A Guardianship Task Force in conjunction with legislators and stakeholders worked collaboratively to reach the point where legislation could be proposed to address the shortage of guardians. The need for a commission on guardianship was identified. A subgroup was then established for the specific purpose of carefully drafting legislation. The proposed legislation, HB 1354 was the product of years of work to address procedural issues, incapacity assessments and the accountability of guardians.

I have been a co-guardian since 2003. There was a point in time where a doctor suggested that my husband Michael and I give up being guardians for our son. The doctor claimed that we could then just be his friend. that it would be less controversial when dealing with his severe relapses of mental illness. We prayed about this, a lot, then began a search to see if we could find a provider of guardianship services.

1. There were none available.
2. One service which employed two licensed guardians was too far away. The cost of travel for them to meet with our son their reimbursement.
3. They were already maxed out on clients.
4. They didn’t take people with mental illness, especially severe cases.

So, we are still guardians . We have a great relationship with our son and are glad we didn’t turn the responsibility for his care over to a different provider. A lingering question remains, who will replace us as guardians when we are both gone?

HB 1354 would definitely have been part of a solution to my question, but it failed narrowly in the House due to fiscal note concerns. HB 1015 before you today includes the guardianship funding appropriation. Please consider the recommendations provided to you by guardians and providers of these services and those who administer these funds. I strongly urge your support of this much needed solution to the shortage of guardians. While money is not the solution to every problem, the increased funding will help fill that gap until next session. Better solutions must be offered to address shortages long into the future that will provide stability for guardianships here in North Dakota.

I encourage a DO PASS recommendation by the Senate Appropriations committee.

Representative Kathy Skroch

District 26

Lidgerwood, ND

2021 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

HB 1015
4/1/2021
Office of Management and Budget Sub-committee

A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget.

Senator Holmberg opened the hearing at 9:38 a.m.

Senators present: **Holmberg, Krebsbach and Heckaman.**

Discussion Topics:

- Merging Programs
- FTE's
- Brynhild Haugland Room
- West Capitol Entrance
- Internship Compensation
- Auditor Budget

Adam Mathiak, Fiscal Analyst, Legislative Council, goes through long sheet

Joe Morrissette, OMB, answered questions of the sub-committee; testimony #11288 and #11289

John Boyle, answered questions of the sub-committee.

Jack McDonald, answered questions of the sub-committee

Chairman Holmberg closed the hearing at 11:00 a.m.

Skyler Strand, Committee Clerk

11288

Priority Weighting →				35%	5%		15%	15%	100%	
							tization			
Agency	Facility	Facility Improvement Measure	Cost	Current Condition	Interconnection with Other Systems	Agency Priority	Return on Investment	Health, Safety, and Security	Weighted Priortization	
Adjutant General	Raymond J. Bohn Memorial Armory (Building 4200)	E.2a - Lighting Retrofit - Base Project	$ 284,000	5	4	5	5	4	4.80	
DOCR	Youth Correctional Center	M.2 - Steam Trap Repair/Replacement	$ 166,850	5	3	5	4.5	4	4.68	
DOCR	Youth Correctional Center	EXT.1 - Seal Building Envelope to Minimize Air Leakage	$ 16,450	5	2	5	4.5	4	4.63	
Game and Fish	Bismarck Main Headquarters	E.3a - Lighting Retrofit - Base Project	$ 144,000	5	5	5	5	2	4.55	
Game and Fish	Lonetree Office	E.13a - Lighting Retrofit - Base Project	$ 34,000	5	5	5	4.75	2	4.51	
Adjutant General	Raymond J. Bohn Memorial Armory (Building 4200)	LS.2 - Fire Alarm System Upgrade	$ 522,000	5	5	5	0	5	4.48	
Adjutant General	Armed Forces Reserve Center (Building 100)	E.10a - Lighting Retrofit - Base Project	$ 299,000	3.5	4	5	4.75	4	4.48	
Adjutant General	Armed Forces Reserve Center (Building 3920)	E.8a - Lighting Retrofit - Base Project	$ 295,000	3.5	4	5	4.75	4	4.48	
Adjutant General	Med Det Building (Building 405)	E.1a - Lighting Retrofit - Base Project	$ 28,500	3.5	4	5	5	4	4.48	
Adjutant General	Armory (Building 6400)	E.5a - Lighting Retrofit - Base Project	$ 172,000	3.5	4	5	4.75	4	4.44	
Adjutant General	Readiness Center (Building 3406)	E.3a - Lighting Retrofit - Base Project	$ 139,500	3.5	4	5	4.75	4	4.44	
Adjutant General	Unit Storage Building (Bldg 3944)	E.7a - Lighting Retrofit - Base Project	$ 17,250	3.5	4	5	4.5	4	4.44	
DOCR	James River Correctional Center	EXT.1 - Seal Building Envelope to Minimize Air Leakage	$ 17,975	5	2	5	4.75	2	4.44	
DOCR	North Dakota State Penitentiary	P.1a - Domestic Fixture Efficiency	$ 1,206,450	5	3	5	4.75	1	4.40	
DOCR	North Dakota State Penitentiary	U.1b - New Lift Station	$ 1,050,000	5	5	5	0.5	5	4.40	
DOCR	North Dakota State Penitentiary	EIP.1 - Ionization Installation	$ 376,000	5	4	5	1	5	4.40	
DOCR	North Dakota State Penitentiary	U.1a - Refurbish Lift Station	$ 150,000	5	5	5	0.5	5	4.40	
DOCR	Missouri River Correctional Center	EIP.1 - Ionization Installation	$ 52,050	5	4	5	1	5	4.40	
DOCR	North Dakota State Penitentiary	M.12 - AHU-1 Replacement (MTU)	$ -	5	3	5	5	1	4.40	
DOCR	North Dakota State Penitentiary	P.1b - Domestic Fixture Efficiency - SS Fixtures	$ 1,526,600	5	3	5	4.75	1	4.36	
DOCR	Youth Correctional Center	E.1a - Lighting Retrofit - Base Project	$ 321,250	3.5	4	5	4.75	4	4.35	
DOCR	North Dakota State Penitentiary	LS.1 - Fire Alarm Panel Upgrade Allowance (MTU)	$ 39,300	5	5	5	0	5	4.35	
DOCR	Missouri River Correctional Center	P.1 - Domestic Fixture Efficiency	$ 37,575	3.5	3	5	5	4	4.35	
DOCR	James River Correctional Center	M.2 - Steam Trap Repair/Replacement	$ 487,250	3.5	3	5	4.75	4	4.33	
DOCR	North Dakota State Penitentiary	EXT.5 - Roof Replacement (West Cell Block)	$ 210,500	5	4	5	0	5	4.33	
DOCR	Youth Correctional Center	M.34 - Boiler #1 Retube (Powerhouse)	$ 25,000	5	3	5	1	4	4.30	
DOCR	North Dakota State Penitentiary	E.2 - Electrical Main Service (Rough Rider Industry Building)	$ 547,750	5	4	5	0	4	4.29	
DOCR	Youth Correctional Center	C.1b - Energy Management and DDC - Enhanced Scope	$ 430,500	3.5	5	5	3.25	4	4.29	
DOCR	Missouri River Correctional Center	C.1b - Energy Management and DDC - Enhanced Scope	$ 254,500	3.5	5	5	3.75	4	4.29	
DOCR	North Dakota State Penitentiary	E.3 - MCC Replacement (Food Services and Training Room)	$ 197,000	5	4	5	0	4	4.29	
DOCR	North Dakota State Penitentiary	EXT.4 - Window Replacement (West Cell House)	$ 538,500	5	3	5	0	4	4.28	
DOCR	Youth Correctional Center	P.1 - Domestic Fixture Efficiency	$ 39,100	3.5	3	5	3.75	4	4.28	
DOT	Central Office - Bismarck	E.6a - Lighting Retrofit - Base Project	$ 188,000	3.5	5	5	5	5	4.28	
DOT	Minot District Bldgs	E.16a - Lighting Retrofit - Base Project	$ 97,500	3.5	5	5	5	5	4.28	
DOT	Bismarck Material & Research	E.2a - Lighting Retrofit - Base Project	$ 48,000	3.5	5	5	5	5	4.28	
DOT	Williston District Bldgs	E.19a - Lighting Retrofit - Base Project	$ 62,000	3.5	5	5	5	5	4.26	
DOT	Bismarck District Office	E.4a - Lighting Retrofit - Base Project	$ 16,750	3.5	5	5	4.75	5	4.26	
DOT	Dickinson District Bldgs	E.10a - Lighting Retrofit - Base Project	$ 86,000	3.5	5	5	4.75	5	4.25	
DOT	Fargo District Building	E.12a - Lighting Retrofit - Base Project	$ 60,500	3.5	5	5	4.75	5	4.25	
DOT	Grand Forks District Bldgs	E.14a - Lighting Retrofit - Base Project	$ 42,750	3.5	5	5	4.75	5	4.25	
DOT	DOT - Bismarck Shop	E.1a - Lighting Retrofit - Base Project	$ 39,500	3.5	5	5	3.75	5	4.25	

DOT	Devils Lake District Bldgs	LS.2 - Fire Alarm System Upgrade	$ 31,500	5	5	5	0	5	4.25
DOT	Central Office - Bismarck	M.11b - Complete Boiler Replacement	$ -	5	5	3	5	5	4.25
DOT	Fargo District Building	E.13 - Shop Electrical Upgrades	$ 237,000	5	5	5	0	5	4.24
DOT	DOT - Bismarck Shop	C.1b - Energy Management and DDC-Enhanced Scope	$ 96,500	3.5	5	5	3.25	5	4.24
DOT	Devils Lake District Bldgs	E.8a - Lighting Retrofit - Base Project	$ 60,250	3.5	5	5	3.25	5	4.24
DOT	Valley City District Bldgs	LS.9 - Fire Alarm System Upgrade	$ 19,000	5	5	5	0	5	4.24
Game and Fish	Bismarck Main Headquarters	C.3c - Energy Management and DDC Complete Upgrade	$ 247,000	5	4	5	1	5	4.24
Game and Fish	Garrison Dam Fish Hatchery	C.8 - Energy Management and DDC	$ 29,250	5	4	5	0	5	4.24
Game and Fish	Lonetree Office	LS.1 - Fire Alarm System Upgrade	$ 14,500	5	5	5	0	5	4.24
Game and Fish	Dickinson Office	E.7a - Lighting Retrofit - Base Project	$ 30,750	3.5	5	5	5	2	4.23
Game and Fish	Riverdale Office	E.12a - Lighting Retrofit - Base Project	$ 38,500	3.5	5	5	5	2	4.21
Highway Patrol	Highway Patrol	C.1b - Energy Management and DDC-Enhanced Scope	$ 158,000	3.5	5	5	3.25	5	4.21
Highway Patrol	Highway Patrol	C.2 - 1971 Building Convert Pneumatics to Electric/DDC	$ 88,000	5	5	5	1	5	4.21
Highway Patrol	Highway Patrol	E.1a - Lighting Retrofit - Base Project	$ 65,750	3.5	4	5	5	4	4.21
Historical Society	Historical Sites	PROG.1 - Camp Hancock (Storm Window Replacement)	$ 38,000	5	4	5	0	4	4.20
Historical Society	Confluence Center	LS.3 - Fire Alarm Upgrade	$ -	5	4	5	0	4	4.20
Historical Society	Historical Sites	PROG.2 - Camp Hancock (Glass Window Restoration)	$ 100,500	5	4	5	0	4	4.20
Historical Society	Historical Sites	PROG.3 - Camp Hancock (Officers' Quarters/Quartermaster's Office Repairs)	$ 18,000	5	4	5	0	4	4.20
Historical Society	Historical Sites	PROG.4 - Camp Hancock (South Stone Wall Repair)	$ 82,500	5	4	5	0	4	4.19
Historical Society	Historical Sites	PROG.5 - Chateau De Mores (Wall and Ceiling Repairs)	$ 24,000	5	4	5	0	4	4.15
Historical Society	Historical Sites	PROG.6 - Chateau De Mores (Window Repairs)	$ 47,500	5	4	5	0	4	4.14
Historical Society	Historical Sites	PROG.7 - Chateau De Mores (Caretaker's Cottage Repairs)	$ 71,000	5	4	5	0	4	4.06
Historical Society	Historical Sites	PROG.30 - Stutsman County Courthouse (Elevator)	$ 588,500	5	4	5	0	4	4.05
Historical Society	Historical Sites	S.1 - Access & Surveilliance System Upgrade	$ 529,500	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.33 - Walhalla (Restoration of Kittson Store/Warehouse, Repair Restroom, Repa	$ 353,000	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.16 - Fort Totten (Building #5 and #14 Roof Repair)	$ 235,500	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.21 - Fort Totten (Building #5 Restoration)	$ 235,500	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.31 - Stutsman County Courthouse (Floor/Wood Restoration)	$ 176,500	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.14 - Missouri Yellowstone Confluence Interpretive Center (Fire System)	$ 165,000	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.24 - Maintenance Shop (Parking Lot Repaving)	$ 118,000	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.18 - Fort Totten (Landscaping)	$ 100,000	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.32 - Stutsman County Courthouse (Judge's Chamber Restoration)	$ 100,000	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.12 - Fort Abercrombie (Redesign/Repair Stockade)	$ 59,000	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.17 - Fort Totten (Building #14 Painting)	$ 59,000	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.19 - Fort Totten (Replace Floor Joists and Repair Floors Building #1)	$ 59,000	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.28 - Ronald Reagan Minuteman Missile Site (Parking/Turn Around)	$ 59,000	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.29 - Stutsman County Courthouse (Architect)	$ 59,000	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.23 - Gingras (House Roof Repairs)	$ 53,000	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.11 - Former Governors' Mansion (Wallpaper Restoration)	$ 47,500	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.13 - Missouri Yellowstone Confluence Interpretive Center (Patio Repairs)	$ 47,500	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.22 - Fort Totten (Architect Building #13)	$ 47,500	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.26 - Pembina Museum (Heat Pump Replacement)	$ 31,000	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.27 - Pembina Museum (Interior Repairs)	$ 29,500	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.34 - Welk Homestead (Painting)	$ 29,500	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.9 - Chateau De Mores (Interpretive Center Repairs)	$ 24,000	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.10 - Former Governors' Mansion (Foundation Repair)	$ 24,000	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.20 - Fort Totten (Adjutant's Office Restoration Building #25)	$ 24,000	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.15 - Fort Clark (CCC Roof Repair)	$ 18,000	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.8 - Chateau De Mores (Barrier Post Replacement)	$ 12,000	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.25 - Maintenance Shop (Fence Replacement)	$ -	5	4	5	0	4	4.05
Historical Society	Historical Sites	PROG.35 -	$ -	5	4	5	0	4	4.05
Historical Society	Historical Sites	S.2 - Security Panel Upgrade (A&HP Shop)	$ -	5	4	5	0	4	4.05
Historical Society	Historical Sites	S.3 - Security Panel Upgrade	$ -	5	4	5	0	4	4.05
ND Parks & R[illegible]on	Lewis and Clark Interpretive School	C.6b - Expand EMS to 19[illegible]2001 Additions	$ 82,000	5	5	[illegible]	1	5	4.05
ND Parks & [illegible]n	Lewis and Clark Interpretive School	E.6a - Lighting Retrofit [illegible]ject	$ 51,500	3.5	4	[illegible]	4.75	4	4.05

ND Parks & R	Heritage Center (Icelandic)	E.3a - Lighting Retrofit - ect	$ 24,750	3.5	4		5	4	4.05
ND Parks & Re on	Cross Ranch	E.7a - Lighting Retrofit - B oject	$ 18,250	3.5	4		5	4	4.05
ND Parks & Recreation	Turtle River	E.2a - Lighting Retrofit - Base Project	$ 15,600	3.5	4	5	4.75	4	4.05
ND Parks & Recreation	Fort Mandan	E.5a - Lighting Retrofit - Base Project	$ 13,700	3.5	4	5	4.5	4	4.05
ND Parks & Recreation	Fort Stevenson Visitor Center	E.4a - Lighting Retrofit - Base Project	$ 4,250	3.5	4	5	5	4	4.05
ND Parks & Recreation	Fort Mandan	C.4 - Electric Controls Upgrade	$ 4,050	3.5	5	5	3.75	5	4.05
ND Parks & Recreation	Fort Stevenson Visitor Center	C.3 - Electric Controls Upgrade	$ 2,500	3.5	5	5	3.75	5	4.05
OMB	Capitol Tower, Legislative and Judicial Wings	EIP.1 - Engineered Infection Protection-Ionization	$ 853,000	5	5	5	1	5	4.05
OMB	Capitol Tower, Legislative and Judicial Wings	C.1 - Steam Riser Control Valves	$ 88,000	5	5	5	1	5	4.05
Veteran's Home	Veteran's Home	EIP.1 - Engineered Infection Protection-Ionization	$ 105,000	5	5	5	1	5	4.05
Vision Services	School for the Blind	E.2 - Electrical Distribution Replacement	$ 165,000	5	4	5	0	4	4.04
Water Commission	Dickinson WTP	C.2 - Recommission DDC System	$ 43,250	3.5	5	5	3.25	5	4.03
Workforce Safety & Insurance	Worker's Comp	C.1b - Energy Management and DDC-Enhanced Scope	$ 291,000	3.5	5	5	3.75	5	4.03
Workforce Safety & Insurance	Worker's Comp	M.2 - Heat Pump Replacement	$ 1,390,000	4	5	5	1	5	4.00
DOCR	Missouri River Correctional Center	EXT.1 - Seal Building Envelope to Minimize Air Leakage	$ 22,300	3.5	2	5	4.75	3	3.99
Game and Fish	Jamestown Office	E.10a - Lighting Retrofit - Base Project	$ 53,250	3.5	5	5	4.75	2	3.99
Game and Fish	Devils Lake Office	E.5a - Lighting Retrofit - Base Project	$ 38,250	3.5	5	5	4.75	2	3.99
Game and Fish	Williston Office	E.8a - Lighting Retrofit - Base Project	$ 37,000	3.5	5	5	4.75	2	3.99
DOCR	North Dakota State Penitentiary	M.5b - Cooling Tower Replacement	$ -	3	4	5	3	5	3.95
DOCR	North Dakota State Penitentiary	C.2 - Upgrade Rough Rider Buildings to DDC	$ 189,000	5	5	5	1	2	3.95
DOCR	James River Correctional Center	E.1a - Lighting Retrofit - Base Project	$ 104,750	3.5	4	5	4.75	2	3.94
DOCR	North Dakota State Penitentiary	E.4 - Transformer Replacement Allowance	$ 369,250	5	4	5	0	3	3.90
Adjutant General	Armed Forces Reserve Center (Building 100)	C.7b - Convert JCI DDC System to ETS	$ 520,000	3.5	5	5	1	5	3.88
Adjutant General	Readiness Center (Building 3406)	C.4b - Convert JCI DDC System to ETS	$ 365,000	3.5	5	5	1	5	3.88
DOT	Bismarck Material & Research	C.2b - Energy Management and DDC - Enhance Scope	$ 283,000	3.5	5	5	1	5	3.88
DOT	Bismarck District Office	C.3b - Energy Management and DDC - Enhance Scope	$ 108,500	3.5	5	5	1	5	3.88
School for the Deaf	School for the Deaf	C.4 - Convert Natatorium Building from Pneumatic to DDC	$ 79,000	3.5	5	5	1	5	3.88
DOCR	James River Correctional Center	EIP.1 - Ionization Installation	$ 256,250	5	3	4	0	5	3.85
DOCR	Youth Correctional Center	M.20 - Condensing Unit Replacement (Centennial Hall)	$ 23,450	5	3	5	0	3	3.85
Vision Services	School for the Blind	PROG.2 - New Front Secure Entry	$ 1,185,000	4	4	5	0	5	3.85
Game and Fish	Riverdale Office	C.7b - Convert to ETS	$ 69,000	3.5	4	5	1	5	3.83
DOCR	James River Correctional Center	EXT.22 - Roof Replacement (Kitchen/Education)	$ 343,500	5	2	5	0	3	3.80
DOCR	North Dakota State Penitentiary	EXT.3 - Window Replacement (Overflow Building)	$ 326,250	4	3	5	1	4	3.80
Game and Fish	Garrison Dam Fish Hatchery	E.14 - Electrical Switchgear and Distribution Upgrade	$ 166,000	5	5	5	0	2	3.80
DOCR	James River Correctional Center	M.3b - AHU-1A Convert to VAV (ET Building)	$ -	3.5	3	4	5	3	3.78
DOCR	James River Correctional Center	M.5b - AHU-1C Convert to Mixed Air Unit (ET Building)	$ -	3.5	3	4	5	3	3.78
DOCR	James River Correctional Center	M.6 - AHU-1D Replacement, Larger HW Coil (ET Building)	$ -	3.5	3	4	5	3	3.78
DOCR	James River Correctional Center	C.1b - Energy Management and DDC - Enhanced Scope	$ 1,001,500	2	5	5	3.75	5	3.76
DOT	Fargo District Building	C.6b - Energy Management and DDC-Enhanced Scope	$ 109,500	2	5	5	3.75	5	3.76
DOT	Valley City District Bldgs	C.9b - Energy Management and DDC-Enhanced Scope	$ 95,000	2	5	5	3.75	5	3.76
ND Parks & Recreation	Heritage Center (Icelandic)	C.2 - Electric Controls Upgrade	$ 8,400	2	5	5	3.75	5	3.76
ND Parks & Recreation	Cross Ranch	C.7 - Recommission Energy Management System	$ 5,400	2	5	5	3.75	5	3.76
ND Parks & Recreation	Turtle River	C.1 - Electric Controls Upgrade	$ 2,950	2	5	5	3.75	5	3.76
Water Commission	Water Commission	C.1 - Electric Thermostat Replacement	$ 2,800	2	5	5	3.75	5	3.76
Bank of North Dakota	Bank of North Dakota	E.1a - Lighting Retrofit - Base Project	$ 132,500	2	4	5	5	4	3.75
DOCR	James River Correctional Center	E.8 - Electrical Distribution Replacement (Laundry)	$ 96,500	5	4	5	0	2	3.75
Vision Services	School for the Blind	E.1a - Lighting Retrofit - Base Project	$ 27,500	2	4	5	5	4	3.75
Adjutant General	Readiness Center (Building 3406)	LS.5 - Fire Alarm System Upgrade	$ 178,000	3.5	5	5	0	5	3.73
DOT	Valley City District Bldgs	E.18 - Electrical Switchgear and Distribution Replacement	$ 190,000	3.5	5	5	0	5	3.73
DOT	Dickinson District Bldgs	M.22 - Building Hot Water Pump Replacement (Dickinson)	$ 22,750	3.5	5	5	0	5	3.73
DOT	Dickinson District Bldgs	M.23 - Heat Pump Loop Pump Replacement (Dickinson)	$ 22,750	3.5	5	5	0	5	3.73
DOT	Dickinson District Bldgs	M.21 - Heat Pump Loop Heat Injection Valve Replacement (Dickinson)	$ 5,950	3.5	5	5	0	5	3.73
Game and Fish	Devils Lake Office	LS.1 - Fire Alarm System Upgrade	$ 18,500	3.5	5	5	0	5	3.73
Human Services	Human Services	LS.1 - Fire Alarm System Upgrade	$ 180,000	3.5	5	5	0	5	3.73
School for the Deaf	School for the Deaf	E.1a - Lighting Retrofit - Base Project	$ 106,000	2	4	5	4.75	4	3.71

Water Commission	Water Commission	E.1a - Lighting Retrofit - Base Project	$ 23,000	2	4	5	4.75	4	3.71
Workforce Safety & Insurance	Worker's Comp	E.1a - Lighting Retrofit - Base Project	$ 382,000	2	4	5	4.75	4	3.71
DOCR	North Dakota State Penitentiary	M.10b - AHU Replacement to Return Air Systems (Rough Rider Industry Buildings)	$ 3,508,000	5	3	5	1	1	3.70
DOCR	Youth Correctional Center	M.32 - AHU-1 Replacement (Brown Cottage)	$ 44,350	5	3	5	1	1	3.70
DOCR	Youth Correctional Center	M.6 - Classroom AHU (Admin Building)	$ 36,950	5	3	5	1	1	3.70
Vision Services	School for the Blind	P.1 - Domestic Piping Replacement	$ 121,500	5	3	3	1	5	3.70
DOT	Dickinson District Bldgs	C.5c - Energy Management and DDC - Comprehensive Scope	$ 123,500	2	5	5	3.25	5	3.69
DOT	Minot District Bldgs	C.8b - Energy Management and DDC-Enhanced Scope	$ 94,500	2	5	5	3.25	5	3.69
Vision Services	School for the Blind	C.1b - Energy Management and DDC - Convert To Single DDC System	$ 166,000	2	5	5	3.25	5	3.69
Game and Fish	Dickinson Office	C.5 - Electric Controls ReCx	$ 9,800	3.5	4	5	0	5	3.68
Game and Fish	Devils Lake Office	C.4 - Electric Controls ReCx	$ 7,700	3.5	4	5	0	5	3.68
Game and Fish	Jamestown Office	C.6 - Electric Controls ReCx	$ 1,850	3.5	4	5	0	5	3.68
Water Commission	Dickinson WTP	E.2a - Lighting Retrofit - Base Project	$ 30,250	2	4	5	4.5	4	3.68
Highway Patrol	Highway Patrol	HAZ.1 - Asbestos Abatement	$ 20,000	5	5	4	0	3	3.65
Vision Services	School for the Blind	HAZ.2 - Asbestos Abatement Ceiling Allowance	$ 115,500	5	5	4	0	3	3.65
Adjutant General	TAG Building (Building 30)	V.3 - MUA-1 Replacement	$ 370,000	5	5	3	0	5	3.65
DOCR	North Dakota State Penitentiary	EXT.1 - Seal Building Envelope to Minimize Air Leakage	$ 41,250	3.5	2	5	4.5	1	3.65
DOT	Central Office - Bismarck	M.13 - Chiller Replacement	$ 1,008,000	5	5	3	0	5	3.65
DOT	Bismarck Material & Research	V.2 - AHU-1 and 2 replacement	$ 279,000	5	5	3	0	5	3.65
DOT	Grand Forks District Bldgs	V.10 - MAU Replacement (Grand Forks Shop)	$ 158,000	5	5	3	0	5	3.65
DOT	Minot District Bldgs	V.13 - Gas Fired AHU Replacement	$ 139,000	5	5	3	0	5	3.65
DOT	Minot District Bldgs	V.12 - Multizone AHU Replacement	$ 111,000	5	5	3	0	5	3.65
DOT	Bismarck District Office	V.4 - AHU-1 Replacement	$ 74,000	5	5	3	0	5	3.65
DOT	Bismarck Material & Research	V.1 - MAU Replacement	$ 62,000	5	5	3	0	5	3.65
DOT	Grand Forks District Bldgs	V.9 - MAU Replacement (Grand Forks Office)	$ 56,000	5	5	3	0	5	3.65
DOT	Grand Forks District Bldgs	V.8 - RTU Replacement (Grand Forks Office)	$ 46,250	5	5	3	0	5	3.65
DOT	Grand Forks District Bldgs	V.11 - MAU Replacement (Sign Shop)	$ 29,750	5	5	3	0	5	3.65
Highway Patrol	Highway Patrol	V.3 - Multizone AHU Replacement	$ 185,000	5	5	3	0	5	3.65
OMB	Capitol Tower, Legislative and Judicial Wings	V.6 - Senate Chambers AHU Replacement	$ 3,700,000	5	5	3	0	5	3.65
OMB	Capitol Tower, Legislative and Judicial Wings	V.7 - House Chambers AHU Replacement	$ 3,700,000	5	5	3	0	5	3.65
OMB	Capitol Tower, Legislative and Judicial Wings	V.1 - AHU-1 Replacement (Judicial Wing)	$ 581,000	5	5	3	0	5	3.65
OMB	Heritage Center	V.14 - S-1 Replacement	$ 284,000	5	5	3	0	5	3.65
OMB	Capitol Tower, Legislative and Judicial Wings	V.10 - Legislative Library AHU Replacement	$ 233,000	5	5	3	0	5	3.65
OMB	Heritage Center	V.15 - S-2 Replacement	$ 148,000	5	5	3	0	5	3.65
OMB	Capitol Tower, Legislative and Judicial Wings	V.9 - Haugland Room AHU Replacement	$ 134,000	5	5	3	0	5	3.65
OMB	Heritage Center	V.16 - S-4 Replacement	$ 86,500	5	5	3	0	5	3.65
OMB	Heritage Center	V.17 - S-5 Replacement	$ 79,000	5	5	3	0	5	3.65
OMB	Capitol Tower, Legislative and Judicial Wings	V.2 - AHU-2 Replacement (Judicial Wing)	$ 74,000	5	5	3	0	5	3.65
OMB	Heritage Center	V.19 - S-7 Replacement	$ 74,000	5	5	3	0	5	3.65
OMB	Heritage Center	V.20 - S-8 Replacement	$ 68,000	5	5	3	0	5	3.65
OMB	Capitol Tower, Legislative and Judicial Wings	V.3 - AHU-3 Replacement (Judicial Wing)	$ 64,000	5	5	3	0	5	3.65
OMB	Capitol Tower, Legislative and Judicial Wings	V.8 - Memorial Hall AHU Replacement	$ 62,000	5	5	3	0	5	3.65
OMB	Heritage Center	V.18 - S-6 Replacement	$ 59,250	5	5	3	0	5	3.65
OMB	Capitol Tower, Legislative and Judicial Wings	V.4 - AHU-4 Replacement (Judicial Wing)	$ 33,250	5	5	3	0	5	3.65
OMB	Capitol Tower, Legislative and Judicial Wings	V.5 - Soffit AHU Replacement (Judicial Wing)	$ 31,000	5	5	3	0	5	3.65
School for the Deaf	School for the Deaf	V.4 - Admin HV-1 & 3 Replacement	$ 152,000	5	5	3	0	5	3.65
Vision Services	School for the Blind	LS.1 - Fire Alarm System Upgrade	$ 152,000	5	5	3	0	5	3.65
Vision Services	School for the Blind	V.1 - Replace Outreach Center AHU	$ 91,500	5	5	3	0	5	3.65
Bank of North Dakota	Bank of North Dakota	S.1 - Security System Upgrades	$ 240,000	3.5	3	5	0	5	3.63
Water Commission	Water Commission	S.1 - Upgrade Access Control System	$ 12,500	3.5	3	5	0	5	3.63
Workforce Safety & Insurance	Worker's Comp	EQUIP.1 - Elevator Door Operator and Glides Upgrades	$ 33,500	5	1	5	0	2	3.60
Veteran's Home	Veteran's Home	INT.5 - Vinyl Flooring Replacement (B-Wing)	$ 59,750	2	3	5	3.25	5	3.59
Veteran's Home	Veteran's Home	INT.6 - Vinyl Flooring Replacement (C-Wing)	$ 59,750	2	3	5	3.25	5	3.59
Veteran's	Veteran's Home	INT.7 - Vinyl Flooring Re nt (D-Wing)	$ 58,250	2	3		3.25	5	3.59
DOC	North Dakota State Penitentiary	M.2 - Steam Trap Repai ment	$ 149,600	4	3		4.5	1	3.58

DOC	Missouri River Correctional Center	U.1 - Geothermal Loop ain Housing Building)	$ 29,450	3.5	5		0	4	3.58
ND Parks & Rec ion	Fort Ransom	E.1a - Lighting Retrofit - B oject	$ 10,100	2	4		3.75	4	3.56
DOCR	North Dakota State Penitentiary	P.2 - Domestic Piping Distribution Replacement (West Cell Block)	$ 529,300	5	3	5	0	1	3.55
DOCR	Missouri River Correctional Center	M.5 - Kitchen Hood MAU Replacement (Dining Hall)	$ 15,400	5	3	5	0	1	3.55
DOCR	Missouri River Correctional Center	M.10 - Hanging Unit Heater Replacement (Maintenance)	$ 6,175	5	3	5	0	1	3.55
DOCR	Missouri River Correctional Center	M.14 - Hanging Unit Heater Replacement (Gym)	$ 6,175	5	3	5	0	1	3.55
DOCR	Missouri River Correctional Center	M.6 - Dining Hall Furnace Replacement (Dining Hall)	$ 4,925	5	3	5	0	1	3.55
DOCR	Missouri River Correctional Center	M.8 - Shop Furnace Replacement (Shop/Laundry)	$ 4,925	5	3	5	0	1	3.55
DOCR	Missouri River Correctional Center	M.13 - Gym Furnace Replacement (Gym)	$ 4,925	5	3	5	0	1	3.55
Veteran's Home	Veteran's Home	LS.1 - Upgrade Fire Alarm Panel	$ 111,000	3	5	5	0	5	3.55
Vision Services	School for the Blind	INT.2 - Replace Sprayed Ceiling	$ 26,250	5	3	3	0	5	3.55
Adjutant General	Storage Bldg (Building 5500)	E.6 - Electrical Distribution Replacement	$ 35,000	3.5	4	5	0	4	3.53
DOT	Grand Forks District Bldgs	E.15 - Electrical Switchgear and Distribution Replacement	$ 368,000	3.5	4	5	0	4	3.53
DOT	Central Office - Bismarck	E.7 - Electrical Switchgear Replacement	$ 363,000	3.5	4	5	0	4	3.53
DOT	Dickinson District Bldgs	E.11 - Electrical Distribution Replacement	$ 230,000	3.5	4	5	0	4	3.53
DOT	Minot District Bldgs	E.17 - Electrical Switchgear and Distribution Replacement	$ 187,000	3.5	4	5	0	4	3.53
DOT	Bismarck Material & Research	E.3 - Electrical Distribution System Replacement	$ 175,000	3.5	4	5	0	4	3.53
DOT	Williston District Bldgs	E.20 - Electrical Distribution Upgrade	$ 143,000	3.5	4	5	0	4	3.53
School for the Deaf	School for the Deaf	E.6 - Electrical Switchgear and Distribution Replacement (Admin)	$ 152,000	3.5	4	5	0	4	3.53
School for the Deaf	School for the Deaf	E.3 - Electrical Distribution Replacement (Gymnasium)	$ 117,000	3.5	4	5	0	4	3.53
School for the Deaf	School for the Deaf	E.2 - Electrical Distribution Replacement (Spear Building)	$ 115,000	3.5	4	5	0	4	3.53
School for the Deaf	School for the Deaf	E.4 - Electrical Switchgear and Distribution Replacement (Natatorium)	$ 114,000	3.5	4	5	0	4	3.53
School for the Deaf	School for the Deaf	E.7 - Electrical Distribution (Cafeteria)	$ 73,000	3.5	4	5	0	4	3.53
School for the Deaf	School for the Deaf	E.5 - Electrical Distribution (Resource Center)	$ 58,000	3.5	4	5	0	4	3.53
Attorney General	Crime Lab	PROG.1c - Building Addition (3 Labs)	$ 1,780,000	3	4	5	0	5	3.50
DOCR	James River Correctional Center	EXT.25 - Roof Replacement (Dining)	$ 332,500	5	2	4	0	3	3.50
Game and Fish	Game and Fish - Bismarck Shop	E.2a - Lighting Retrofit - Base Project	$ 71,250	2	5	5	5	2	3.50
DOT	Bismarck District Office	P.2 - Upgrade Plumbing Systems	$ 24,750	3.5	3	3	5	3	3.48
Game and Fish	Bismarck Lab	E.1a - Lighting Retrofit - Base Project	$ 12,200	2	5	5	4.75	2	3.46
Vision Services	School for the Blind	EXT.2 - Roof Replacement	$ 532,000	3.5	2	5	0	4	3.43
Adjutant General	Med Det Building (Building 405)	C.1b - Energy Management and DDC-Enhanced Scope	$ 154,000	0.5	5	5	5	5	3.43
DOT	Dickinson District Bldgs	M.25 - Heat Pump Replacement (Dickinson)	$ 149,000	3.5	5	4	0	5	3.43
Adjutant General	Raymond J. Bohn Memorial Armory (Building 4200)	C.2b - Energy Management and DDC-Enhanced Scope	$ 334,000	1	5	5	3.75	5	3.41
Adjutant General	Armory (Building 6400)	C.5b - Energy Management and DDC-Enhanced Scope	$ 257,000	1	5	5	3.75	5	3.41
DOCR	Youth Correctional Center	M.7 - Unit Ventilator Replacement (Admin Building)	$ -	5	3	2	5	1	3.40
Adjutant General	Raymond J. Bohn Memorial Armory (Building 4200)	M.3 - Backup Boiler Replacement	$ 216,000	5	3	3	1	3	3.40
DOCR	James River Correctional Center	EXT.4 - Roof Replacement (ET Building) -6th Floor	$ 155,500	4	4	4	1	3	3.40
DOCR	James River Correctional Center	EXT.2 - Exterior Door Replacement (ET Building)	$ 67,450	4	4	4	1	3	3.40
DOCR	James River Correctional Center	M.39 - AC-4 Replacement (Forensics)	$ 55,400	5	3	4	1	1	3.40
DOCR	James River Correctional Center	M.38 - AC-3 Replacement (Forensics)	$ 25,850	5	3	4	1	1	3.40
Human Services	Human Services	M.3b - MAU Replacement	$ 64,000	5	3	3	1	3	3.40
ND Parks & Recreation	Lewis and Clark Interpretive School	C.5 - Recommission Energy Management System	$ 11,100	0.5	5	5	4.75	5	3.39
School for the Deaf	School for the Deaf	EXT.1 - Seal Building Envelope to Minimize Air Leakage	$ 29,000	3.5	2	3	4.75	3	3.39
DOT	Williston District Bldgs	C.10b - Energy Management and DDC-Enhanced Scope	$ 86,500	2	5	5	1	5	3.35
DOCR	James River Correctional Center	EXT.28 - Window Replacement (Laundry)	$ 73,600	5	2	4	1	1	3.35
DOCR	James River Correctional Center	EXT.23 - Exterior Door Replacement (Dining)	$ 44,950	5	2	4	1	1	3.35
DOT	Valley City District Bldgs	EXT.30 - Window Replacement	$ 206,000	5	2	3	1	3	3.35
DOT	Bismarck Material & Research	EXT.6 - Window Replacement	$ 74,000	5	2	3	1	3	3.35
DOT	Fargo District Building	EXT.22 - Window Replacement	$ 51,000	5	2	3	1	3	3.35
OMB	Capitol Tower, Legislative and Judicial Wings	M.3b - Steam to Hot Water Distribution Replacement	$ 18,840,000	5	5	3	0	3	3.35
			$ 69,134,625						

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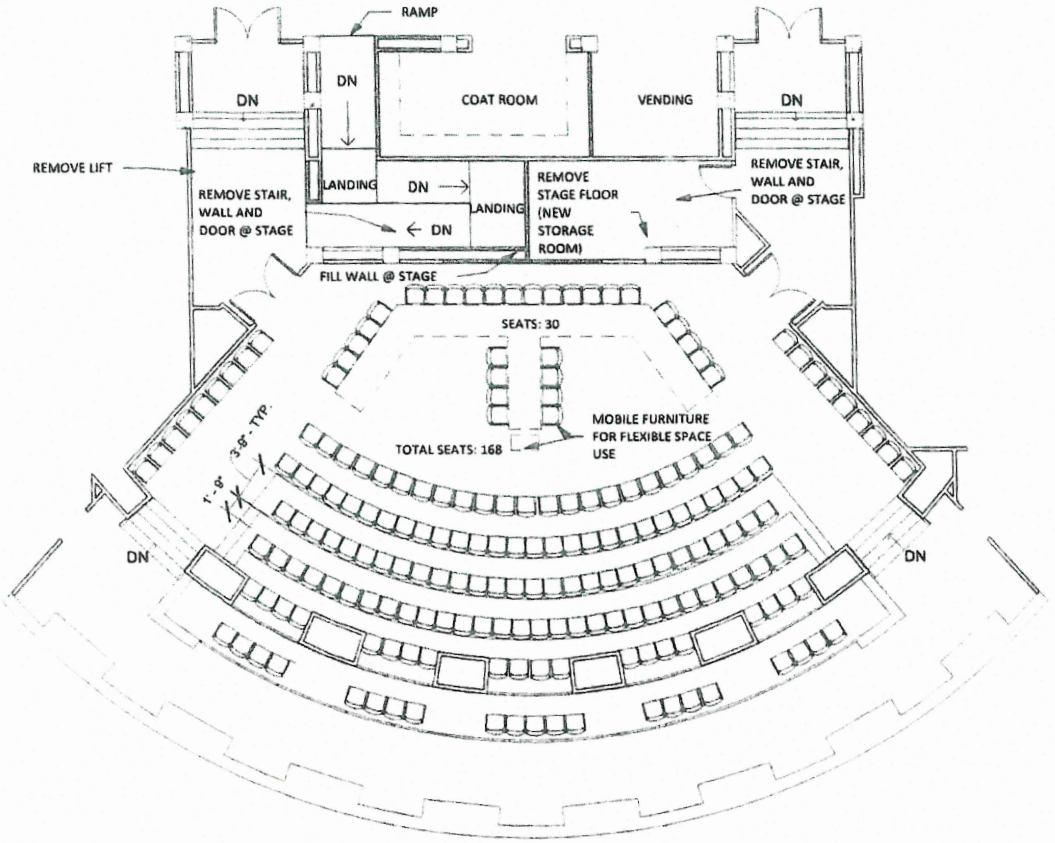

BRYNHILD HAUGLAND REMODEL

FLOOR PLAN

14/20/18 | JLG 1112e | © 2018 JLG ARCHITECTS

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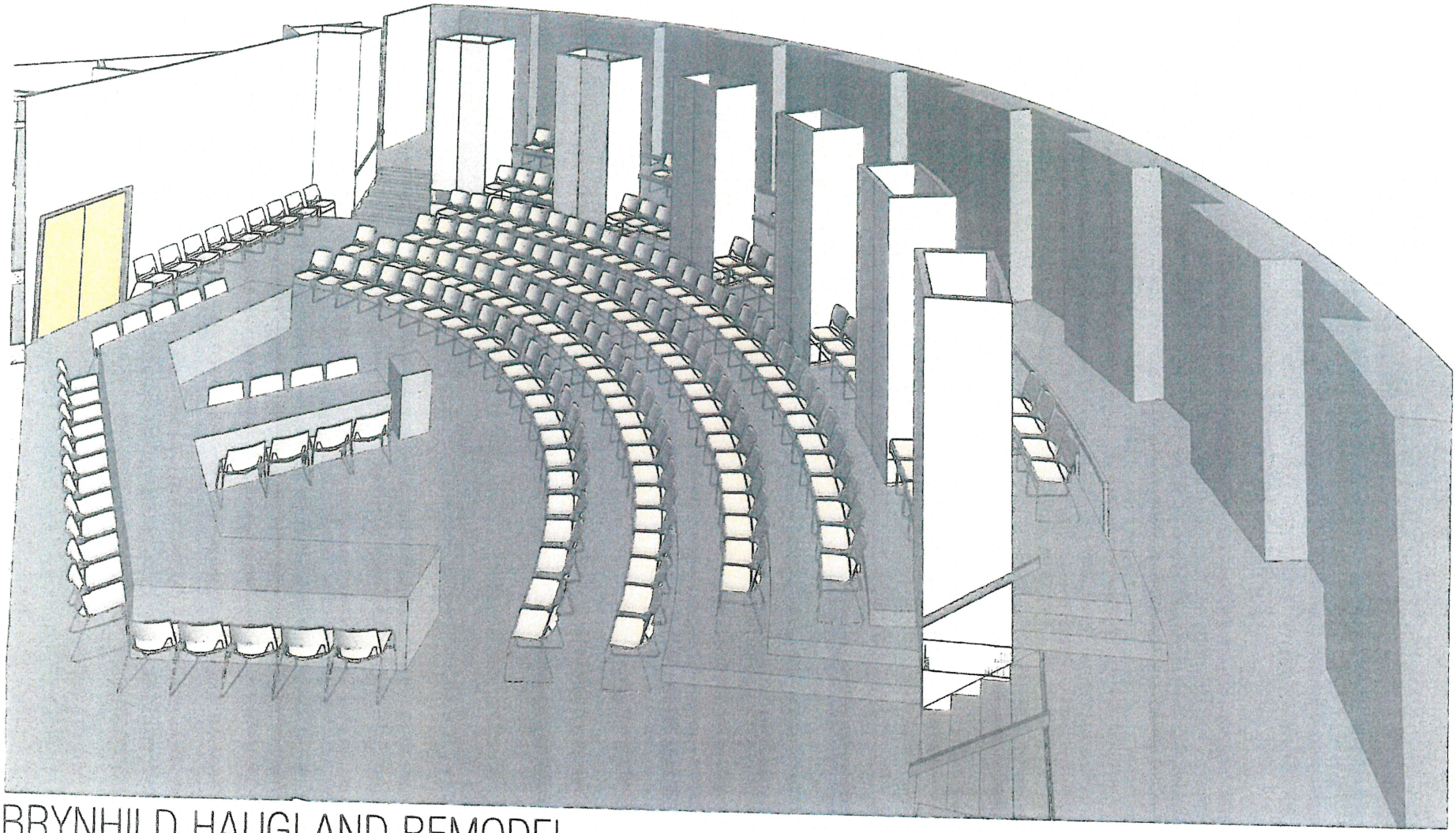
JLG DESIGN



BRYNHILD HAUGLAND REMODEL

3D VIEW-AERIEAL

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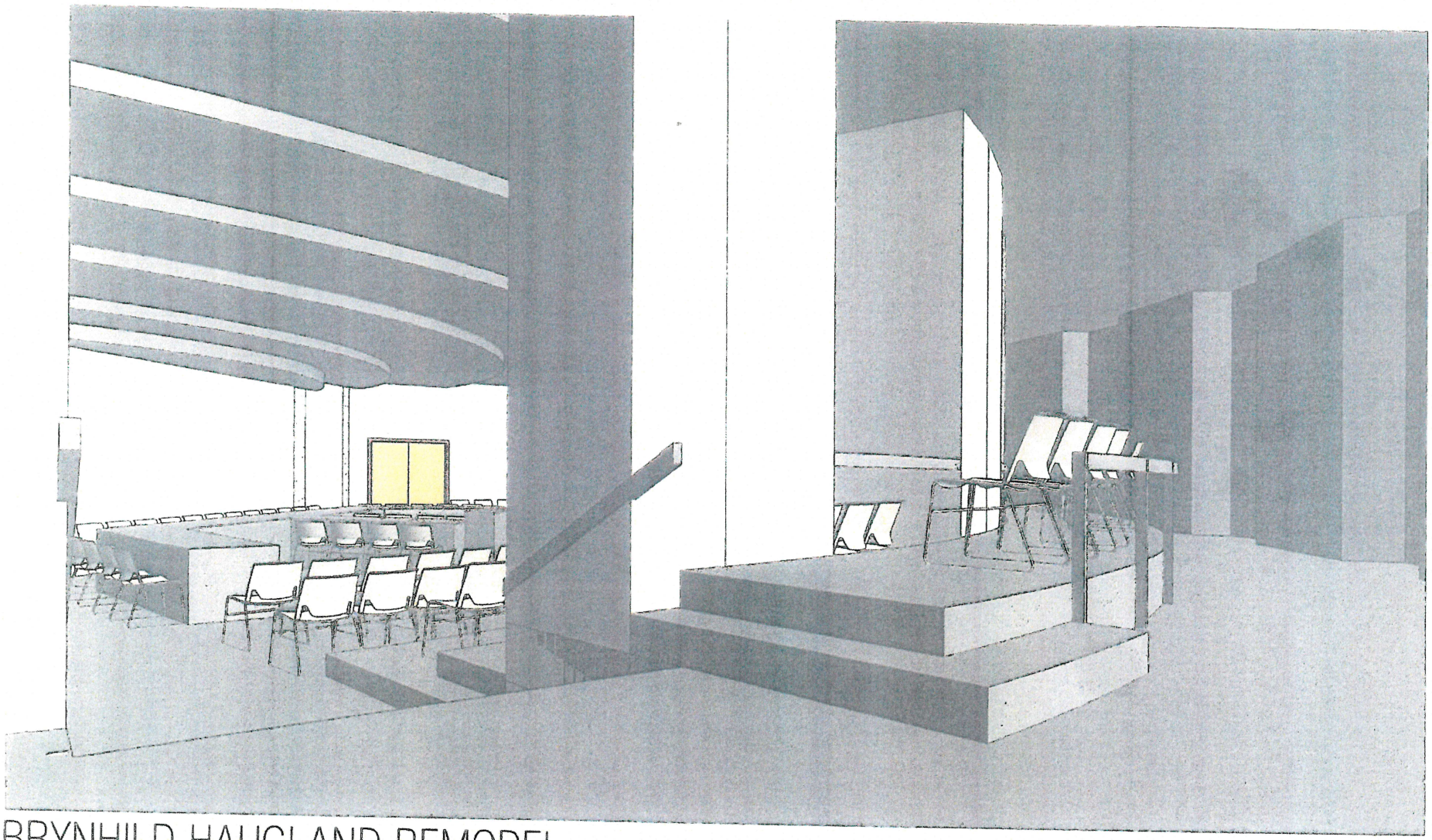

BRYNHILD HAUGLAND REMODEL

3D VIEW FROM TOP ROW

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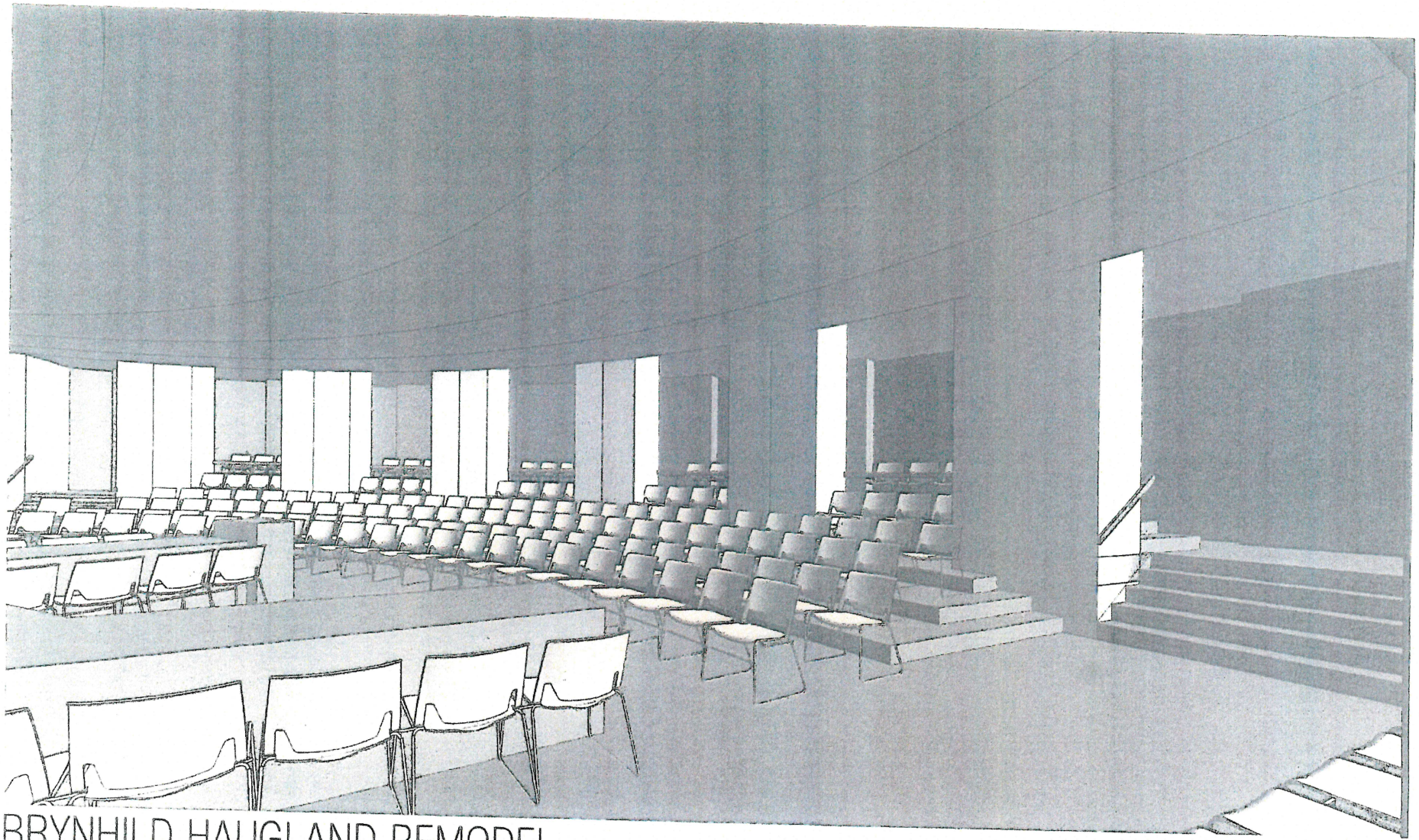

BRYNHILD HAUGLAND REMODEL

3D VIEW FROM FLOOR

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2021 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

HB 1015
4/7/2021
Office of Management and Budget Sub-committee

A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget.

Senator Holmberg opened the hearing at 10:33 AM.

Senators present: **Holmberg, Krebsbach and Heckaman.**

Discussion Topics:

- Guardianships

Adam Mathiak, Legislative Council - info on money for guardianships – testimony #11423.

Terry Traynor, Executive Director, ND Association of Counties – testified in favor answering sub-committee questions.

Senator Heckaman moved additional funding.
Senator Krebsbach second.

Senator Holmberg – Y
Senator Krebsbach – Y
Senator Heckaman – Y

Roll Call vote – 3-0-0. Motion passed.

Senator Holmberg presented amendment LC 21.0274.02007 - #11425

Senator Krebsbach moved Do Pass on amendment LC 21.0274.02007.
Senator Heckaman second.

Senator Holmberg – Y
Senator Krebsbach – Y
Senator Heckaman – Y

Roll Call vote – 3-0-0. Motion passed.

Senator Holmberg closed the hearing at 11:02 AM

Rose Laning, Committee Clerk

Prepared by the Legislative Council staff for
Senator Holmberg
April 5, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 12, after line 12, insert:

"**SECTION 24. LEGISLATIVE MANAGEMENT STUDY - STATE EMPLOYEE COMPENSATION.** During the 2021-22 interim, the legislative management shall consider studying the classified state employee compensation system, including a review of the development and determination of pay grades and classifications. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

North Dakota Legislative Council

Prepared for the House Appropriations Committee
LC# 21.9647.01000
February 2021

STATE AGENCY GUARDIANSHIP PROGRAMS - FUNDING

The schedule below identifies agencies with funding for guardianship-related programs. The schedule identifies the agency, provides a brief description of the program, the base budget of the program, funding source, and the executive recommendation for the 2021-23 biennium. House Bill No. 1354 under consideration by the Legislative Assembly creates a Commission on Guardianship which has the responsibility of establishing and maintaining guardians, guardianship standards, training, and recordkeeping for individuals determined by the court to be eligible for services. The bill also creates a guardianship fund from money appropriated and collected by the commission excluding funds held as trustee. The bill provides a continuing appropriation and the fiscal note indicates a $437,000 increase in general fund expenditures.

Agency	Program	Funding Source	Base Budget	Executive Recommendation
Office of Management and Budget	Guardianship grants to private agencies and individuals who serve as public guardians for vulnerable adults.	General fund	$1,950,000	$1,950,000
Judicial branch	Guardianship monitoring program which trains and monitors all guardians, including financial reviews and wellbeing checks.	General fund	283,042	288,504
Judicial branch	Guardian ad litems are used in child abuse and neglect cases and are appointed by the court.	General fund	1,395,794	1,395,794
Department of Human Services	Aging Services Division administers the guardianship establishment program which provides assistance to qualified individuals aged 18 or older.	General fund	352,500	352,500
Department of Human Services	The Developmental Disabilities (DD) Services Division contracts directly with Catholic charities to provide guardianship services to individuals who are receiving DD program management.	General fund	3,168,556	3,122,361
Total			**$7,149,892**	**$7,109,159**

21.0274.02007
Title.

Prepared by the Legislative Council staff for
Senator Holmberg
April 5, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 12, after line 12, insert:

"**SECTION 24. LEGISLATIVE MANAGEMENT STUDY - STATE EMPLOYEE COMPENSATION.** During the 2021-22 interim, the legislative management shall consider studying the classified state employee compensation system, including a review of the development and determination of pay grades and classifications. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

2021 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

HB 1015
4/12/2021
Office of Management and Budget Sub-committee

A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget.

Senator Holmberg opened the committee work at 11:01 AM.

Senators present**: Holmberg, Krebsbach and Heckaman.**

Discussion Topics:

- State Employee Compensation Study
- Gambling addictions

Joe Morrissette, Director, Office of Management and Budget – answered sub-committee questions.

Adam Mathiak, Legislative Council, testified neutrally and submitted #11492.

Senator Krebsbach presented and moved amendment LC 21.0274.02008; testimony #11491
Senator Heckaman second.

Senator Holmberg – Y
Senator Krebsbach – Y
Senator Heckaman – N

Roll call vote – 2-1-0. Motion passed.

Senator Holmberg closed the hearing at 11:25 AM.

Rose Laning, Committee Clerk

Prepared by the Legislative Council staff for
Senator Krebsbach
April 8, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 3, after the semicolon insert "to provide an appropriation to the department of public instruction;"

Page 3, after line 31, insert:

"**SECTION 5. APPROPRIATION - PUBLIC INSTRUCTION FUND - DEPARTMENT OF PUBLIC INSTRUCTION - ONE-TIME FUNDING.** There is appropriated out of any moneys in the public instruction fund in the state treasury, not otherwise appropriated, the sum of $5,900,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing a grant to an entity for the development of a children's science center for the biennium beginning July 1, 2021, and ending June 30, 2023. The funding is available for the development of science experiments, including space needed for the experiments. The funding provided in this section is considered a one-time funding item."

Page 4, after line 9, insert:

"**SECTION 8. EXEMPTION - TRANSFER - PUBLIC INSTRUCTION FUND.** Notwithstanding section 54-44.1-11, any remaining moneys, up to $5,900,000, in the integrated formula payments line item in subdivision 1 of section 1 of chapter 38 of the 2019 Session Laws after the superintendent of public instruction complies with all statutory payment obligations imposed for the 2019-21 biennium and any other exemptions from the provisions of section 54-44.1-11 authorized in House Bill No. 1013 as approved by the sixty-seventh legislative assembly, must be continued into the 2021-23 biennium, and the office of management and budget shall transfer this amount to the public instruction fund."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment adds a one-time grant of $5.9 million from special funds made available from the Department of Public Instruction's 2019-21 biennium unspent integrated formula payment appropriation authority for the development of science experiments, including space needed for the experiments, at a children's science center in Minot.

Office of Management and Budget - Budget No. 110
House Bill No. 1015
Base Level Funding Changes

	House Version				Senate Version				Senate Changes to House Version Increase (Decrease) - House Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2021-23 Biennium Base Level	112.00	$32,915,852	$8,746,515	$41,662,367	112.00	$32,915,852	$8,746,515	$41,662,367	0.00	$0	$0	$0
2021-23 Ongoing Funding Changes												
Base payroll changes		$125,958	$2	$125,960		$125,958	$2	$125,960				$0
Salary increase		440,835	85,354	526,189		440,835	85,354	526,189				0
Retirement contribution increase				0				0				0
Health insurance increase		4,611	734	5,345		4,611	734	5,345				0
Transfers 4 FTE positions for IT unification				0				0				0
Adds funding for a human resource officer		110,869		110,869		110,869		110,869				0
Increases funding for procurement officers		104,824		104,824		104,824		104,824				0
Increases funding for temporary salaries			20,000	20,000			20,000	20,000				0
Changes funding source for the Facility Management Division				0				0				0
Decreases funding for operating expenses		(701,000)	(20,000)	(721,000)		(701,000)	(20,000)	(721,000)				0
Increases funding for budget software contract		403,000		403,000		403,000		403,000				0
Adds funding for procurement software contract		152,000		152,000		152,000		152,000				0
Increases funding for Microsoft Office 365 licensing expenses		8,505	197	8,702		8,505	197	8,702				0
Adds funding for the Capitol complex rent proposal				0				0				0
Increases funding for statewide memberships and dues				0		17,025		17,025		17,025		17,025
Decreases funding for Emergency Commission contingency fund		(100,000)		(100,000)		(100,000)		(100,000)				0
Reduces funding for bond payments		(2,610)		(2,610)		(2,610)		(2,610)				0
Removes funding for grants		(54,000)		(54,000)		(54,000)		(54,000)				0
Increases funding for guardianship grants		100,000		100,000		500,000		500,000		400,000		400,000
Decreases funding for Prairie Public Broadcasting		(400,000)		(400,000)		(400,000)		(400,000)				0
Decreases funding for community services supervision grants		(100,000)		(100,000)		(100,000)		(100,000)				0
Total ongoing funding changes	0.00	$92,992	$86,287	$179,279	0.00	$510,017	$86,287	$596,304	0.00	$417,025	$0	$417,025
One-time funding items												
No one-time funding items				$0				$0				$0
Adds one-time funding for a facility consolidation study			$350,000	350,000			$350,000	$350,000				$0
Adds one-time funding for special assessments (Capitol building fund)			300,000	300,000			300,000	300,000				0
Adds one-time funding for extraordinary repairs (Capitol building fund)			500,000	500,000			500,000	500,000				0
Adds one-time funding for building automation (Capitol building fund)			518,800	518,800			518,800	518,800				0
Adds one-time funding for signage (Capitol building fund)			500,000	500,000			500,000	500,000				0
Adds one-time funding for various building projects (bond proceeds)				0				0				0
Adds one-time funding for procurement software			2,021,204	2,021,204			2,021,204	2,021,204				0
Adds one-time funding for budget software			1,230,100	1,230,100			1,230,100	1,230,100				0
Adds one-time funding for the state student internship program		100,000		100,000		100,000		100,000				0
Total one-time funding changes	0.00	$100,000	$5,420,104	$5,520,104	0.00	$100,000	$5,420,104	$5,520,104	0.00	$0	$0	$0
Total Changes to Base Level Funding	0.00	$192,992	$5,506,391	$5,699,383	0.00	$610,017	$5,506,391	$6,116,408	0.00	$417,025	$0	$417,025
2021-23 Total Funding	112.00	$33,108,844	$14,252,906	$47,361,750	112.00	$33,525,869	$14,252,906	$47,778,775	0.00	$417,025	$0	$417,025
Total ongoing changes as a percentage of base level	*0.0%*	*0.3%*	*1.0%*	*0.4%*	*0.0%*	*1.5%*	*1.0%*	*1.4%*				
Total changes as a percentage of base level	*0.0%*	*0.6%*	*63.0%*	*13.7%*	*0.0%*	*1.9%*	*63.0%*	*14.7%*				

Other Sections in Office of Management and Budget - Budget No. 110

	House Version	Senate Version
Community service supervision fund	Section 3 appropriates any moneys in the community service supervision fund for distributions to community corrections association regions.	Section 3 appropriates any moneys in the community service supervision fund for distributions to community corrections association regions. Section X provides an emergency clause related to this appropriation.
Township grants	Section 4 appropriates $8.1 million from the state disaster relief fund to the State Treasurer for grant distributions to townships in non-oil-producing counties.	Section 4 appropriates $8.2 million from the state disaster relief fund to the State Treasurer for grant distributions to townships in non-oil-producing counties.
Tax relief fund to human service finance fund	Section 5 transfers $187,385,888 from the tax relief fund to the human service finance fund during the 2021-23 biennium.	Section 5 transfers $187,223,092 from the tax relief fund to the human service finance fund during the 2021-23 biennium.
State student internship program	Section 6 authorizes OMB to transfer student internship funding to other state agencies. Section 21 allows 2019-21 biennium appropriation authority for the state student internship program to continue to be available in the 2021-23 biennium.	Section 6 authorizes OMB to transfer student internship funding to other state agencies. Section 21 allows 2019-21 biennium appropriation authority for the state student internship program to continue to be available in the 2021-23 biennium.
Capitol building fund	Section 7 identifies one-time funding from the Capitol building fund for a facility consolidation study, special assessments, extraordinary repairs, building automation, and interior and exterior signage.	Section 7 identifies one-time funding from the Capitol building fund for a facility consolidation study, special assessments, extraordinary repairs, building automation, and interior and exterior signage.
Strategic investment and improvements fund	Section 8 identifies one-time funding from the strategic investment and improvements fund for IT projects related to procurement software and budget software.	Section 8 identifies one-time funding from the strategic investment and improvements fund for IT projects related to procurement software and budget software.
Grant and expense designations	Section 9 identifies the funding designated for statewide memberships and dues, unemployment insurance, and the Capitol Grounds Planning Commission.	Section 9 identifies the funding designated for statewide memberships and dues, unemployment insurance, and the Capitol Grounds Planning Commission.
Risk management fund - Claims payments	Section 10 authorizes OMB to make payments from the risk management fund for attorney's fees incurred by a state employee resulting from a criminal investigation lacking a probable cause.	Section 10 authorizes OMB to make payments from the risk management fund for attorney's fees incurred by a state employee resulting from a criminal investigation lacking a probable cause.
State employee compensation adjustments	Section 11 provides guidelines for an average salary increase of 1.5 percent to eligible state employees with a monthly minimum increase of $100 and a maximum monthly increase of $250 for the 2021-23 biennium. Employees whose documented performance does not meet standards would not be eligible for compensation adjustments.	Section 11 provides guidelines for salary increases to eligible state employees averaging 1.5 percent with a monthly minimum increase of $100 for the 1st year and averaging 2 percent in the 2nd year of the 2021-23 biennium. Employees whose documented performance does not meet standards would not be eligible for compensation adjustments.
Political subdivision budgets	Section 12 amends Section 54-44.1-18 to remove the requirement for OMB to publish political subdivision budgets to OMB's website if a political subdivision submits the budget to OMB.	Section 12 amends Section 54-44.1-18 to remove the requirement for OMB to publish political subdivision budgets to OMB's website if a political subdivision submits the budget to OMB.
Environmentally preferable products	Sections 13 and 14 amend Sections 54-44.4-07 and 54-44.4-08 to remove the requirement to specify the amount of recycled content included in the items purchased by the state.	Sections 13 and 14 amend Sections 54-44.4-07 and 54-44.4-08 to remove the requirement to specify the amount of recycled content included in the items purchased by the state.

Other Sections in Office of Management and Budget - Budget No. 110

	House Version	Senate Version	
Oil and gas tax revenue allocations	Section 15 increases the allocation of oil and gas tax revenues to the state disaster relief fund by $5 million, from $15 million to $20 million and aligns the allocations to the municipal infrastructure fund and the county and township infrastructure fund to receive allocations at the same time after the allocation to the strategic investment and improvements fund. Sections 16, 17, and 18 establish minimum amounts required to provide distributions from the municipal infrastructure fund and the county and township infrastructure fund.		
State Employee Compensation Commission	Section 19 repeals Section 54-06-25 relating to the State Employee Compensation Commission.	Section 19 repeals Section 54-06-25 relating to the State Employee Compensation Commission.	
Fiscal management exemption	Section 20 allows 2019-21 biennium appropriation authority for the Fiscal Management Division of OMB to continue to be available in the 2021-23 biennium.	Section 20 allows 2019-21 biennium appropriation authority for the Fiscal Management Division of OMB to continue to be available in the 2021-23 biennium.	
Assessment of state lands and facilities exemption	Section 22 allows 2019-21 biennium appropriation authority for the assessment of state lands and facilities to continue to be available in the 2021-23 biennium.	Section 22 allows 2019-21 biennium appropriation authority for the assessment of state lands and facilities to continue to be available in the 2021-23 biennium.	
Space needs study	Section 23 provides for a Legislative Management study relating to space needs of the executive, judicial, and legislative branches at the State Capitol.	Section 23 provides for a Legislative Management study relating to space needs of the executive, judicial, and legislative branches at the State Capitol.	
Study of state employee compensation		Section X provides for a legislative management study of the classified state employee compensation system.	
Professional student exchange program		Section X provides an emergency clause for Senate Bill No. 2140 relating to repayments under the professional student exchange program.	
2019-21 biennium legacy fund earnings			
Bond proceeds			
Infrastructure revolving loan fund			

Other Sections in Office of Management and Budget - Budget No. 110

	House Version	Senate Version	
Bonding authorization			
Political subdivision bonding authority			
Legacy fund earnings funds			
Emergency Commission borrowing authority			
Capitol complex rental program			
Shared services fund			
Budget stabilization fund limit			
Facility management operating fund			
Business improvement projects			
County deficiency borrowing			
Transfer of water project loans			

Other Sections in Office of Management and Budget - Budget No. 110

	House Version	Senate Version	
Human resources services unification			
State Personnel Board			

21.0274.02008
Title.

Prepared by the Legislative Council staff for
Senator Krebsbach
April 8, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 3, after the semicolon insert "to provide an appropriation to the department of public instruction;"

Page 3, after line 31, insert:

"**SECTION 5. APPROPRIATION - PUBLIC INSTRUCTION FUND - DEPARTMENT OF PUBLIC INSTRUCTION - ONE-TIME FUNDING.** There is appropriated out of any moneys in the public instruction fund in the state treasury, not otherwise appropriated, the sum of $5,900,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing a grant to an entity for the development of a children's science center for the biennium beginning July 1, 2021, and ending June 30, 2023. The funding is available for the development of science experiments, including space needed for the experiments. The funding provided in this section is considered a one-time funding item."

Page 4, after line 9, insert:

"**SECTION 8. EXEMPTION - TRANSFER - PUBLIC INSTRUCTION FUND.** Notwithstanding section 54-44.1-11, any remaining moneys, up to $5,900,000, in the integrated formula payments line item in subdivision 1 of section 1 of chapter 38 of the 2019 Session Laws after the superintendent of public instruction complies with all statutory payment obligations imposed for the 2019-21 biennium and any other exemptions from the provisions of section 54-44.1-11 authorized in House Bill No. 1013 as approved by the sixty-seventh legislative assembly, must be continued into the 2021-23 biennium, and the office of management and budget shall transfer this amount to the public instruction fund."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment adds a one-time grant of $5.9 million from special funds made available from the Department of Public Instruction's 2019-21 biennium unspent integrated formula payment appropriation authority for the development of science experiments, including space needed for the experiments, at a children's science center in Minot.

2021 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

HB 1015
4/21/2021
Senate Appropriations Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget.

Chairman Holmberg opened the hearing at 8:37 a.m.

Senators present: Holmberg, Krebsbach, Wanzek, Bekkedahl, Poolman, Erbele, Dever, Oehlke, Rust, Davison, Hogue, Sorvaag, Mathern, and Heckaman.

Discussion Topics:

- Retirement Program
- CTE
- HB 1452
- Coronavirus Funds

Chairman Holmberg presented amendment LC 21.0274.02016; testimony #11583.

Vice-Chair Wanzek moved to adopt amendment LC 21.0274.02016
Vice-Chair Krebsbach seconded the motion.

Senators			***Senators***	
Senator Holmberg	Y		*Senator Hogue*	Y
Senator Krebsbach	Y		*Senator Oehlke*	Y
Senator Wanzek	Y		*Senator Poolman*	Y
Senator Bekkedahl	Y		*Senator Rust*	Y
Senator Davison	Y		*Senator Sorvaag*	Y
Senator Dever	Y		*Senator Heckaman*	Y
Senator Erbele	Y		*Senator Mathern*	Y

Roll Call Vote – 14-0-0. Motion Passes.

Vice-Chair Krebsbach moved to DO PASS AS AMENDED
Vice-Chair Wanzek seconded the motion.

Senators			***Senators***	
Senator Holmberg	Y		*Senator Hogue*	Y
Senator Krebsbach	Y		*Senator Oehlke*	Y
Senator Wanzek	Y		*Senator Poolman*	Y
Senator Bekkedahl	Y		*Senator Rust*	Y
Senator Davison	Y		*Senator Sorvaag*	Y
Senator Dever	Y		*Senator Heckaman*	Y
Senator Erbele	Y		*Senator Mathern*	Y

Roll Call Vote – 14-0-0. Motion Passes

Chairman Holmberg closed the hearing at 9:19 a.m.
Skyler Strand, Committee Clerk

21.0274.02016
Title.03000
Fiscal No. 2

Prepared by the Legislative Council staff for
Senator Holmberg
April 20, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 3, after the semicolon insert "to provide an appropriation to the department of career and technical education, the department of public instruction, the university of North Dakota, Dickinson state university, the highway patrol, the judicial branch, the department of transportation, and the agriculture commissioner; to create and enact a new section to chapter 10-04 of the North Dakota Century Code, relating to notice filing for certain legacy fund investments;"

Page 1, line 3, after "reenact" insert "subsection 1 of section 10-04-03, a new chapter to title 54, as created by section 3 in House Bill No. 1452, as approved by the sixty-seventh legislative assembly,"

Page 1, line 5, after "to" insert "qualifications of the securities commissioner, the clean sustainable energy authority,"

Page 1, line 11, remove "and"

Page 1, line 11, after "report" insert "; and to declare an emergency"

Page 1, remove lines 21 through 24

Page 2, replace lines 1 through 9 with:

"Salaries and wages	$21,903,816	$23,163	$21,926,979
Operating expenses	14,937,426	1,375,788	16,313,214
Emergency commission contingency fund	500,000	(100,000)	400,000
Capital assets	767,125	4,767,494	5,534,619
Grants	54,000	(54,000)	0
Guardianship grants	1,950,000	500,000	2,450,000
Prairie public broadcasting	1,200,000	1	1,200,001
Community service supervision grants	350,000	50,000	400,000
State student internship program	0	100,000	100,000
Total all funds	$41,662,367	$6,662,446	$48,324,813
Less estimated income	8,746,515	5,501,898	14,248,413
Total general fund	$32,915,852	$1,160,548	$34,076,400
Full-time equivalent positions	112.00	(4.00)	108.00"

Page 3, line 14, replace "$8,100,000" with "$8,200,000"

Page 3, line 18, replace "$8,100,000" with "$8,200,000"

Page 3, after line 31, insert:

"SECTION 5. APPROPRIATION - FEDERAL CORONAVIRUS CAPITAL PROJECTS FUND - MATCHING FUNDS - ONE-TIME FUNDING.

1. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $78,000,000, or so much of the sum as may be necessary, to the department of career and technical education for the purpose of a statewide career academy initiative grant program for the period beginning with the effective date of this Act, and ending June 30, 2023. The

department of career and technical education shall establish the application process and develop eligibility requirements for the grant program that must include:

a. Funding may be used only for career and technical education projects involving construction, addition, maintenance, and equipment for new and existing career academies;

b. Grants awarded to each recipient must be at least $500,000, but may not exceed $10,000,000;

c. Grants may be awarded only to the extent a school district has secured matching funds from nonstate sources on a dollar-for-dollar basis;

d. The application period for the grant program begins with the effective date of this Act and ends on June 30, 2022. If funding remains after June 30, 2022, a second application period is available from July 1, 2022, through December 31, 2022. Successful applicants from the first application period are eligible for funding during the second application period. Any funding not committed by December 31, 2022, may not be spent and must be canceled at the end of the 2021-23 biennium in accordance with section 54-44.1-11;

e. Preference must be given to school districts that collaborate with other school districts for a regional career academy facility or to school districts to create a new career academy or use an existing career academy to positively affect that region of the state; and

f. Preference must be given to school districts that will promote postsecondary education and workforce training education in conjunction with secondary education.

2. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $5,900,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing a grant to an entity for the development of a children's science center for the period beginning with the effective date of this Act, and ending June 30, 2023.

3. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $5,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of reconstruction of the university's apron at the Grand Forks airport for the period beginning with the effective date of this Act, and ending June 30, 2023.

4. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $4,000,000, or so much of the sum as may be necessary, to Dickinson state university for the purpose of a Pulver hall project, a meat processing laboratory remodel, and other projects for the period beginning with the effective date of this Act, and ending June 30, 2023.

5. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of

$3,000,000, or so much of the sum as may be necessary, to the highway patrol for the purpose of a law enforcement training center remodel project for the period beginning with the effective date of this Act, and ending June 30, 2023.

6. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $500,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of providing a grant to a medical center located in the county seat of Griggs County for the period beginning with the effective date of this Act, and ending June 30, 2023.

7. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $157,600, or so much of the sum as may be necessary, to the judicial branch for the purpose of purchasing information technology equipment for the period beginning with the effective date of this Act, and ending June 30, 2023.

8. If the federal government distributes funding derived from the federal coronavirus capital projects fund to the state in more than one funding round, the office of management and budget shall prioritize the amounts received in the first funding round as follows:

   a. $21,763,000 to the department of career and technical education;

   b. $11,716,400 to the parks and recreation department;

   c. $5,900,000 to the department of public instruction;

   d. $5,000,000 to the university of North Dakota;

   e. $4,200,000 to the state historical society;

   f. $4,000,000 to Dickinson state university;

   g. $3,000,000 to the highway patrol;

   h. $500,000 to the office of management and budget; and

   i. $157,600 to the judicial branch.

9. In addition to the amounts appropriated under this section, section 1 of House Bill No. 1019, as approved by the sixty-seventh legislative assembly, includes $11,716,400 and section 1 of House Bill No. 1018, as approved by the sixty-seventh legislative assembly, includes $4,200,000 to provide a total of $112,474,000 from federal funds derived from the federal coronavirus capital projects fund.

10. The funding provided under this section may be spent only to the extent the director of the office of management and budget, in consultation with the budget section, determines the use of the funding complies with federal guidance for the federal coronavirus capital projects fund. The funding provided under this section is considered a one-time funding item.

SECTION 6. APPROPRIATION - HIGHWAY FUND - DEPARTMENT OF TRANSPORTATION - ONE-TIME FUNDING - REPORT.

1. There is appropriated out of any moneys in the highway fund in the state treasury, not otherwise appropriated, the sum of $21,800,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of distributions to townships for road and bridge infrastructure needs for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

   a. The department shall award grants with preference given to grant applications for projects that:

      (1) Leverage available state, local, or federal funding;

      (2) Coordinate with state, county, and other township projects;

      (3) Focus on flood control and infrastructure resilience;

      (4) Reduce road restrictions, improve mobility, and improve safety;

      (5) Improve the agricultural economy and goods movement; and

      (6) Confirm participating townships' ability to maintain the improvements.

   b. The department shall establish an application process that must include the following eligibility requirements:

      (1) The roadways or bridges associated with the project must provide continuity and connectivity to efficiently integrate and improve paved and unpaved corridors within the township and across township borders;

      (2) The project must be consistent with applicable township long-range planning;

      (3) The project must result in the roadway segment meeting an appropriate legal load limit; and

      (4) The project must comply with the American association of state highway transportation officials pavement and bridge design procedures and standards developed by the department of transportation in conjunction with the local jurisdiction.

2. For approved projects, the department initially shall distribute the portion of the approved grant funding for engineering and plan development costs. Upon execution of a construction contract by the township, the department shall distribute the remainder of the approved funding. Townships shall report to the department upon awarding of each contract and upon completion of each project.

3. Grants may be awarded for construction, engineering, and plan development costs, but may not be used for routine maintenance. Grants awarded may be applied to engineering, design, and construction costs incurred on related projects as of January 1, 2021. Section 54-44.1-11 does not apply to funding under this section and any funds not spent by June 30, 2023, must be continued into the biennium beginning July 1, 2023, and ending June 30, 2025, and may be expended only for the purposes authorized by this section.

4. For the purposes of this section, a "non-oil-producing county" means a county that has received no allocation of funding or a total allocation of funding under subsection 2 of section 57-51-15 of less than $5,000,000 for the period beginning September 1, 2019, and ending August 31, 2020.

5. The funding provided under this section is considered a one-time funding item and the department shall report to the budget section and to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding, including the amounts awarded and distributed to each township, the amounts spent to date, and the amounts anticipated to be continued into the 2023-25 biennium.

SECTION 7. APPROPRIATION - UNIVERSITY OF NORTH DAKOTA - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $4,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of a space command initiative and related technical programs, including equipment, renovation costs, a sensitive compartmental information facility, and other expenses for the biennium beginning July 1, 2021, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 8. APPROPRIATION - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - GRASSLANDS GRAZING GRANT PROGRAM - ONE-TIME FUNDING - MATCHING FUNDS. There is appropriated out of any moneys in the strategic investment and improvements fund in the state treasury, not otherwise appropriated, the sum of $5,000,000, or so much of the sum as may be necessary, to the agriculture commissioner for the purpose of providing grassland grazing grants to an organization representing cooperative grazing associations in the state for the biennium beginning July 1, 2021, and ending June 30, 2023. To be eligible for a grant under this program, an organization must provide one dollar of matching funds from nonstate sources for every four dollars of grant funding. An organization that receives a grant under this program may distribute the funding to cooperative grazing associations for eligible infrastructure projects, which must be located on national grasslands within the state. Eligible infrastructure projects include water development; fencing; conservation initiatives; compliance with federal permitting requirements, including fees for professional services; and other projects to enhance wildlife habitat, capture carbon, or increase the health of grasslands. The agriculture commissioner shall establish additional guidelines for the program. This funding is considered a one-time funding item.

SECTION 9. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO CULTURAL ENDOWMENT FUND - INTENT. The office of management and budget shall transfer the sum of $1,000,000 from the strategic investment and improvements fund to the cultural endowment fund during the biennium beginning July 1, 2021, and ending June 30, 2023. It is the intent of the sixty-seventh legislative assembly that the council on the arts expend up to $50,000 annually from the cultural endowment fund pursuant to the appropriation authority provided in section 2 of Senate Bill No. 2010 during the 2021-23 biennium for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program. It is further the intent of the legislative assembly that the council on the arts continue to expend $50,000 annually from the cultural endowment fund for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program until the moneys derived from the strategic investment and improvements

fund transfer authorized under this section and deposited in the fund have been fully expended.

SECTION 10. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO HIGHWAY FUND. The office of management and budget shall transfer the sum of $10,000,000 from the strategic investment and improvements fund to the highway fund during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 11. TRANSFER - TAX RELIEF FUND TO HIGHWAY FUND. The office of management and budget shall transfer the sum of $11,800,000 from the tax relief fund to the highway fund during the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 4, line 2, replace "$187,385,888" with "$187,223,092"

Page 4, line 11, replace "$2,268,800" with "$2,168,800"

Page 4, line 12, replace "$2,268,800" with "$2,168,800"

Page 4, line 14, replace "$600,000" with "$500,000"

Page 4, replace line 26 with:

"Statewide memberships and related expenses $642,089"

Page 5, line 10, remove "and a maximum of $250"

Page 5, line 11, remove "per month"

Page 5, line 11, replace "each" with "the first"

Page 5, line 11, after "biennium" insert "and are to average 2 percent per eligible employee for the second year of the biennium"

Page 5, line 15, remove "and maximum"

Page 5, after line 26, insert:

"**SECTION 19. AMENDMENT.** Subsection 1 of section 10-04-03 of the North Dakota Century Code is amended and reenacted as follows:

1. The state securities department is under the supervision of a chief officer designated as the securities commissioner. The securities commissioner must be appointed by the governor and confirmed by the senate and shall hold office for a term of four years, beginning on the first day of July following a national presidential election and continuing until a successor has been appointed, confirmed by the senate, and has qualified, unless removed as herein provided. If the senate is not in session, the governor may make an interim appointment, and the interim appointee ~~shall~~may hold office until the senate confirms or rejects the appointment. ~~The commissioner must be skilled in securities and may not be an incumbent of any other public office in the state.~~ The commissioner may not own or control any security required to be registered under this chapter, or any security which is exempt based on the approval of the securities department. The commissioner may not be an officer, director, or employee of any broker-dealer, agent, investment adviser, or investment adviser representative required to be registered under this chapter, or of a federal

covered adviser required to be notice-filed under this chapter. The governor may remove from office any commissioner who fails to discharge faithfully the duties of office or who becomes disqualified under the provisions of this section.

It is the prime duty of the commissioner to administer the provisions of this chapter. The commissioner shall receive a salary within the amount appropriated for salaries by the legislative assembly. The commissioner shall use a seal with the words "securities commissioner, North Dakota" and such design as the commissioner may prescribe engraved thereon by which seal the commissioner may authenticate documents used in the administration of this chapter. The commissioner may employ such employees as are necessary for the administration of this chapter. In the absence or disability of the commissioner, the deputy or designee of the commissioner ~~shall~~may administer the provisions of this chapter as acting commissioner.

SECTION 20. A new section to chapter 10-04 of the North Dakota Century Code is created and enacted as follows:

Legacy fund investments - Notice filing.

1. Within thirty days of completion of the transaction, any issuer of securities in receipt of an investment from the legacy fund under paragraph 3 of subdivision a of subsection 3 of section 21-10-11 or under subdivision b of subsection 3 of section 21-10-11, as created by section 4 of House Bill No. 1425 as approved by the sixty-seventh legislative assembly, shall file electronically a notice on a form prescribed by the commissioner and containing information as required by the commissioner.

2. The notice filing requirement under this section does not exempt the issuer from or supersede any other provision of this chapter.

SECTION 21. AMENDMENT. A new chapter to title 54 of the North Dakota Century Code, as created by section 3 of House Bill No. 1452 as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

Definitions.

As used in this chapter:

1. "Authority" means the clean sustainable energy authority.

2. "Clean" means a technology or concept that reduces emissions to the air, water, or land and meets or exceeds state and federal environmental regulations.

3. "Commission" means the industrial commission.

4. "Fund" means the clean sustainable energy fund.

5. "Program" means the clean sustainable energy program.

6. "Sustainable" means a technology or concept that allows the use of a natural resource to be maintained or enhanced through increased

efficiency and life cycle benefits while either increasing or not adversely impacting energy security, affordability, reliability, resilience, or national security.

Clean sustainable energy authority - Purpose.

There is created the clean sustainable energy authority to support research, development, and technological advancements through partnerships and financial support for the large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery. The purpose of the financial support is to enhance the production of clean sustainable energy, to make the state a world leader in the production of clean sustainable energy, and to diversify and grow the state's economy.

Clean sustainable energy authority - Membership - Meetings.

1. The clean sustainable energy authority consists of sixteen members, including eight voting members and eight nonvoting technical advisors.

2. The eight voting members consist of:

   a. One member appointed by the legislative management to serve as chairman;

   b. Two members appointed by the lignite research council;

   c. Two members appointed by the oil and gas research council;

   d. Two members appointed by the renewable energy council; and

   e. One member appointed by the western Dakota energy association.

3. The eight nonvoting technical advisors consist of:

   a. One member appointed by the North Dakota outdoor heritage fund advisory board;

   b. The commissioner of commerce or the commissioner's designee;

   c. The director of the department of environmental quality or the director's designee;

   d. The director of mineral resources or the director's designee;

   e. The director of the North Dakota pipeline authority or the director's designee;

   f. The director of the North Dakota transmission authority or the director's designee;

   g. The director of the state energy research center or the director's designee;

   h. The president of the Bank of North Dakota or the president's designee;

4. The term of office for the chairman is two years. The term of office for the other voting members is four years, and the other voting members may not serve more than two consecutive terms. The terms of office for the voting members commence on July first. The initial terms for the voting members of the authority must be staggered following a method determined by the authority.

5. The authority shall meet at least semiannually. The chairman shall call a meeting upon written request from three voting members of the authority. Five voting members is a quorum at any meeting.

6. The authority may not forward a recommendation to the commission unless the recommendation fulfills the purposes of this chapter and is approved by a majority of the voting members of the authority.

Clean sustainable energy authority - Duties - Report.

1. The authority shall make recommendations to the commission for program guidelines, including eligibility criteria for entities to receive funding under this chapter.

2. The nonvoting technical advisors shall develop a process to review and evaluate projects to determine the technical merits and feasibility of any application, including potential benefits of the development of low-emission technology, the expansion of the development of the state's natural resources or energy production, and the contribution to the economic diversity in the state.

3. The authority may develop a loan program or a loan guarantee program under the clean sustainable energy fund. The Bank of North Dakota shall administer the loan program or loan guarantee program. The interest rate of a loan under this program may not exceed two percent per year. The maximum term of a loan under this section must be approved by the commission based on a recommendation from the authority. The Bank shall review applications for loans or loan guarantees and shall consider the business plan, financial statements, and other information necessary to evaluate the application. To be eligible for a loan or loan guarantee, an entity shall agree to provide the Bank of North Dakota with information as requested. The Bank of North Dakota may develop policies for loan participation with local financial institutions.

4. The authority shall make recommendations to the commission for grant awards, loan approvals, or other financial assistance to provide funding to support research, development, and technological advancements for the large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery in accordance with this chapter. Any projects, processes, activities, and technologies selected by the commission for funding must have been recommended by the authority, must demonstrate feasibility based on a technical review conducted by the nonvoting technical advisors of the authority, must have other sources of financial support, and must achieve the priorities and purposes of the program. At the request of the authority, the Bank of North Dakota shall provide a recommendation regarding the economic feasibility

of a project, process, activity, or technology under consideration by the authority. The Bank shall review the business plan, financial statements, and other information necessary to provide a recommendation.

5. The authority may consult with any other state agency necessary to carry out the purposes under this chapter.

6. Each biennium, the authority shall provide a written report to the legislative management regarding its activities and the program's financial impact on state revenues and the state's economy.

Clean sustainable energy program - Powers and duties of the commission.

1. The commission is granted all the powers necessary to carry out the purposes of this chapter, including the power to:

   a. Provide grants, loans, or other forms of financial assistance to qualified entities for the research, demonstration, development, and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and use energy sources derived from within the state. Other forms of financial assistance include venture capital investments and interest rate buydowns. The commission must require an entity to provide assurance of financial and other types of support that demonstrate a commitment to the project, process, activity, or technology. The commission may develop policies for the approval of loans or loan guarantees issued from the clean sustainable energy fund.

   b. Enter into contracts or agreements to carry out the purposes of this chapter, including contracting for the administration of the program.

   c. Keep accurate records of all financial transactions performed under this chapter.

   d. Cooperate with any private, local, state, or national organization to make contracts and agreements for programs that advance the mission of the program.

   e. Accept loan repayments, donations, grants, contributions, or gifts from any public or private source to carry out the purposes of this chapter, which must be deposited in the clean sustainable energy fund.

   f. Make guidelines necessary to carry out the purposes of this chapter, including guidelines relating to the ownership of intellectual property.

   g. Borrow from the Bank of North Dakota, as authorized by the legislative assembly, to make loans or loan guarantees under a loan program or loan guarantee program developed by the clean sustainable energy authority.

2. The commission may acquire, purchase, hold, use, lease, license, sell, transfer, or dispose of any interest in an asset necessary for clean sustainable energy technology development to facilitate the production, transportation, distribution, or delivery of clean energy commodities produced in the state as a purchases of last resort.

3. The commission shall provide administrative support to the authority for the operation of the program, including the preparation of forms, review of applications, and ongoing review of any contracts. The commission may contract with a public or private entity to provide technical assistance necessary to implement the purposes of this chapter.

4. The commission is not subject to the reporting requirements under chapter 54-60.1.

Clean sustainable energy program - Access to records.

1. To the extent the commission or authority determines the materials or data consist of trade secrets or commercial, financial, or proprietary information of individuals or entities applying to or contracting with the commission or receiving commission services under this chapter, materials and data submitted to, made by, or received by the commission or authority, are not public records subject to section 44-04-18 and section 6 of article XI of the Constitution of North Dakota, and are subject to section 44-04-18.4.

2. A person or entity may file a request with the commission to have material designated as confidential under subsection 1. The request must contain any information required by the commission and must include at least the following:

   a. A general description of the nature of the information sought to be protected.

   b. An explanation of why the information derives independent economic value, actual or potential, from not being generally known to other persons.

   c. An explanation of why the information is not readily ascertainable by proper means of other persons.

   d. A general description of any person that may obtain economic value from disclosure or use of the information, and how the person may obtain this value.

   e. A description of the efforts used to maintain the secrecy of the information.

3. Any request under subsection 2 is confidential. The commission shall examine the request and determine whether the information is relevant to the matter at hand and is a trade secret under the definition in section 47-25.1-01 or 44-04-18.4. If the commission determines the information is either not relevant or not a trade secret, the commission shall notify the requester and the requester may ask for the return of the information and the request within ten days of the notice. If no return is sought, the information and request are public record.

4. The names or identities of independent technical reviewers on a project or program are confidential, may not be disclosed by the commission, and are not public records subject to section 44-04-18 or section 6 of article XI of the Constitution of North Dakota.

Clean sustainable energy fund - Continuing appropriation - Line of credit - Loans - Repayments.

1. There is created in the state treasury the clean sustainable energy fund. The fund consists of all moneys transferred to the fund by the legislative assembly; loan proceeds; interest upon moneys in the fund; principal and interest payments to the fund; and donations, grants, and other contributions received by the commission for deposit in the fund. All moneys in the fund are appropriated to the commission on a continuing basis to provide grants, loans, and other financial assistance and for administrative and operating costs of the authority and program pursuant to the provisions under this chapter.

2. Any bond proceeds deposited in the fund must be used for loans or loan guarantees. The Bank of North Dakota shall deposit in the fund all principal and interest paid on the loans made from the fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay for administrative costs, not to exceed one-half of one percent of the amount of the interest payment. The Bank shall contract with a certified public accounting firm to audit the fund annually if the fund has any outstanding loans. The cost of the audit must be paid from the fund.

3. The Bank of North Dakota shall extend a line of credit to the industrial commission to support loans or loan guarantees issued from the clean sustainable energy fund. The line of credit may not exceed two hundred fifty million dollars, and the interest rate associated with the line of credit must be the prevailing interest rate charged to North Dakota governmental entities. The industrial commission shall repay the line of credit from moneys available in the clean sustainable energy fund or other funds, as appropriated by the legislative assembly. If the moneys available from the clean sustainable energy fund on June 30, 2025, are not sufficient to repay the line of credit, the industrial commission shall request from the legislative assembly a deficiency appropriation to repay the line of credit.

4. The industrial commission may access the line of credit to the extent needed through June 30, 2025, to provide funding as authorized by the legislative assembly to support loans or loan guarantees issued from the clean sustainable energy fund. Any moneys borrowed from the Bank of North Dakota pursuant to this section must be transferred to the clean sustainable energy fund to support loans or loan guarantees."

Page 12, after line 12, insert:

"**SECTION 34. LEGISLATIVE MANAGEMENT STUDY - STATE EMPLOYEE COMPENSATION.** During the 2021-22 interim, the legislative management shall consider studying the classified state employee compensation system, including a review of the development and determination of pay grades and classifications. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 35. EMERGENCY. Sections 3 and 5 of this Act and Senate Bill No. 2140, as approved by the sixty-seventh legislative assembly, are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Office of Management and Budget				
Total all funds	$41,662,367	$47,361,750	$1,463,063	$48,824,813
Less estimated income	8,746,515	14,252,906	495,507	14,748,413
General fund	$32,915,852	$33,108,844	$967,556	$34,076,400
FTE	112.00	112.00	(4.00)	108.00
State Treasurer				
Total all funds	$0	$8,100,000	$100,000	$8,200,000
Less estimated income	0	8,100,000	100,000	8,200,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Judicial Branch				
Total all funds	$0	$0	$157,600	$157,600
Less estimated income	0	0	157,600	157,600
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Department of Public Instruction				
Total all funds	$0	$0	$5,900,000	$5,900,000
Less estimated income	0	0	5,900,000	5,900,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
University of North Dakota				
Total all funds	$0	$0	$9,000,000	$9,000,000
Less estimated income	0	0	5,000,000	5,000,000
General fund	$0	$0	$4,000,000	$4,000,000
FTE	0.00	0.00	0.00	0.00
Dickinson State University				
Total all funds	$0	$0	$4,000,000	$4,000,000
Less estimated income	0	0	4,000,000	4,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Dept. of Career and Technical Education				
Total all funds	$0	$0	$78,000,000	$78,000,000
Less estimated income	0	0	78,000,000	78,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Highway Patrol				
Total all funds	$0	$0	$3,000,000	$3,000,000
Less estimated income	0	0	3,000,000	3,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Department of Agriculture				
Total all funds	$0	$0	$5,000,000	$5,000,000
Less estimated income	0	0	5,000,000	5,000,000
General fund	$0	$0	$0	$0

FTE	0.00	0.00	0.00	0.00
State Historical Society				
Total all funds	$0	$0	$0	$0
Less estimated income	0	0	0	0
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Parks and Recreation Department				
Total all funds	$0	$0	$0	$0
Less estimated income	0	0	0	0
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Department of Transportation				
Total all funds	$0	$0	$21,800,000	$21,800,000
Less estimated income	0	0	21,800,000	21,800,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Bill total				
Total all funds	$41,662,367	$55,461,750	$128,420,663	$183,882,413
Less estimated income	8,746,515	22,352,906	123,453,107	145,806,013
General fund	$32,915,852	$33,108,844	$4,967,556	$38,076,400
FTE	112.00	112.00	(4.00)	108.00

House Bill No. 1015 - Office of Management and Budget - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	$21,903,816	$22,797,003	($870,024)	$21,926,979
Operating expenses	14,937,426	15,430,128	883,086	16,313,214
Capital assets	767,125	5,534,619		5,534,619
Grants	54,000			
Emergency commission contingency fund	500,000	400,000		400,000
Guardianship grants	1,950,000	2,050,000	400,000	2,450,000
Prairie public broadcasting	1,200,000	800,000	400,001	1,200,001
Community service supervision grants	350,000	250,000	150,000	400,000
Student internship program		100,000		100,000
Federal coronavirus capital projects			500,000	500,000
Total all funds	$41,662,367	$47,361,750	$1,463,063	$48,824,813
Less estimated income	8,746,515	14,252,906	495,507	14,748,413
General fund	$32,915,852	$33,108,844	$967,556	$34,076,400
FTE	112.00	112.00	(4.00)	108.00

Department 110 - Office of Management and Budget - Detail of Senate Changes

	Adjusts Funding for Salary Increases[1]	Transfers FTE Positions for IT Unification[2]	Adds Funding for Statewide Dues[3]	Adds Funding for Grants[4]	Total Senate Changes
Salaries and wages	($23,477)	($846,547)			($870,024)
Operating expenses		866,061	$17,025		883,086
Capital assets					
Grants					
Emergency commission contingency fund					
Guardianship grants				$400,000	400,000
Prairie public broadcasting				400,001	400,001
Community service supervision grants				150,000	150,000
Student internship program					
Federal coronavirus capital projects				500,000	500,000
Total all funds	($23,477)	$19,514	$17,025	$1,450,001	$1,463,063
Less estimated income	(4,493)	0	0	500,000	495,507
General fund	($18,984)	$19,514	$17,025	$950,001	$967,556
FTE	0.00	(4.00)	0.00	0.00	(4.00)

[1] Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of $100, and 2 percent on July 1, 2022. The House provided salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of $100 and a maximum monthly increase of $250.

[2] Four FTE positions are transferred to the Information Technology Department for the IT unification project, reducing salaries and wages by $846,547 and increasing operating expenses by $866,061. The House did not include the IT unification project.

[3] Funding of $17,025 from the general fund is added for increased costs associated with statewide memberships and dues.

[4] Funding of $1,450,001 is added as follows:

- $400,000 from the general fund for guardianship grants to provide a total of $2,450,000. The House provided a total of $2,050,000.
- $400,001 from the general fund for Prairie Public Broadcasting to provide a total of $1,200,001. The House provided a total of $800,000.
- $150,000 from the general fund for community service supervision grants to provide a total of $400,000. The House provided a total of $250,000.
- $500,000 from federal funds derived from the federal Coronavirus Capital Projects Fund for a capital projct grant to a medical center in Griggs County. The House did not include this funding.

This amendment also:

- Adds a section to appropriate funding from the federal Coronavirus Capital Projects Fund to various agencies for eligible capital projects. The House did not include this section.
- Transfers $11.8 million from the tax relief fund and $10 million from the strategic investment and improvements fund to the highway fund for township road and bridge projects. The House did not provide for a transfer to the highway fund.
- Transfers $1 million from the strategic investment and improvements fund to the cultural endowment fund for arts initiatives. The House did not include this transfer.
- Adjusts the transfer from the tax relief fund to the human service finance fund to provide $187,223,092. The House provided for a transfer of $187,385,888.
- Adjusts the funding identified from the Capitol building fund for extraordinary repairs to match the $500,000 appropriated in Section 1 of the bill. The House appropriated $500,000 for extraordinary repairs.
- Increases the amount of funding identified for statewide memberships and dues totaling $642,089. The House provided $625,064 for statewide memberships and dues.
- Adjusts the compensation guidelines to reflect an average increase of 1.5 percent with a monthly minimum of $100 in the 1st year of the biennium and an average increase of 2 percent in the 2nd year of the biennium. The House provided an average increase of 1.5 percent with a monthly minimum of $100 and a monthly maximum of $200 for both years of the biennium.

- Removes the requirement for the Securities Commissioner to be skilled in securities and removes the restriction that the Securities Commissioner may not hold any other public office. The House did not include this change.
- Requires a notice filing for certain securities held as investments from the legacy fund. The House did not include this requirement.
- Authorizes the Bank of North Dakota to provide a line of credit of up to $250 million to support loans or loan guarantees under the clean sustainable energy fund. The House did not authorize this line of credit.
- Adds a Legislative Management study of state employee compensation. The House did not include a study of state employee compensation.
- Provides an emergency clause for community service supervision fund grants, federal coronavirus capital projects, and Senate Bill No. 2140, relating to repayments under the professional student exchange program. The House did not include an emergency clause.

House Bill No. 1015 - State Treasurer - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Non-oil township grants		$8,100,000	$100,000	$8,200,000
Total all funds	$0	$8,100,000	$100,000	$8,200,000
Less estimated income	0	8,100,000	100,000	8,200,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 120 - State Treasurer - Detail of Senate Changes

	Increases Funding for Grants[1]	Total Senate Changes
Non-oil township grants	$100,000	$100,000
Total all funds	$100,000	$100,000
Less estimated income	100,000	100,000
General fund	$0	$0
FTE	0.00	0.00

[1] Funding for grants to non-oil-producing townships is increased by $100,000 to provide a total of $8.2 million from the state disaster relief fund.

House Bill No. 1015 - Judicial Branch - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Federal coronavirus capital projects			$157,600	$157,600
Total all funds	$0	$0	$157,600	$157,600
Less estimated income	0	0	157,600	157,600
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 180 - Judicial Branch - Detail of Senate Changes

	Adds Funding for Capital Projects[1]	Total Senate Changes
Federal coronavirus capital projects	$157,600	$157,600
Total all funds	$157,600	$157,600
Less estimated income	157,600	157,600
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $157,600 from the federal Coronavirus Capital Projects Fund is added for information technology equipment. The House did not include this funding.

House Bill No. 1015 - Department of Public Instruction - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Federal coronavirus capital projects			$5,900,000	$5,900,000
Total all funds	$0	$0	$5,900,000	$5,900,000
Less estimated income	0	0	5,900,000	5,900,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 201 - Department of Public Instruction - Detail of Senate Changes

	Adds Funding for Capital Projects[1]	Total Senate Changes
Federal coronavirus capital projects	$5,900,000	$5,900,000
Total all funds	$5,900,000	$5,900,000
Less estimated income	5,900,000	5,900,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $5.9 million from the federal Coronavirus Capital Projects Fund is added for a grant to an entity for the development of a children's science center in Minot. The House did not include this funding.

House Bill No. 1015 - University of North Dakota - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Federal coronavirus capital projects			$5,000,000	$5,000,000
Space command initiative			4,000,000	4,000,000
Total all funds	$0	$0	$9,000,000	$9,000,000
Less estimated income	0	0	5,000,000	5,000,000
General fund	$0	$0	$4,000,000	$4,000,000
FTE	0.00	0.00	0.00	0.00

Department 230 - University of North Dakota - Detail of Senate Changes

	Adds Funding for Capital Projects[1]	Total Senate Changes
Federal coronavirus capital projects	$5,000,000	$5,000,000
Space command initiative	4,000,000	4,000,000
Total all funds	$9,000,000	$9,000,000
Less estimated income	5,000,000	5,000,000
General fund	$4,000,000	$4,000,000
FTE	0.00	0.00

[1] One-time funding of $5 million from the federal Coronavirus Capital Projects Fund is added for reconstruction of the University of North Dakota's apron at the Grand Forks airport. One-time funding of $4 million from the general fund is added for a space command initiative. The House did not include funding for these items.

House Bill No. 1015 - Dickinson State University - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Federal coronavirus capital projects			$4,000,000	$4,000,000
Total all funds	$0	$0	$4,000,000	$4,000,000
Less estimated income	0	0	4,000,000	4,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 239 - Dickinson State University - Detail of Senate Changes

	Adds Funding for Capital Projects[1]	Total Senate Changes
Federal coronavirus capital projects	$4,000,000	$4,000,000
Total all funds	$4,000,000	$4,000,000
Less estimated income	4,000,000	4,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $4 million from the federal Coronavirus Capital Projects Fund is added for a Pulver Hall, meat processing laboratory, and other projects at Dickinson State University. The House did not include this funding.

House Bill No. 1015 - Dept. of Career and Technical Education - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Federal coronavirus capital projects			$78,000,000	$78,000,000
Total all funds	$0	$0	$78,000,000	$78,000,000
Less estimated income	0	0	78,000,000	78,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 270 - Dept. of Career and Technical Education - Detail of Senate Changes

	Adds Funding for Capital Projects[1]	Total Senate Changes
Federal coronavirus capital projects	$78,000,000	$78,000,000
Total all funds	$78,000,000	$78,000,000
Less estimated income	78,000,000	78,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $78 million from the federal Coronavirus Capital Projects Fund is added for a statewide career academy initiative grant program. The House did not include this funding.

House Bill No. 1015 - Highway Patrol - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Federal coronavirus capital projects			$3,000,000	$3,000,000
Total all funds	$0	$0	$3,000,000	$3,000,000
Less estimated income	0	0	3,000,000	3,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 504 - Highway Patrol - Detail of Senate Changes

	Adds Funding for Capital Projects[1]	Total Senate Changes
Federal coronavirus capital projects	$3,000,000	$3,000,000
Total all funds	$3,000,000	$3,000,000
Less estimated income	3,000,000	3,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $3 million from the federal Coronavirus Capital Projects Fund is added for a law enforcement training center remodel project. The House did not include this funding.

House Bill No. 1015 - Department of Agriculture - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Grasslands grants			$5,000,000	$5,000,000
Total all funds	$0	$0	$5,000,000	$5,000,000
Less estimated income	0	0	5,000,000	5,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 602 - Department of Agriculture - Detail of Senate Changes

	Adds Funding for Grasslands Grants[1]	Total Senate Changes
Grasslands grants	$5,000,000	$5,000,000
Total all funds	$5,000,000	$5,000,000
Less estimated income	5,000,000	5,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $5 million from the strategic investment and improvements fund is added for grassland grazing grants. The House did not include funding for grassland grazing grants.

House Bill No. 1015 - Department of Transportation - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Township road projects			$21,800,000	$21,800,000
Total all funds	$0	$0	$21,800,000	$21,800,000
Less estimated income	0	0	21,800,000	21,800,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 801 - Department of Transportation - Detail of Senate Changes

	Adds Funding for Township Roads[1]	Total Senate Changes
Township road projects	$21,800,000	$21,800,000
Total all funds	$21,800,000	$21,800,000
Less estimated income	21,800,000	21,800,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $21.8 million from the highway fund is added for township road and bridge projects. The funding is derived from a transfer of $11.8 million from the tax relief fund and a transfer of $10 million from the strategic investment and improvements fund.

REPORT OF STANDING COMMITTEE

HB 1015, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1015 was placed on the Sixth order on the calendar.

Page 1, line 3, after the semicolon insert "to provide an appropriation to the department of career and technical education, the department of public instruction, the university of North Dakota, Dickinson state university, the highway patrol, the judicial branch, the department of transportation, and the agriculture commissioner; to create and enact a new section to chapter 10-04 of the North Dakota Century Code, relating to notice filing for certain legacy fund investments;"

Page 1, line 3, after "reenact" insert "subsection 1 of section 10-04-03, a new chapter to title 54, as created by section 3 in House Bill No. 1452, as approved by the sixty-seventh legislative assembly,"

Page 1, line 5, after "to" insert "qualifications of the securities commissioner, the clean sustainable energy authority,"

Page 1, line 11, remove "and"

Page 1, line 11, after "report" insert "; and to declare an emergency"

Page 1, remove lines 21 through 24

Page 2, replace lines 1 through 9 with:

"Salaries and wages	$21,903,816	$23,163	$21,926,979
Operating expenses	14,937,426	1,375,788	16,313,214
Emergency commission contingency fund	500,000	(100,000)	400,000
Capital assets	767,125	4,767,494	5,534,619
Grants	54,000	(54,000)	0
Guardianship grants	1,950,000	500,000	2,450,000
Prairie public broadcasting	1,200,000	1	1,200,001
Community service supervision grants	350,000	50,000	400,000
State student internship program	0	100,000	100,000
Total all funds	$41,662,367	$6,662,446	$48,324,813
Less estimated income	8,746,515	5,501,898	14,248,413
Total general fund	$32,915,852	$1,160,548	$34,076,400
Full-time equivalent positions	112.00	(4.00)	108.00"

Page 3, line 14, replace "$8,100,000" with "$8,200,000"

Page 3, line 18, replace "$8,100,000" with "$8,200,000"

Page 3, after line 31, insert:

"**SECTION 5. APPROPRIATION - FEDERAL CORONAVIRUS CAPITAL PROJECTS FUND - MATCHING FUNDS - ONE-TIME FUNDING.**

1. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $78,000,000, or so much of the sum as may be necessary, to the department of career and technical education for the purpose of a statewide career academy initiative grant program for the period beginning with the effective date of this Act, and ending June 30, 2023. The department of career and technical education shall establish the application process and develop eligibility requirements for the grant program that must include:

a. Funding may be used only for career and technical education projects involving construction, addition, maintenance, and equipment for new and existing career academies;

b. Grants awarded to each recipient must be at least $500,000, but may not exceed $10,000,000;

c. Grants may be awarded only to the extent a school district has secured matching funds from nonstate sources on a dollar-for-dollar basis;

d. The application period for the grant program begins with the effective date of this Act and ends on June 30, 2022. If funding remains after June 30, 2022, a second application period is available from July 1, 2022, through December 31, 2022. Successful applicants from the first application period are eligible for funding during the second application period. Any funding not committed by December 31, 2022, may not be spent and must be canceled at the end of the 2021-23 biennium in accordance with section 54-44.1-11;

e. Preference must be given to school districts that collaborate with other school districts for a regional career academy facility or to school districts to create a new career academy or use an existing career academy to positively affect that region of the state; and

f. Preference must be given to school districts that will promote postsecondary education and workforce training education in conjunction with secondary education.

2. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $5,900,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing a grant to an entity for the development of a children's science center for the period beginning with the effective date of this Act, and ending June 30, 2023.

3. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $5,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of reconstruction of the university's apron at the Grand Forks airport for the period beginning with the effective date of this Act, and ending June 30, 2023.

4. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $4,000,000, or so much of the sum as may be necessary, to Dickinson state university for the purpose of a Pulver hall project, a meat processing laboratory remodel, and other projects for the period beginning with the effective date of this Act, and ending June 30, 2023.

5. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $3,000,000, or so much of the sum as may be necessary, to the highway patrol for the purpose of a law enforcement training center remodel project for the period beginning with the effective date of this Act, and ending June 30, 2023.

6. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $500,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of providing a grant to a

medical center located in the county seat of Griggs County for the period beginning with the effective date of this Act, and ending June 30, 2023.

7. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $157,600, or so much of the sum as may be necessary, to the judicial branch for the purpose of purchasing information technology equipment for the period beginning with the effective date of this Act, and ending June 30, 2023.

8. If the federal government distributes funding derived from the federal coronavirus capital projects fund to the state in more than one funding round, the office of management and budget shall prioritize the amounts received in the first funding round as follows:

   a. $21,763,000 to the department of career and technical education;

   b. $11,716,400 to the parks and recreation department;

   c. $5,900,000 to the department of public instruction;

   d. $5,000,000 to the university of North Dakota;

   e. $4,200,000 to the state historical society;

   f. $4,000,000 to Dickinson state university;

   g. $3,000,000 to the highway patrol;

   h. $500,000 to the office of management and budget; and

   i. $157,600 to the judicial branch.

9. In addition to the amounts appropriated under this section, section 1 of House Bill No. 1019, as approved by the sixty-seventh legislative assembly, includes $11,716,400 and section 1 of House Bill No. 1018, as approved by the sixty-seventh legislative assembly, includes $4,200,000 to provide a total of $112,474,000 from federal funds derived from the federal coronavirus capital projects fund.

10. The funding provided under this section may be spent only to the extent the director of the office of management and budget, in consultation with the budget section, determines the use of the funding complies with federal guidance for the federal coronavirus capital projects fund. The funding provided under this section is considered a one-time funding item.

SECTION 6. APPROPRIATION - HIGHWAY FUND - DEPARTMENT OF TRANSPORTATION - ONE-TIME FUNDING - REPORT.

1. There is appropriated out of any moneys in the highway fund in the state treasury, not otherwise appropriated, the sum of $21,800,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of distributions to townships for road and bridge infrastructure needs for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

   a. The department shall award grants with preference given to grant applications for projects that:

      (1) Leverage available state, local, or federal funding;

(2) Coordinate with state, county, and other township projects;

(3) Focus on flood control and infrastructure resilience;

(4) Reduce road restrictions, improve mobility, and improve safety;

(5) Improve the agricultural economy and goods movement; and

(6) Confirm participating townships' ability to maintain the improvements.

b. The department shall establish an application process that must include the following eligibility requirements:

(1) The roadways or bridges associated with the project must provide continuity and connectivity to efficiently integrate and improve paved and unpaved corridors within the township and across township borders;

(2) The project must be consistent with applicable township long-range planning;

(3) The project must result in the roadway segment meeting an appropriate legal load limit; and

(4) The project must comply with the American association of state highway transportation officials pavement and bridge design procedures and standards developed by the department of transportation in conjunction with the local jurisdiction.

2. For approved projects, the department initially shall distribute the portion of the approved grant funding for engineering and plan development costs. Upon execution of a construction contract by the township, the department shall distribute the remainder of the approved funding. Townships shall report to the department upon awarding of each contract and upon completion of each project.

3. Grants may be awarded for construction, engineering, and plan development costs, but may not be used for routine maintenance. Grants awarded may be applied to engineering, design, and construction costs incurred on related projects as of January 1, 2021. Section 54-44.1-11 does not apply to funding under this section and any funds not spent by June 30, 2023, must be continued into the biennium beginning July 1, 2023, and ending June 30, 2025, and may be expended only for the purposes authorized by this section.

4. For the purposes of this section, a "non-oil-producing county" means a county that has received no allocation of funding or a total allocation of funding under subsection 2 of section 57-51-15 of less than $5,000,000 for the period beginning September 1, 2019, and ending August 31, 2020.

5. The funding provided under this section is considered a one-time funding item and the department shall report to the budget section and to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding, including the amounts awarded and distributed to each township, the amounts spent to date, and the amounts anticipated to be continued into the 2023-25 biennium.

SECTION 7. APPROPRIATION - UNIVERSITY OF NORTH DAKOTA - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund

in the state treasury, not otherwise appropriated, the sum of $4,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of a space command initiative and related technical programs, including equipment, renovation costs, a sensitive compartmental information facility, and other expenses for the biennium beginning July 1, 2021, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 8. APPROPRIATION - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - GRASSLANDS GRAZING GRANT PROGRAM - ONE-TIME FUNDING - MATCHING FUNDS. There is appropriated out of any moneys in the strategic investment and improvements fund in the state treasury, not otherwise appropriated, the sum of $5,000,000, or so much of the sum as may be necessary, to the agriculture commissioner for the purpose of providing grassland grazing grants to an organization representing cooperative grazing associations in the state for the biennium beginning July 1, 2021, and ending June 30, 2023. To be eligible for a grant under this program, an organization must provide one dollar of matching funds from nonstate sources for every four dollars of grant funding. An organization that receives a grant under this program may distribute the funding to cooperative grazing associations for eligible infrastructure projects, which must be located on national grasslands within the state. Eligible infrastructure projects include water development; fencing; conservation initiatives; compliance with federal permitting requirements, including fees for professional services; and other projects to enhance wildlife habitat, capture carbon, or increase the health of grasslands. The agriculture commissioner shall establish additional guidelines for the program. This funding is considered a one-time funding item.

SECTION 9. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO CULTURAL ENDOWMENT FUND - INTENT. The office of management and budget shall transfer the sum of $1,000,000 from the strategic investment and improvements fund to the cultural endowment fund during the biennium beginning July 1, 2021, and ending June 30, 2023. It is the intent of the sixty-seventh legislative assembly that the council on the arts expend up to $50,000 annually from the cultural endowment fund pursuant to the appropriation authority provided in section 2 of Senate Bill No. 2010 during the 2021-23 biennium for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program. It is further the intent of the legislative assembly that the council on the arts continue to expend $50,000 annually from the cultural endowment fund for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program until the moneys derived from the strategic investment and improvements fund transfer authorized under this section and deposited in the fund have been fully expended.

SECTION 10. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO HIGHWAY FUND. The office of management and budget shall transfer the sum of $10,000,000 from the strategic investment and improvements fund to the highway fund during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 11. TRANSFER - TAX RELIEF FUND TO HIGHWAY FUND. The office of management and budget shall transfer the sum of $11,800,000 from the tax relief fund to the highway fund during the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 4, line 2, replace "$187,385,888" with "$187,223,092"

Page 4, line 11, replace "$2,268,800" with "$2,168,800"

Page 4, line 12, replace "$2,268,800" with "$2,168,800"

Page 4, line 14, replace "$600,000" with "$500,000"

Page 4, replace line 26 with:

"Statewide memberships and related expenses $642,089"

Page 5, line 10, remove "and a maximum of $250"

Page 5, line 11, remove "per month"

Page 5, line 11, replace "each" with "the first"

Page 5, line 11, after "biennium" insert "and are to average 2 percent per eligible employee for the second year of the biennium"

Page 5, line 15, remove "and maximum"

Page 5, after line 26, insert:

"**SECTION 19. AMENDMENT.** Subsection 1 of section 10-04-03 of the North Dakota Century Code is amended and reenacted as follows:

1. The state securities department is under the supervision of a chief officer designated as the securities commissioner. The securities commissioner must be appointed by the governor and confirmed by the senate and shall hold office for a term of four years, beginning on the first day of July following a national presidential election and continuing until a successor has been appointed, confirmed by the senate, and has qualified, unless removed as herein provided. If the senate is not in session, the governor may make an interim appointment, and the interim appointee ~~shall~~may hold office until the senate confirms or rejects the appointment. ~~The commissioner must be skilled in securities and may not be an incumbent of any other public office in the state.~~ The commissioner may not own or control any security required to be registered under this chapter, or any security which is exempt based on the approval of the securities department. The commissioner may not be an officer, director, or employee of any broker-dealer, agent, investment adviser, or investment adviser representative required to be registered under this chapter, or of a federal covered adviser required to be notice-filed under this chapter. The governor may remove from office any commissioner who fails to discharge faithfully the duties of office or who becomes disqualified under the provisions of this section.

   It is the prime duty of the commissioner to administer the provisions of this chapter. The commissioner shall receive a salary within the amount appropriated for salaries by the legislative assembly. The commissioner shall use a seal with the words "securities commissioner, North Dakota" and such design as the commissioner may prescribe engraved thereon by which seal the commissioner may authenticate documents used in the administration of this chapter. The commissioner may employ such employees as are necessary for the administration of this chapter. In the absence or disability of the commissioner, the deputy or designee of the commissioner ~~shall~~may administer the provisions of this chapter as acting commissioner.

SECTION 20. A new section to chapter 10-04 of the North Dakota Century Code is created and enacted as follows:

Legacy fund investments - Notice filing.

1. Within thirty days of completion of the transaction, any issuer of securities in receipt of an investment from the legacy fund under paragraph 3 of subdivision a of subsection 3 of section 21-10-11 or under

subdivision b of subsection 3 of section 21-10-11, as created by section 4 of House Bill No. 1425 as approved by the sixty-seventh legislative assembly, shall file electronically a notice on a form prescribed by the commissioner and containing information as required by the commissioner.

2. The notice filing requirement under this section does not exempt the issuer from or supersede any other provision of this chapter.

SECTION 21. AMENDMENT. A new chapter to title 54 of the North Dakota Century Code, as created by section 3 of House Bill No. 1452 as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

Definitions.

As used in this chapter:

1. "Authority" means the clean sustainable energy authority.

2. "Clean" means a technology or concept that reduces emissions to the air, water, or land and meets or exceeds state and federal environmental regulations.

3. "Commission" means the industrial commission.

4. "Fund" means the clean sustainable energy fund.

5. "Program" means the clean sustainable energy program.

6. "Sustainable" means a technology or concept that allows the use of a natural resource to be maintained or enhanced through increased efficiency and life cycle benefits while either increasing or not adversely impacting energy security, affordability, reliability, resilience, or national security.

Clean sustainable energy authority - Purpose.

There is created the clean sustainable energy authority to support research, development, and technological advancements through partnerships and financial support for the large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery. The purpose of the financial support is to enhance the production of clean sustainable energy, to make the state a world leader in the production of clean sustainable energy, and to diversify and grow the state's economy.

Clean sustainable energy authority - Membership - Meetings.

1. The clean sustainable energy authority consists of sixteen members, including eight voting members and eight nonvoting technical advisors.

2. The eight voting members consist of:

   a. One member appointed by the legislative management to serve as chairman;

   b. Two members appointed by the lignite research council;

   c. Two members appointed by the oil and gas research council;

   d. Two members appointed by the renewable energy council; and

e. One member appointed by the western Dakota energy association.

3. The eight nonvoting technical advisors consist of:

   a. One member appointed by the North Dakota outdoor heritage fund advisory board;

   b. The commissioner of commerce or the commissioner's designee;

   c. The director of the department of environmental quality or the director's designee;

   d. The director of mineral resources or the director's designee;

   e. The director of the North Dakota pipeline authority or the director's designee;

   f. The director of the North Dakota transmission authority or the director's designee;

   g. The director of the state energy research center or the director's designee;

   h. The president of the Bank of North Dakota or the president's designee;

4. The term of office for the chairman is two years. The term of office for the other voting members is four years, and the other voting members may not serve more than two consecutive terms. The terms of office for the voting members commence on July first. The initial terms for the voting members of the authority must be staggered following a method determined by the authority.

5. The authority shall meet at least semiannually. The chairman shall call a meeting upon written request from three voting members of the authority. Five voting members is a quorum at any meeting.

6. The authority may not forward a recommendation to the commission unless the recommendation fulfills the purposes of this chapter and is approved by a majority of the voting members of the authority.

Clean sustainable energy authority - Duties - Report.

1. The authority shall make recommendations to the commission for program guidelines, including eligibility criteria for entities to receive funding under this chapter.

2. The nonvoting technical advisors shall develop a process to review and evaluate projects to determine the technical merits and feasibility of any application, including potential benefits of the development of low-emission technology, the expansion of the development of the state's natural resources or energy production, and the contribution to the economic diversity in the state.

3. The authority may develop a loan program or a loan guarantee program under the clean sustainable energy fund. The Bank of North Dakota shall administer the loan program or loan guarantee program. The interest rate of a loan under this program may not exceed two percent per year. The maximum term of a loan under this section must be approved by the commission based on a recommendation from the authority. The Bank shall review applications for loans or loan guarantees and shall consider

the business plan, financial statements, and other information necessary to evaluate the application. To be eligible for a loan or loan guarantee, an entity shall agree to provide the Bank of North Dakota with information as requested. The Bank of North Dakota may develop policies for loan participation with local financial institutions.

4. The authority shall make recommendations to the commission for grant awards, loan approvals, or other financial assistance to provide funding to support research, development, and technological advancements for the large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery in accordance with this chapter. Any projects, processes, activities, and technologies selected by the commission for funding must have been recommended by the authority, must demonstrate feasibility based on a technical review conducted by the nonvoting technical advisors of the authority, must have other sources of financial support, and must achieve the priorities and purposes of the program. At the request of the authority, the Bank of North Dakota shall provide a recommendation regarding the economic feasibility of a project, process, activity, or technology under consideration by the authority. The Bank shall review the business plan, financial statements, and other information necessary to provide a recommendation.

5. The authority may consult with any other state agency necessary to carry out the purposes under this chapter.

6. Each biennium, the authority shall provide a written report to the legislative management regarding its activities and the program's financial impact on state revenues and the state's economy.

Clean sustainable energy program - Powers and duties of the commission.

1. The commission is granted all the powers necessary to carry out the purposes of this chapter, including the power to:

   a. Provide grants, loans, or other forms of financial assistance to qualified entities for the research, demonstration, development, and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and use energy sources derived from within the state. Other forms of financial assistance include venture capital investments and interest rate buydowns. The commission must require an entity to provide assurance of financial and other types of support that demonstrate a commitment to the project, process, activity, or technology. The commission may develop policies for the approval of loans or loan guarantees issued from the clean sustainable energy fund.

   b. Enter into contracts or agreements to carry out the purposes of this chapter, including contracting for the administration of the program.

   c. Keep accurate records of all financial transactions performed under this chapter.

   d. Cooperate with any private, local, state, or national organization to make contracts and agreements for programs that advance the mission of the program.

   e. Accept loan repayments, donations, grants, contributions, or gifts from any public or private source to carry out the purposes of this

chapter, which must be deposited in the clean sustainable energy fund.

f. Make guidelines necessary to carry out the purposes of this chapter, including guidelines relating to the ownership of intellectual property.

g. Borrow from the Bank of North Dakota, as authorized by the legislative assembly, to make loans or loan guarantees under a loan program or loan guarantee program developed by the clean sustainable energy authority.

2. The commission may acquire, purchase, hold, use, lease, license, sell, transfer, or dispose of any interest in an asset necessary for clean sustainable energy technology development to facilitate the production, transportation, distribution, or delivery of clean energy commodities produced in the state as a purchases of last resort.

3. The commission shall provide administrative support to the authority for the operation of the program, including the preparation of forms, review of applications, and ongoing review of any contracts. The commission may contract with a public or private entity to provide technical assistance necessary to implement the purposes of this chapter.

4. The commission is not subject to the reporting requirements under chapter 54-60.1.

Clean sustainable energy program - Access to records.

1. To the extent the commission or authority determines the materials or data consist of trade secrets or commercial, financial, or proprietary information of individuals or entities applying to or contracting with the commission or receiving commission services under this chapter, materials and data submitted to, made by, or received by the commission or authority, are not public records subject to section 44-04-18 and section 6 of article XI of the Constitution of North Dakota, and are subject to section 44-04-18.4.

2. A person or entity may file a request with the commission to have material designated as confidential under subsection 1. The request must contain any information required by the commission and must include at least the following:

   a. A general description of the nature of the information sought to be protected.

   b. An explanation of why the information derives independent economic value, actual or potential, from not being generally known to other persons.

   c. An explanation of why the information is not readily ascertainable by proper means of other persons.

   d. A general description of any person that may obtain economic value from disclosure or use of the information, and how the person may obtain this value.

   e. A description of the efforts used to maintain the secrecy of the information.

3. Any request under subsection 2 is confidential. The commission shall examine the request and determine whether the information is relevant to

the matter at hand and is a trade secret under the definition in section 47-25.1-01 or 44-04-18.4. If the commission determines the information is either not relevant or not a trade secret, the commission shall notify the requester and the requester may ask for the return of the information and the request within ten days of the notice. If no return is sought, the information and request are public record.

4. The names or identities of independent technical reviewers on a project or program are confidential, may not be disclosed by the commission, and are not public records subject to section 44-04-18 or section 6 of article XI of the Constitution of North Dakota.

Clean sustainable energy fund - Continuing appropriation - Line of credit - Loans - Repayments.

1. There is created in the state treasury the clean sustainable energy fund. The fund consists of all moneys transferred to the fund by the legislative assembly; loan proceeds; interest upon moneys in the fund; principal and interest payments to the fund; and donations, grants, and other contributions received by the commission for deposit in the fund. All moneys in the fund are appropriated to the commission on a continuing basis to provide grants, loans, and other financial assistance and for administrative and operating costs of the authority and program pursuant to the provisions under this chapter.

2. Any bond proceeds deposited in the fund must be used for loans or loan guarantees. The Bank of North Dakota shall deposit in the fund all principal and interest paid on the loans made from the fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay for administrative costs, not to exceed one-half of one percent of the amount of the interest payment. The Bank shall contract with a certified public accounting firm to audit the fund annually if the fund has any outstanding loans. The cost of the audit must be paid from the fund.

3. The Bank of North Dakota shall extend a line of credit to the industrial commission to support loans or loan guarantees issued from the clean sustainable energy fund. The line of credit may not exceed two hundred fifty million dollars, and the interest rate associated with the line of credit must be the prevailing interest rate charged to North Dakota governmental entities. The industrial commission shall repay the line of credit from moneys available in the clean sustainable energy fund or other funds, as appropriated by the legislative assembly. If the moneys available from the clean sustainable energy fund on June 30, 2025, are not sufficient to repay the line of credit, the industrial commission shall request from the legislative assembly a deficiency appropriation to repay the line of credit.

4. The industrial commission may access the line of credit to the extent needed through June 30, 2025, to provide funding as authorized by the legislative assembly to support loans or loan guarantees issued from the clean sustainable energy fund. Any moneys borrowed from the Bank of North Dakota pursuant to this section must be transferred to the clean sustainable energy fund to support loans or loan guarantees."

Page 12, after line 12, insert:

"**SECTION 34. LEGISLATIVE MANAGEMENT STUDY - STATE EMPLOYEE COMPENSATION.** During the 2021-22 interim, the legislative management shall consider studying the classified state employee compensation system, including a review of the development and determination of pay grades and

classifications. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 35. EMERGENCY. Sections 3 and 5 of this Act and Senate Bill No. 2140, as approved by the sixty-seventh legislative assembly, are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Office of Management and Budget				
Total all funds	$41,662,367	$47,361,750	$1,463,063	$48,824,813
Less estimated income	8,746,515	14,252,906	495,507	14,748,413
General fund	$32,915,852	$33,108,844	$967,556	$34,076,400
FTE	112.00	112.00	(4.00)	108.00
State Treasurer				
Total all funds	$0	$8,100,000	$100,000	$8,200,000
Less estimated income	0	8,100,000	100,000	8,200,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Judicial Branch				
Total all funds	$0	$0	$157,600	$157,600
Less estimated income	0	0	157,600	157,600
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Department of Public Instruction				
Total all funds	$0	$0	$5,900,000	$5,900,000
Less estimated income	0	0	5,900,000	5,900,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
University of North Dakota				
Total all funds	$0	$0	$9,000,000	$9,000,000
Less estimated income	0	0	5,000,000	5,000,000
General fund	$0	$0	$4,000,000	$4,000,000
FTE	0.00	0.00	0.00	0.00
Dickinson State University				
Total all funds	$0	$0	$4,000,000	$4,000,000
Less estimated income	0	0	4,000,000	4,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Dept. of Career and Technical Education				
Total all funds	$0	$0	$78,000,000	$78,000,000
Less estimated income	0	0	78,000,000	78,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Highway Patrol				
Total all funds	$0	$0	$3,000,000	$3,000,000
Less estimated income	0	0	3,000,000	3,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Department of Agriculture				
Total all funds	$0	$0	$5,000,000	$5,000,000
Less estimated income	0	0	5,000,000	5,000,000
General fund	$0	$0	$0	$0

FTE	0.00	0.00	0.00	0.00
State Historical Society				
Total all funds	$0	$0	$0	$0
Less estimated income	0	0	0	0
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Parks and Recreation Department				
Total all funds	$0	$0	$0	$0
Less estimated income	0	0	0	0
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Department of Transportation				
Total all funds	$0	$0	$21,800,000	$21,800,000
Less estimated income	0	0	21,800,000	21,800,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Bill total				
Total all funds	$41,662,367	$55,461,750	$128,420,663	$183,882,413
Less estimated income	8,746,515	22,352,906	123,453,107	145,806,013
General fund	$32,915,852	$33,108,844	$4,967,556	$38,076,400
FTE	112.00	112.00	(4.00)	108.00

House Bill No. 1015 - Office of Management and Budget - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	$21,903,816	$22,797,003	($870,024)	$21,926,979
Operating expenses	14,937,426	15,430,128	883,086	16,313,214
Capital assets	767,125	5,534,619		5,534,619
Grants	54,000			
Emergency commission contingency fund	500,000	400,000		400,000
Guardianship grants	1,950,000	2,050,000	400,000	2,450,000
Prairie public broadcasting	1,200,000	800,000	400,001	1,200,001
Community service supervision grants	350,000	250,000	150,000	400,000
Student internship program		100,000		100,000
Federal coronavirus capital projects			500,000	500,000
Total all funds	$41,662,367	$47,361,750	$1,463,063	$48,824,813
Less estimated income	8,746,515	14,252,906	495,507	14,748,413
General fund	$32,915,852	$33,108,844	$967,556	$34,076,400
FTE	112.00	112.00	(4.00)	108.00

Department 110 - Office of Management and Budget - Detail of Senate Changes

	Adjusts Funding for Salary Increases[1]	Transfers FTE Positions for IT Unification[2]	Adds Funding for Statewide Dues[3]	Adds Funding for Grants[4]	Total Senate Changes
Salaries and wages	($23,477)	($846,547)			($870,024)
Operating expenses		866,061	$17,025		883,086
Capital assets					
Grants					
Emergency commission contingency fund					
Guardianship grants				$400,000	400,000
Prairie public broadcasting				400,001	400,001
Community service supervision grants				150,000	150,000
Student internship program					
Federal coronavirus capital projects				500,000	500,000
Total all funds	($23,477)	$19,514	$17,025	$1,450,001	$1,463,063
Less estimated income	(4,493)	0	0	500,000	495,507
General fund	($18,984)	$19,514	$17,025	$950,001	$967,556
FTE	0.00	(4.00)	0.00	0.00	(4.00)

[1] Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of $100, and 2 percent on July 1, 2022. The House provided

salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of $100 and a maximum monthly increase of $250.

[2] Four FTE positions are transferred to the Information Technology Department for the IT unification project, reducing salaries and wages by $846,547 and increasing operating expenses by $866,061. The House did not include the IT unification project.

[3] Funding of $17,025 from the general fund is added for increased costs associated with statewide memberships and dues.

[4] Funding of $1,450,001 is added as follows:

- $400,000 from the general fund for guardianship grants to provide a total of $2,450,000. The House provided a total of $2,050,000.
- $400,001 from the general fund for Prairie Public Broadcasting to provide a total of $1,200,001. The House provided a total of $800,000.
- $150,000 from the general fund for community service supervision grants to provide a total of $400,000. The House provided a total of $250,000.
- $500,000 from federal funds derived from the federal Coronavirus Capital Projects Fund for a capital projct grant to a medical center in Griggs County. The House did not include this funding.

This amendment also:

- Adds a section to appropriate funding from the federal Coronavirus Capital Projects Fund to various agencies for eligible capital projects. The House did not include this section.
- Transfers $11.8 million from the tax relief fund and $10 million from the strategic investment and improvements fund to the highway fund for township road and bridge projects. The House did not provide for a transfer to the highway fund.
- Transfers $1 million from the strategic investment and improvements fund to the cultural endowment fund for arts initiatives. The House did not include this transfer.
- Adjusts the transfer from the tax relief fund to the human service finance fund to provide $187,223,092. The House provided for a transfer of $187,385,888.
- Adjusts the funding identified from the Capitol building fund for extraordinary repairs to match the $500,000 appropriated in Section 1 of the bill. The House appropriated $500,000 for extraordinary repairs.
- Increases the amount of funding identified for statewide memberships and dues totaling $642,089. The House provided $625,064 for statewide memberships and dues.
- Adjusts the compensation guidelines to reflect an average increase of 1.5 percent with a monthly minimum of $100 in the 1st year of the biennium and an average increase of 2 percent in the 2nd year of the biennium. The House provided an average increase of 1.5 percent with a monthly minimum of $100 and a monthly maximum of $200 for both years of the biennium.
- Removes the requirement for the Securities Commissioner to be skilled in securities and removes the restriction that the Securities Commissioner may not hold any other public office. The House did not include this change.
- Requires a notice filing for certain securities held as investments from the legacy fund. The House did not include this requirement.
- Authorizes the Bank of North Dakota to provide a line of credit of up to $250 million to support loans or loan guarantees under the clean sustainable energy fund. The House did not authorize this line of credit.
- Adds a Legislative Management study of state employee compensation. The House did not include a study of state employee compensation.
- Provides an emergency clause for community service supervision fund grants, federal coronavirus capital projects, and Senate Bill No. 2140, relating to repayments under the professional student exchange program. The House did not

include an emergency clause.

House Bill No. 1015 - State Treasurer - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Non-oil township grants		$8,100,000	$100,000	$8,200,000
Total all funds	$0	$8,100,000	$100,000	$8,200,000
Less estimated income	0	8,100,000	100,000	8,200,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 120 - State Treasurer - Detail of Senate Changes

	Increases Funding for Grants[1]	Total Senate Changes
Non-oil township grants	$100,000	$100,000
Total all funds	$100,000	$100,000
Less estimated income	100,000	100,000
General fund	$0	$0
FTE	0.00	0.00

[1] Funding for grants to non-oil-producing townships is increased by $100,000 to provide a total of $8.2 million from the state disaster relief fund.

House Bill No. 1015 - Judicial Branch - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Federal coronavirus capital projects			$157,600	$157,600
Total all funds	$0	$0	$157,600	$157,600
Less estimated income	0	0	157,600	157,600
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 180 - Judicial Branch - Detail of Senate Changes

	Adds Funding for Capital Projects[1]	Total Senate Changes
Federal coronavirus capital projects	$157,600	$157,600
Total all funds	$157,600	$157,600
Less estimated income	157,600	157,600
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $157,600 from the federal Coronavirus Capital Projects Fund is added for information technology equipment. The House did not include this funding.

House Bill No. 1015 - Department of Public Instruction - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Federal coronavirus capital projects			$5,900,000	$5,900,000
Total all funds	$0	$0	$5,900,000	$5,900,000
Less estimated income	0	0	5,900,000	5,900,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 201 - Department of Public Instruction - Detail of Senate Changes

	Adds Funding for Capital Projects[1]	Total Senate Changes
Federal coronavirus capital projects	$5,900,000	$5,900,000
Total all funds	$5,900,000	$5,900,000
Less estimated income	5,900,000	5,900,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $5.9 million from the federal Coronavirus Capital Projects Fund is added for a grant to an entity for the development of a children's science center in Minot. The House did not include this funding.

House Bill No. 1015 - University of North Dakota - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Federal coronavirus capital projects			$5,000,000	$5,000,000
Space command initiative			4,000,000	4,000,000
Total all funds	$0	$0	$9,000,000	$9,000,000
Less estimated income	0	0	5,000,000	5,000,000
General fund	$0	$0	$4,000,000	$4,000,000
FTE	0.00	0.00	0.00	0.00

Department 230 - University of North Dakota - Detail of Senate Changes

	Adds Funding for Capital Projects[1]	Total Senate Changes
Federal coronavirus capital projects	$5,000,000	$5,000,000
Space command initiative	4,000,000	4,000,000
Total all funds	$9,000,000	$9,000,000
Less estimated income	5,000,000	5,000,000
General fund	$4,000,000	$4,000,000
FTE	0.00	0.00

[1] One-time funding of $5 million from the federal Coronavirus Capital Projects Fund is added for reconstruction of the University of North Dakota's apron at the Grand Forks airport. One-time funding of $4 million from the general fund is added for a space command initiative. The House did not include funding for these items.

House Bill No. 1015 - Dickinson State University - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Federal coronavirus capital projects			$4,000,000	$4,000,000
Total all funds	$0	$0	$4,000,000	$4,000,000
Less estimated income	0	0	4,000,000	4,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 239 - Dickinson State University - Detail of Senate Changes

	Adds Funding for Capital Projects[1]	Total Senate Changes
Federal coronavirus capital projects	$4,000,000	$4,000,000
Total all funds	$4,000,000	$4,000,000
Less estimated income	4,000,000	4,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $4 million from the federal Coronavirus Capital Projects Fund is added for a Pulver Hall, meat processing laboratory, and other projects at Dickinson State University. The House did not include this funding.

House Bill No. 1015 - Dept. of Career and Technical Education - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Federal coronavirus capital projects			$78,000,000	$78,000,000
Total all funds	$0	$0	$78,000,000	$78,000,000
Less estimated income	0	0	78,000,000	78,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 270 - Dept. of Career and Technical Education - Detail of Senate Changes

	Adds Funding for Capital Projects[1]	Total Senate Changes
Federal coronavirus capital projects	$78,000,000	$78,000,000
Total all funds	$78,000,000	$78,000,000
Less estimated income	78,000,000	78,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $78 million from the federal Coronavirus Capital Projects Fund is added for a statewide career academy initiative grant program. The House did not include this funding.

House Bill No. 1015 - Highway Patrol - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Federal coronavirus capital projects			$3,000,000	$3,000,000
Total all funds	$0	$0	$3,000,000	$3,000,000
Less estimated income	0	0	3,000,000	3,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 504 - Highway Patrol - Detail of Senate Changes

	Adds Funding for Capital Projects[1]	Total Senate Changes
Federal coronavirus capital projects	$3,000,000	$3,000,000
Total all funds	$3,000,000	$3,000,000
Less estimated income	3,000,000	3,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $3 million from the federal Coronavirus Capital Projects Fund is added for a law enforcement training center remodel project. The House did not include this funding.

House Bill No. 1015 - Department of Agriculture - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Grasslands grants			$5,000,000	$5,000,000
Total all funds	$0	$0	$5,000,000	$5,000,000
Less estimated income	0	0	5,000,000	5,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 602 - Department of Agriculture - Detail of Senate Changes

	Adds Funding for Grasslands Grants[1]	Total Senate Changes
Grasslands grants	$5,000,000	$5,000,000
Total all funds	$5,000,000	$5,000,000
Less estimated income	5,000,000	5,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $5 million from the strategic investment and improvements fund is added for grassland grazing grants. The House did not include funding for grassland grazing grants.

House Bill No. 1015 - Department of Transportation - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Township road projects			$21,800,000	$21,800,000
Total all funds	$0	$0	$21,800,000	$21,800,000
Less estimated income	0	0	21,800,000	21,800,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 801 - Department of Transportation - Detail of Senate Changes

	Adds Funding for Township Roads[1]	Total Senate Changes
Township road projects	$21,800,000	$21,800,000
Total all funds	$21,800,000	$21,800,000
Less estimated income	21,800,000	21,800,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $21.8 million from the highway fund is added for township road and bridge projects. The funding is derived from a transfer of $11.8 million from the tax relief fund and a transfer of $10 million from the strategic investment and improvements fund.

21.0274.02016
Title.
Fiscal No. 2

Prepared by the Legislative Council staff for
Senator Holmberg
April 20, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 3, after the semicolon insert "to provide an appropriation to the department of career and technical education, the department of public instruction, the university of North Dakota, Dickinson state university, the highway patrol, the judicial branch, the department of transportation, and the agriculture commissioner; to create and enact a new section to chapter 10-04 of the North Dakota Century Code, relating to notice filing for certain legacy fund investments;"

Page 1, line 3, after "reenact" insert "subsection 1 of section 10-04-03, a new chapter to title 54, as created by section 3 in House Bill No. 1452, as approved by the sixty-seventh legislative assembly,"

Page 1, line 5, after "to" insert "qualifications of the securities commissioner, the clean sustainable energy authority,"

Page 1, line 11, remove "and"

Page 1, line 11, after "report" insert "; to declare an emergency"

Page 1, remove lines 21 through 24

Page 2, replace lines 1 through 9 with:

"Salaries and wages	$21,903,816	$23,163	$21,926,979
Operating expenses	14,937,426	1,375,788	16,313,214
Emergency commission contingency fund	500,000	(100,000)	400,000
Capital assets	767,125	4,767,494	5,534,619
Grants	54,000	(54,000)	0
Guardianship grants	1,950,000	500,000	2,450,000
Prairie public broadcasting	1,200,000	1	1,200,001
Community service supervision grants	350,000	50,000	400,000
State student internship program	0	100,000	100,000
Total all funds	$41,662,367	$6,662,446	$48,324,813
Less estimated income	8,746,515	5,501,898	14,248,413
Total general fund	$32,915,852	$1,160,548	$34,076,400
Full-time equivalent positions	112.00	(4.00)	108.00"

Page 3, line 14, replace "$8,100,000" with "$8,200,000"

Page 3, line 18, replace "$8,100,000" with "$8,200,000"

Page 3, after line 31, insert:

"**SECTION 5. APPROPRIATION - FEDERAL CORONAVIRUS CAPITAL PROJECTS FUND - MATCHING FUNDS - ONE-TIME FUNDING.**

1. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $78,000,000, or so much of the sum as may be necessary, to the department of career and technical education for the purpose of a statewide career academy initiative grant program for the period beginning with the effective date of this Act, and ending June 30, 2023. The

department of career and technical education shall establish the application process and develop eligibility requirements for the grant program that must include:

a. Funding may be used only for career and technical education projects involving construction, addition, maintenance, and equipment for new and existing career academies;

b. Grants awarded to each recipient must be at least $500,000, but may not exceed $10,000,000;

c. Grants may be awarded only to the extent a school district has secured matching funds from nonstate sources on a dollar-for-dollar basis;

d. The application period for the grant program begins with the effective date of this Act and ends on June 30, 2022. If funding remains after June 30, 2022, a second application period is available from July 1, 2022, through December 31, 2022. Successful applicants from the first application period are eligible for funding during the second application period. Any funding not committed by December 31, 2022, may not be spent and must be canceled at the end of the 2021-23 biennium in accordance with section 54-44.1-11;

e. Preference must be given to school districts that collaborate with other school districts for a regional career academy facility or to school districts to create a new career academy or use an existing career academy to positively affect that region of the state; and

f. Preference must be given to school districts that will promote postsecondary education and workforce training education in conjunction with secondary education.

2. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $5,900,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing a grant to an entity for the development of a children's science center for the period beginning with the effective date of this Act, and ending June 30, 2023.

3. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $5,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of reconstruction of the university's apron at the Grand Forks airport for the period beginning with the effective date of this Act, and ending June 30, 2023.

4. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $4,000,000, or so much of the sum as may be necessary, to Dickinson state university for the purpose of a Pulver hall project, a meat processing laboratory remodel, and other projects for the period beginning with the effective date of this Act, and ending June 30, 2023.

5. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of

$3,000,000, or so much of the sum as may be necessary, to the highway patrol for the purpose of a law enforcement training center remodel project for the period beginning with the effective date of this Act, and ending June 30, 2023.

6. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $500,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of providing a grant to a medical center located in the county seat of Griggs County for the period beginning with the effective date of this Act, and ending June 30, 2023.

7. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $157,600, or so much of the sum as may be necessary, to the judicial branch for the purpose of purchasing information technology equipment for the period beginning with the effective date of this Act, and ending June 30, 2023.

8. If the federal government distributes funding derived from the federal coronavirus capital projects fund to the state in more than one funding round, the office of management and budget shall prioritize the amounts received in the first funding round as follows:

   a. $21,763,000 to the department of career and technical education;

   b. $11,716,400 to the parks and recreation department;

   c. $5,900,000 to the department of public instruction;

   d. $5,000,000 to the university of North Dakota;

   e. $4,200,000 to the state historical society;

   f. $4,000,000 to Dickinson state university;

   g. $3,000,000 to the highway patrol;

   h. $500,000 to the office of management and budget; and

   i. $157,600 to the judicial branch.

9. In addition to the amounts appropriated under this section, section 1 of House Bill No. 1019, as approved by the sixty-seventh legislative assembly, includes $11,716,400 and section 1 of House Bill No. 1018, as approved by the sixty-seventh legislative assembly, includes $4,200,000 to provide a total of $112,474,000 from federal funds derived from the federal coronavirus capital projects fund.

10. The funding provided under this section may be spent only to the extent the director of the office of management and budget, in consultation with the budget section, determines the use of the funding complies with federal guidance for the federal coronavirus capital projects fund. The funding provided under this section is considered a one-time funding item.

SECTION 6. APPROPRIATION - HIGHWAY FUND - DEPARTMENT OF TRANSPORTATION - ONE-TIME FUNDING - REPORT.

1. There is appropriated out of any moneys in the highway fund in the state treasury, not otherwise appropriated, the sum of $21,800,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of distributions to townships for road and bridge infrastructure needs for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

   a. The department shall award grants with preference given to grant applications for projects that:

      (1) Leverage available state, local, or federal funding;

      (2) Coordinate with state, county, and other township projects;

      (3) Focus on flood control and infrastructure resilience;

      (4) Reduce road restrictions, improve mobility, and improve safety;

      (5) Improve the agricultural economy and goods movement; and

      (6) Confirm participating townships' ability to maintain the improvements.

   b. The department shall establish an application process that must include the following eligibility requirements:

      (1) The roadways or bridges associated with the project must provide continuity and connectivity to efficiently integrate and improve paved and unpaved corridors within the township and across township borders;

      (2) The project must be consistent with applicable township long-range planning;

      (3) The project must result in the roadway segment meeting an appropriate legal load limit; and

      (4) The project must comply with the American association of state highway transportation officials pavement and bridge design procedures and standards developed by the department of transportation in conjunction with the local jurisdiction.

2. For approved projects, the department shall initially distribute the portion of the approved grant funding for engineering and plan development costs. Upon execution of a construction contract by the township, the department shall distribute the remainder of the approved funding. Townships shall report to the department upon awarding of each contract and upon completion of each project.

3. Grants may be awarded for construction, engineering, and plan development costs, but may not be used for routine maintenance. Grants awarded may be applied to engineering, design, and construction costs incurred on related projects as of January 1, 2021. Section 54-44.1-11 does not apply to funding under this section and any funds not spent by June 30, 2023, must be continued into the biennium beginning July 1, 2023, and ending June 30, 2025, and may be expended only for the purposes authorized by this section.

4. For the purposes of this section, a "non-oil-producing county" means a county that has received no allocation of funding or a total allocation of funding under subsection 2 of section 57-51-15 of less than $5,000,000 for the period beginning September 1, 2019, and ending August 31, 2020.

5. The funding provided under this section is considered a one-time funding item and the department shall report to the budget section and to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding, including the amounts awarded and distributed to each township, the amounts spent to date, and the amounts anticipated to be continued into the 2023-25 biennium.

SECTION 7. APPROPRIATION - UNIVERSITY OF NORTH DAKOTA - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $4,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of a space command initiative and related technical programs, including equipment, renovation costs, a sensitive compartmental information facility, and other expenses for the biennium beginning July 1, 2021, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 8. APPROPRIATION - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - GRASSLANDS GRAZING GRANT PROGRAM - ONE-TIME FUNDING - MATCHING FUNDS. There is appropriated out of any moneys in the strategic investment and improvements fund in the state treasury, not otherwise appropriated, the sum of $5,000,000, or so much of the sum as may be necessary, to the agriculture commissioner for the purpose of providing grassland grazing grants to an organization representing cooperative grazing associations in the state for the biennium beginning July 1, 2021, and ending June 30, 2023. To be eligible for a grant under this program, an organization must provide one dollar of matching funds from nonstate sources for every four dollars of grant funding. An organization that receives a grant under this program may distribute the funding to cooperative grazing associations for eligible infrastructure projects, which must be located on national grasslands within the state. Eligible infrastructure projects include water development; fencing; conservation initiatives; compliance with federal permitting requirements, including fees for professional services; and other projects to enhance wildlife habitat, capture carbon, or increase the health of grasslands. The agriculture commissioner shall establish additional guidelines for the program. This funding is considered a one-time funding item.

SECTION 9. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO CULTURAL ENDOWMENT FUND - INTENT. The office of management and budget shall transfer the sum of $1,000,000 from the strategic investment and improvements fund to the cultural endowment fund during the biennium beginning July 1, 2021, and ending June 30, 2023. It is the intent of the sixty-seventh legislative assembly that the council on the arts expend up to $50,000 annually from the cultural endowment fund pursuant to the appropriation authority provided in section 2 of Senate Bill No. 2010 during the 2021-23 biennium for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program. It is further the intent of the legislative assembly that the council on the arts continue to expend $50,000 annually from the cultural endowment fund for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program until the moneys derived from the strategic investment and improvements

fund transfer authorized under this section and deposited in the fund have been fully expended.

SECTION 10. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO HIGHWAY FUND. The office of management and budget shall transfer the sum of $10,000,000 from the strategic investment and improvements fund to the highway fund during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 11. TRANSFER - TAX RELIEF FUND TO HIGHWAY FUND. The office of management and budget shall transfer the sum of $11,800,000 from the tax relief fund to the highway fund during the biennium beginning July 1, 2021, and ending June 30, 2021."

Page 4, line 2, replace "$187,385,888" with "$187,223,092"

Page 4, line 11, replace "$2,268,800" with "$2,168,800"

Page 4, line 12, replace "$2,268,800" with "$2,168,800"

Page 4, line 14, replace "$600,000" with "$500,000"

Page 4, replace line 26 with:

"Statewide memberships and related expenses $642,089"

Page 5, line 10, remove "and a maximum of $250"

Page 5, line 11, remove "per month"

Page 5, line 11, replace "each" with "the first"

Page 5, line 11, after "biennium" insert "and are to average 2 percent per eligible employee for the second year of the biennium"

Page 5, line 15, remove "and maximum"

Page 5, after line 26, insert:

"**SECTION 19. AMENDMENT.** Subsection 1 of section 10-04-03 of the North Dakota Century Code is amended and reenacted as follows:

1. The state securities department is under the supervision of a chief officer designated as the securities commissioner. The securities commissioner must be appointed by the governor and confirmed by the senate and shall hold office for a term of four years, beginning on the first day of July following a national presidential election and continuing until a successor has been appointed, confirmed by the senate, and has qualified, unless removed as herein provided. If the senate is not in session, the governor may make an interim appointment, and the interim appointee ~~shall~~may hold office until the senate confirms or rejects the appointment. ~~The commissioner must be skilled in securities and may not be an incumbent of any other public office in the state.~~ The commissioner may not own or control any security required to be registered under this chapter, or any security which is exempt based on the approval of the securities department. The commissioner may not be an officer, director, or employee of any broker-dealer, agent, investment adviser, or investment adviser representative required to be registered under this chapter, or of a federal

covered adviser required to be notice-filed under this chapter. The governor may remove from office any commissioner who fails to discharge faithfully the duties of office or who becomes disqualified under the provisions of this section.

It is the prime duty of the commissioner to administer the provisions of this chapter. The commissioner shall receive a salary within the amount appropriated for salaries by the legislative assembly. The commissioner shall use a seal with the words "securities commissioner, North Dakota" and such design as the commissioner may prescribe engraved thereon by which seal the commissioner may authenticate documents used in the administration of this chapter. The commissioner may employ such employees as are necessary for the administration of this chapter. In the absence or disability of the commissioner, the deputy or designee of the commissioner ~~shall~~may administer the provisions of this chapter as acting commissioner.

SECTION 20. A new section to chapter 10-04 of the North Dakota Century Code is created and enacted as follows:

Legacy fund investments - Notice filing.

1. Within thirty days of completion of the transaction, any issuer of securities in receipt of an investment from the legacy fund under paragraph 3 of subdivision a of subsection 3 of section 21-10-11 or under subdivision b of subsection 3 of section 21-10-11, as created by section 4 of House Bill No. 1425 as approved by the sixty-seventh legislative assembly, shall electronically file a notice on a form prescribed by the commissioner and containing information as required by the commissioner.

2. The notice filing requirement under this section does not exempt the issuer from or supersede any other provision of this chapter.

SECTION 21. AMENDMENT. A new chapter to title 54 of the North Dakota Century Code, as created by section 3 of House Bill No. 1452 as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

Definitions.

As used in this chapter:

1. "Authority" means the clean sustainable energy authority.

2. "Clean" means a technology or concept that reduces emissions to the air, water, or land and meets or exceeds state and federal environmental regulations.

3. "Commission" means the industrial commission.

4. "Fund" means the clean sustainable energy fund.

5. "Program" means the clean sustainable energy program.

6. "Sustainable" means a technology or concept that allows the use of a natural resource to be maintained or enhanced through increased

efficiency and life cycle benefits while either increasing or not adversely impacting energy security, affordability, reliability, resilience, or national security.

Clean sustainable energy authority - Purpose.

There is created the clean sustainable energy authority to support research, development, and technological advancements through partnerships and financial support for the large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery. The purpose of the financial support is to enhance the production of clean sustainable energy, to make the state a world leader in the production of clean sustainable energy, and to diversify and grow the state's economy.

Clean sustainable energy authority - Membership - Meetings.

1. The clean sustainable energy authority consists of sixteen members, including eight voting members and eight nonvoting technical advisors.

2. The eight voting members consist of:

   a. One member appointed by the legislative management to serve as chairman;

   b. Two members appointed by the lignite research council;

   c. Two members appointed by the oil and gas research council;

   d. Two members appointed by the renewable energy council; and

   e. One member appointed by the western Dakota energy association.

3. The eight nonvoting technical advisors consist of:

   a. One member appointed by the North Dakota outdoor heritage fund advisory board;

   b. The commissioner of commerce or the commissioner's designee;

   c. The director of the department of environmental quality or the director's designee;

   d. The director of mineral resources or the director's designee;

   e. The director of the North Dakota pipeline authority or the director's designee;

   f. The director of the North Dakota transmission authority or the director's designee;

   g. The director of the state energy research center or the director's designee;

   h. The president of the Bank of North Dakota or the president's designee;

4. The term of office for the chairman is two years. The term of office for the other voting members is four years, and the other voting members may not serve more than two consecutive terms. The terms of office for the voting members commence on July first. The initial terms for the voting members of the authority must be staggered following a method determined by the authority.

5. The authority shall meet at least semiannually. The chairman shall call a meeting upon written request from three voting members of the authority. Five voting members is a quorum at any meeting.

6. The authority may not forward a recommendation to the commission unless the recommendation fulfills the purposes of this chapter and is approved by a majority of the voting members of the authority.

Clean sustainable energy authority - Duties - Report.

1. The authority shall make recommendations to the commission for program guidelines, including eligibility criteria for entities to receive funding under this chapter.

2. The nonvoting technical advisors shall develop a process to review and evaluate projects to determine the technical merits and feasibility of any application, including potential benefits of the development of low-emission technology, the expansion of the development of the state's natural resources or energy production, and the contribution to the economic diversity in the state.

3. The authority may develop a loan program or a loan guarantee program under the clean sustainable energy fund. The Bank of North Dakota shall administer the loan program or loan guarantee program. The interest rate of a loan under this program may not exceed two percent per year. The maximum term of a loan under this section must be approved by the commission based on a recommendation from the authority. The Bank shall review applications for loans or loan guarantees and shall consider the business plan, financial statements, and other information necessary to evaluate the application. To be eligible for a loan or loan guarantee, an entity shall agree to provide the Bank of North Dakota with information as requested. The Bank of North Dakota may develop policies for loan participation with local financial institutions.

4. The authority shall make recommendations to the commission for grant awards, loan approvals, or other financial assistance to provide funding to support research, development, and technological advancements for the large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery in accordance with this chapter. Any projects, processes, activities, and technologies selected by the commission for funding must have been recommended by the authority, must demonstrate feasibility based on a technical review conducted by the nonvoting technical advisors of the authority, must have other sources of financial support, and must achieve the priorities and purposes of the program. At the request of the authority, the Bank of North Dakota shall provide a recommendation regarding the economic feasibility

of a project, process, activity, or technology under consideration by the authority. The Bank shall review the business plan, financial statements, and other information necessary to provide a recommendation.

5. The authority may consult with any other state agency necessary to carry out the purposes under this chapter.

6. Each biennium, the authority shall provide a written report to the legislative management regarding its activities and the program's financial impact on state revenues and the state's economy.

Clean sustainable energy program - Powers and duties of the commission.

1. The commission is granted all the powers necessary to carry out the purposes of this chapter, including the power to:

   a. Provide grants, loans, or other forms of financial assistance to qualified entities for the research, demonstration, development, and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and use energy sources derived from within the state. Other forms of financial assistance include venture capital investments and interest rate buydowns. The commission must require an entity to provide assurance of financial and other types of support that demonstrate a commitment to the project, process, activity, or technology. The commission may develop policies for the approval of loans or loan guarantees issued from the clean sustainable energy fund.

   b. Enter into contracts or agreements to carry out the purposes of this chapter, including contracting for the administration of the program.

   c. Keep accurate records of all financial transactions performed under this chapter.

   d. Cooperate with any private, local, state, or national organization to make contracts and agreements for programs that advance the mission of the program.

   e. Accept loan repayments, donations, grants, contributions, or gifts from any public or private source to carry out the purposes of this chapter, which must be deposited in the clean sustainable energy fund.

   f. Make guidelines necessary to carry out the purposes of this chapter, including guidelines relating to the ownership of intellectual property.

   g. Borrow from the Bank of North Dakota, as authorized by the legislative assembly, to make loans or loan guarantees under a loan program or loan guarantee program developed by the clean sustainable energy authority.

2. The commission may acquire, purchase, hold, use, lease, license, sell, transfer, or dispose of any interest in an asset necessary for clean sustainable energy technology development to facilitate the production, transportation, distribution, or delivery of clean energy commodities produced in the state as a purchases of last resort.

3. The commission shall provide administrative support to the authority for the operation of the program, including the preparation of forms, review of applications, and ongoing review of any contracts. The commission may contract with a public or private entity to provide technical assistance necessary to implement the purposes of this chapter.

4. The commission is not subject to the reporting requirements under chapter 54-60.1.

Clean sustainable energy program - Access to records.

1. To the extent the commission or authority determines the materials or data consist of trade secrets or commercial, financial, or proprietary information of individuals or entities applying to or contracting with the commission or receiving commission services under this chapter, materials and data submitted to, made by, or received by the commission or authority, are not public records subject to section 44-04-18 and section 6 of article XI of the Constitution of North Dakota, and are subject to section 44-04-18.4.

2. A person or entity may file a request with the commission to have material designated as confidential under subsection 1. The request must contain any information required by the commission and must include at least the following:

   a. A general description of the nature of the information sought to be protected.

   b. An explanation of why the information derives independent economic value, actual or potential, from not being generally known to other persons.

   c. An explanation of why the information is not readily ascertainable by proper means of other persons.

   d. A general description of any person that may obtain economic value from disclosure or use of the information, and how the person may obtain this value.

   e. A description of the efforts used to maintain the secrecy of the information.

3. Any request under subsection 2 is confidential. The commission shall examine the request and determine whether the information is relevant to the matter at hand and is a trade secret under the definition in section 47-25.1-01 or 44-04-18.4. If the commission determines the information is either not relevant or not a trade secret, the commission shall notify the requester and the requester may ask for the return of the information and the request within ten days of the notice. If no return is sought, the information and request are public record.

4. The names or identities of independent technical reviewers on a project or program are confidential, may not be disclosed by the commission, and are not public records subject to section 44-04-18 or section 6 of article XI of the Constitution of North Dakota.

Clean sustainable energy fund - Continuing appropriation - Line of credit - Loans - Repayments.

1. There is created in the state treasury the clean sustainable energy fund. The fund consists of all moneys transferred to the fund by the legislative assembly; loan proceeds; interest upon moneys in the fund; principal and interest payments to the fund; and donations, grants, and other contributions received by the commission for deposit in the fund. All moneys in the fund are appropriated to the commission on a continuing basis to provide grants, loans, and other financial assistance and for administrative and operating costs of the authority and program pursuant to the provisions under this chapter.

2. Any bond proceeds deposited in the fund must be used for loans or loan guarantees. The Bank of North Dakota shall deposit in the fund all principal and interest paid on the loans made from the fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay for administrative costs, not to exceed one-half of one percent of the amount of the interest payment. The Bank shall contract with a certified public accounting firm to audit the fund annually if the fund has any outstanding loans. The cost of the audit must be paid from the fund.

3. The Bank of North Dakota shall extend a line of credit to the industrial commission to support loans or loan guarantees issued from the clean sustainable energy fund. The line of credit may not exceed two hundred fifty million dollars, and the interest rate associated with the line of credit must be the prevailing interest rate charged to North Dakota governmental entities. The industrial commission shall repay the line of credit from moneys available in the clean sustainable energy fund or other funds, as appropriated by the legislative assembly. If the moneys available from the clean sustainable energy fund on June 30, 2025, are not sufficient to repay the line of credit, the industrial commission shall request from the legislative assembly a deficiency appropriation to repay the line of credit.

4. The industrial commission may access the line of credit to the extent needed through June 30, 2025, to provide funding as authorized by the legislative assembly to support loans or loan guarantees issued from the clean sustainable energy fund. Any moneys borrowed from the Bank of North Dakota pursuant to this section must be transferred to the clean sustainable energy fund to support loans or loan guarantees."

Page 12, after line 12, insert:

"**SECTION 34. LEGISLATIVE MANAGEMENT STUDY - STATE EMPLOYEE COMPENSATION.** During the 2021-22 interim, the legislative management shall consider studying the classified state employee compensation system, including a review of the development and determination of pay grades and classifications. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 35. EMERGENCY. Sections 3 and 5 of this Act and Senate Bill No. 2140, as approved by the sixty-seventh legislative assembly, are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Office of Management and Budget				
Total all funds	$41,662,367	$47,361,750	$1,463,063	$48,824,813
Less estimated income	8,746,515	14,252,906	495,507	14,748,413
General fund	$32,915,852	$33,108,844	$967,556	$34,076,400
FTE	112.00	112.00	(4.00)	108.00
State Treasurer				
Total all funds	$0	$8,100,000	$100,000	$8,200,000
Less estimated income	0	8,100,000	100,000	8,200,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Judicial Branch				
Total all funds	$0	$0	$157,600	$157,600
Less estimated income	0	0	157,600	157,600
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Department of Public Instruction				
Total all funds	$0	$0	$5,900,000	$5,900,000
Less estimated income	0	0	5,900,000	5,900,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
University of North Dakota				
Total all funds	$0	$0	$9,000,000	$9,000,000
Less estimated income	0	0	5,000,000	5,000,000
General fund	$0	$0	$4,000,000	$4,000,000
FTE	0.00	0.00	0.00	0.00
Dickinson State University				
Total all funds	$0	$0	$4,000,000	$4,000,000
Less estimated income	0	0	4,000,000	4,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Dept. of Career and Technical Education				
Total all funds	$0	$0	$78,000,000	$78,000,000
Less estimated income	0	0	78,000,000	78,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Highway Patrol				
Total all funds	$0	$0	$3,000,000	$3,000,000
Less estimated income	0	0	3,000,000	3,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Department of Agriculture				
Total all funds	$0	$0	$5,000,000	$5,000,000
Less estimated income	0	0	5,000,000	5,000,000
General fund	$0	$0	$0	$0

FTE	0.00	0.00	0.00	0.00
State Historical Society				
Total all funds	$0	$0	$0	$0
Less estimated income	0	0	0	0
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Parks and Recreation Department				
Total all funds	$0	$0	$0	$0
Less estimated income	0	0	0	0
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Department of Transportation				
Total all funds	$0	$0	$21,800,000	$21,800,000
Less estimated income	0	0	21,800,000	21,800,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00
Bill total				
Total all funds	$41,662,367	$55,461,750	$128,420,663	$183,882,413
Less estimated income	8,746,515	22,352,906	123,453,107	145,806,013
General fund	$32,915,852	$33,108,844	$4,967,556	$38,076,400
FTE	112.00	112.00	(4.00)	108.00

House Bill No. 1015 - Office of Management and Budget - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	$21,903,816	$22,797,003	($870,024)	$21,926,979
Operating expenses	14,937,426	15,430,128	883,086	16,313,214
Capital assets	767,125	5,534,619		5,534,619
Grants	54,000			
Emergency commission contingency fund	500,000	400,000		400,000
Guardianship grants	1,950,000	2,050,000	400,000	2,450,000
Prairie public broadcasting	1,200,000	800,000	400,001	1,200,001
Community service supervision grants	350,000	250,000	150,000	400,000
Student internship program		100,000		100,000
Federal coronavirus capital projects			500,000	500,000
Total all funds	$41,662,367	$47,361,750	$1,463,063	$48,824,813
Less estimated income	8,746,515	14,252,906	495,507	14,748,413
General fund	$32,915,852	$33,108,844	$967,556	$34,076,400
FTE	112.00	112.00	(4.00)	108.00

Department 110 - Office of Management and Budget - Detail of Senate Changes

	Adjusts Funding for Salary Increases[1]	Transfers FTE Positions for IT Unification[2]	Adds Funding for Statewide Dues[3]	Adds Funding for Grants[4]	Total Senate Changes
Salaries and wages	($23,477)	($846,547)			($870,024)
Operating expenses		866,061	$17,025		883,086
Capital assets					
Grants					
Emergency commission contingency fund					
Guardianship grants				$400,000	400,000
Prairie public broadcasting				400,001	400,001
Community service supervision grants				150,000	150,000
Student internship program					
Federal coronavirus capital projects				500,000	500,000
Total all funds	($23,477)	$19,514	$17,025	$1,450,001	$1,463,063
Less estimated income	(4,493)	0	0	500,000	495,507
General fund	($18,984)	$19,514	$17,025	$950,001	$967,556
FTE	0.00	(4.00)	0.00	0.00	(4.00)

[1] Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of $100, and 2 percent on July 1, 2022. The House provided salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of $100 and a maximum monthly increase of $250.

[2] Four FTE positions are transferred to the Information Technology Department for the IT unification project, reducing salaries and wages by $846,547 and increasing operating expenses by $866,061. The House did not include the IT unification project.

[3] Funding of $17,025 from the general fund is added for increased costs associated with statewide memberships and dues.

[4] Funding of $1,450,001 is added as follows:

- $400,000 from the general fund for guardianship grants to provide a total of $2,450,000. The House provided a total of $2,050,000.
- $400,001 from the general fund for Prairie Public Broadcasting to provide a total of $1,200,001. The House provided a total of $800,000.
- $150,000 from the general fund for community service supervision grants to provide a total of $400,000. The House provided a total of $250,000.
- $500,000 from federal funds derived from the federal Coronavirus Capital Projects Fund for a capital projct grant to a medical center in Griggs County. The House did not include this funding.

This amendment also:

- Adds a section to appropriate funding from the federal Coronavirus Capital Projects Fund to various agencies for eligible capital projects. The House did not include this section.
- Transfers $11.8 million from the tax relief fund and $10 million from the strategic investment and improvements fund to the highway fund for township road and bridge projects. The House did not provide for a transfer to the highway fund.
- Transfers $1 million from the strategic investment and improvements fund to the cultural endowment fund for arts initiatives. The House did not include this transfer.
- Adjusts the transfer from the tax relief fund to the human service finance fund to provide $187,223,092. The House provided for a transfer of $187,385,888.
- Adjusts the funding identified from the Capitol building fund for extraordinary repairs to match the $500,000 appropriated in Section 1 of the bill. The House appropriated $500,000 for extraordinary repairs.
- Increases the amount of funding identified for statewide memberships and dues totaling $642,089. The House provided $625,064 for statewide memberships and dues.
- Adjusts the compensation guidelines to reflect an average increase of 1.5 percent with a monthly minimum of $100 in the 1st year of the biennium and an average increase of 2 percent in the 2nd year of the biennium. The House provided an average increase of 1.5 percent with a monthly minimum of $100 and a monthly maximum of $200 for both years of the biennium.

- Removes the requirement for the Securities Commissioner to be skilled in securities and removes the restriction that the Securities Commissioner may not hold any other public office. The House did not include this change.
- Requires a notice filing for certain securities held as investments from the legacy fund. The House did not include this requirement.
- Authorizes the Bank of North Dakota to provide a line of credit of up to $250 million to support loans or loan guarantees under the clean sustainable energy fund. The House did not authorize this line of credit.
- Adds a Legislative Management study of state employee compensation. The House did not include a study of state employee compensation.
- Provides an emergency clause for community service supervision fund grants, federal coronavirus capital projects, and Senate Bill No. 2140, relating to repayments under the professional student exchange program. The House did not include an emergency clause.

House Bill No. 1015 - State Treasurer - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Non-oil township grants		$8,100,000	$100,000	$8,200,000
Total all funds	$0	$8,100,000	$100,000	$8,200,000
Less estimated income	0	8,100,000	100,000	8,200,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 120 - State Treasurer - Detail of Senate Changes

	Increases Funding for Grants[1]	Total Senate Changes
Non-oil township grants	$100,000	$100,000
Total all funds	$100,000	$100,000
Less estimated income	100,000	100,000
General fund	$0	$0
FTE	0.00	0.00

[1] Funding for grants to non-oil-producing townships is increased by $100,000 to provide a total of $8.2 million from the state disaster relief fund.

House Bill No. 1015 - Judicial Branch - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Federal coronavirus capital projects			$157,600	$157,600
Total all funds	$0	$0	$157,600	$157,600
Less estimated income	0	0	157,600	157,600
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 180 - Judicial Branch - Detail of Senate Changes

	Adds Funding for Capital Projects[1]	Total Senate Changes
Federal coronavirus capital projects	$157,600	$157,600
Total all funds	$157,600	$157,600
Less estimated income	157,600	157,600
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $157,600 from the federal Coronavirus Capital Projects Fund is added for information technology equipment. The House did not include this funding.

House Bill No. 1015 - Department of Public Instruction - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Federal coronavirus capital projects			$5,900,000	$5,900,000
Total all funds	$0	$0	$5,900,000	$5,900,000
Less estimated income	0	0	5,900,000	5,900,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 201 - Department of Public Instruction - Detail of Senate Changes

	Adds Funding for Capital Projects[1]	Total Senate Changes
Federal coronavirus capital projects	$5,900,000	$5,900,000
Total all funds	$5,900,000	$5,900,000
Less estimated income	5,900,000	5,900,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $5.9 million from the federal Coronavirus Capital Projects Fund is added for a grant to an entity for the development of a children's science center in Minot. The House did not include this funding.

House Bill No. 1015 - University of North Dakota - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Federal coronavirus capital projects			$5,000,000	$5,000,000
Space command initiative			4,000,000	4,000,000
Total all funds	$0	$0	$9,000,000	$9,000,000
Less estimated income	0	0	5,000,000	5,000,000
General fund	$0	$0	$4,000,000	$4,000,000
FTE	0.00	0.00	0.00	0.00

Department 230 - University of North Dakota - Detail of Senate Changes

	Adds Funding for Capital Projects[1]	Total Senate Changes
Federal coronavirus capital projects	$5,000,000	$5,000,000
Space command initiative	4,000,000	4,000,000
Total all funds	$9,000,000	$9,000,000
Less estimated income	5,000,000	5,000,000
General fund	$4,000,000	$4,000,000
FTE	0.00	0.00

[1] One-time funding of $5 million from the federal Coronavirus Capital Projects Fund is added for reconstruction of the University of North Dakota's apron at the Grand Forks airport. One-time funding of $4 million from the general fund is added for a space command initiative. The House did not include funding for these items.

House Bill No. 1015 - Dickinson State University - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Federal coronavirus capital projects			$4,000,000	$4,000,000
Total all funds	$0	$0	$4,000,000	$4,000,000
Less estimated income	0	0	4,000,000	4,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 239 - Dickinson State University - Detail of Senate Changes

	Adds Funding for Capital Projects[1]	Total Senate Changes
Federal coronavirus capital projects	$4,000,000	$4,000,000
Total all funds	$4,000,000	$4,000,000
Less estimated income	4,000,000	4,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $4 million from the federal Coronavirus Capital Projects Fund is added for a Pulver Hall, meat processing laboratory, and other projects at Dickinson State University. The House did not include this funding.

House Bill No. 1015 - Dept. of Career and Technical Education - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Federal coronavirus capital projects			$78,000,000	$78,000,000
Total all funds	$0	$0	$78,000,000	$78,000,000
Less estimated income	0	0	78,000,000	78,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 270 - Dept. of Career and Technical Education - Detail of Senate Changes

	Adds Funding for Capital Projects[1]	Total Senate Changes
Federal coronavirus capital projects	$78,000,000	$78,000,000
Total all funds	$78,000,000	$78,000,000
Less estimated income	78,000,000	78,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $78 million from the federal Coronavirus Capital Projects Fund is added for a statewide career academy initiative grant program. The House did not include this funding.

House Bill No. 1015 - Highway Patrol - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Federal coronavirus capital projects			$3,000,000	$3,000,000
Total all funds	$0	$0	$3,000,000	$3,000,000
Less estimated income	0	0	3,000,000	3,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 504 - Highway Patrol - Detail of Senate Changes

	Adds Funding for Capital Projects[1]	Total Senate Changes
Federal coronavirus capital projects	$3,000,000	$3,000,000
Total all funds	$3,000,000	$3,000,000
Less estimated income	3,000,000	3,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $3 million from the federal Coronavirus Capital Projects Fund is added for a law enforcement training center remodel project. The House did not include this funding.

House Bill No. 1015 - Department of Agriculture - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Grasslands grants			$5,000,000	$5,000,000
Total all funds	$0	$0	$5,000,000	$5,000,000
Less estimated income	0	0	5,000,000	5,000,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 602 - Department of Agriculture - Detail of Senate Changes

	Adds Funding for Grasslands Grants[1]	Total Senate Changes
Grasslands grants	$5,000,000	$5,000,000
Total all funds	$5,000,000	$5,000,000
Less estimated income	5,000,000	5,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $5 million from the strategic investment and improvements fund is added for grassland grazing grants. The House did not include funding for grassland grazing grants.

House Bill No. 1015 - Department of Transportation - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Township road projects			$21,800,000	$21,800,000
Total all funds	$0	$0	$21,800,000	$21,800,000
Less estimated income	0	0	21,800,000	21,800,000
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 801 - Department of Transportation - Detail of Senate Changes

	Adds Funding for Township Roads[1]	Total Senate Changes
Township road projects	$21,800,000	$21,800,000
Total all funds	$21,800,000	$21,800,000
Less estimated income	21,800,000	21,800,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $21.8 million from the highway fund is added for township road and bridge projects. The funding is derived from a transfer of $11.8 million from the tax relief fund and a transfer of $10 million from the strategic investment and improvements fund.

21.0274.02016

Sixty-seventh
Legislative Assembly
of North Dakota

Introduced by

Appropriations Committee

FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1015

A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget; to provide an appropriation to the state treasurer; to provide an appropriation to the department of career and technical education, the department of public instruction, the university of North Dakota, Dickinson state university, the highway patrol, the judicial branch, the department of transportation, and the agriculture commissioner; to create and enact a new section to chapter 10-04 of the North Dakota Century Code, relating to notice filing for certain legacy fund investments; to amend and reenact subsection 1 of section 10-04-03, a new chapter to title 54, as created by section 3 in House Bill No. 1452, as approved by the sixty-seventh legislative assembly, sections 54-44.1-18, 54-44.4-07, 54-44.4-08, 57-51.1-07.5, subsections 2 and 3 of section 57-51.1-07.7, and subsection 2 of section 57-51.1-07.8 of the North Dakota Century Code, relating to qualifications of the securities commissioner, the clean sustainable energy authority, publishing political subdivision budgets, environmentally preferable products, the state share of oil and gas tax revenue allocations, the municipal infrastructure fund, and the county and township infrastructure fund; to repeal section 54-06-25 of the North Dakota Century Code, relating to the state employee compensation commission; to provide for a transfer; to provide for a claims payment; to provide compensation guidelines; to provide an exemption; to provide for a legislative management study; ~~and~~ to provide a report; to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the office of management and budget for the purpose of defraying the

expenses of the office of management and budget, for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

	Base Level	Adjustments or Enhancements	Appropriation
~~Salaries and wages~~	~~$21,903,816~~	~~$893,187~~	~~$22,797,003~~
~~Operating expenses~~	~~14,937,426~~	~~492,702~~	~~15,430,128~~
~~Emergency commission contingency fund~~	~~500,000~~	~~(100,000)~~	~~400,000~~
~~Capital assets~~	~~767,125~~	~~4,767,494~~	~~5,534,619~~
~~Grants~~	~~54,000~~	~~(54,000)~~	~~0~~
~~Guardianship grants~~	~~1,950,000~~	~~100,000~~	~~2,050,000~~
~~Prairie public broadcasting~~	~~1,200,000~~	~~(400,000)~~	~~800,000~~
~~Community service supervision grants~~	~~350,000~~	~~(100,000)~~	~~250,000~~
~~State student internship program~~	~~0~~	~~100,000~~	~~100,000~~
~~Total all funds~~	~~$41,662,367~~	~~$5,699,383~~	~~$47,361,750~~
~~Less estimated income~~	~~8,746,515~~	~~5,506,391~~	~~14,252,906~~
~~Total general fund~~	~~$32,915,852~~	~~$192,992~~	~~$33,108,844~~
~~Full-time equivalent positions~~	~~112.00~~	~~0.00~~	~~112.00~~
Salaries and wages	$21,903,816	$23,163	$21,926,979
Operating expenses	14,937,426	1,375,788	16,313,214
Emergency commission contingency fund	500,000	(100,000)	400,000
Capital assets	767,125	4,767,494	5,534,619
Grants	54,000	(54,000)	0
Guardianship grants	1,950,000	500,000	2,450,000
Prairie public broadcasting	1,200,000	1	1,200,001
Community service supervision grants	350,000	50,000	400,000
State student internship program	0	100,000	100,000
Total all funds	$41,662,367	$6,662,446	$48,324,813
Less estimated income	8,746,515	5,501,898	14,248,413
Total general fund	$32,915,852	$1,160,548	$34,076,400
Full-time equivalent positions	112.00	(4.00)	108.00

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-EIGHTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the 2021-23 biennium one-time funding items included in the appropriation in section 1 of this Act:

One-Time Funding Description	2019-21	2021-23
Extraordinary repairs	$1,900,000	$500,000
Capitol south entrance project	2,000,000	0
Special assessments on capitol grounds	320,000	300,000
Litigation funding pool	3,500,000	0
Assessment of state lands and facilities	500,000	0
Risk management technology project	170,000	0
State student internship program	250,000	100,000
Electronic procurement study	50,000	0
Facility consolidation study	0	350,000
Building automation project	0	518,800
Interior and exterior signage projects	0	500,000
Procurement software	0	2,021,204
Statewide budget software	0	1,230,100
Total all funds	$8,690,000	$5,520,104
Less estimated income	8,390,000	5,420,104
Total general fund	$300,000	$100,000

The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The office of management and budget shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 3. APPROPRIATION - COMMUNITY SERVICES SUPERVISION FUND. Any moneys in the community service supervision fund under section 29-26-22 are appropriated to the office of management and budget for distribution to community corrections association regions on or before August first of each year during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 4. APPROPRIATION - STATE DISASTER RELIEF FUND - STATE TREASURER - DISTRIBUTIONS TO NON-OIL-PRODUCING COUNTIES. Due to extraordinary flooding in 2020 in parts of the state and due to the excessive cost of road maintenance, there is appropriated out of any moneys in the state disaster relief fund in the state treasury, not otherwise appropriated, the sum of ~~$8,100,000~~$8,200,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of providing distributions to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county, for the biennium beginning July 1, 2021, and ending June 30, 2023. In August 2021, the state treasurer shall distribute ~~$8,100,000~~$8,200,000, or so much of the sum as may be necessary, to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county. The distribution to each non-oil-producing county must provide for an allocation of $5,000 to each organized and unorganized township within the county. The amount allocated to organized townships under this section must be paid by the county treasurer to each organized township. The amount allocated to unorganized townships under this section must be credited by the county treasurer to a special fund for unorganized township roads. The distributions under this section must be used for the maintenance and improvement of township paved and unpaved roads and bridges. A township is not eligible for an allocation of funds under this section if the township does not maintain any township roads. For the purposes of this section, a "non-oil-producing county" means a county that has received no allocation of funding or a total allocation of funding under subsection 2 of section 57-51-15 of less than $5,000,000 for the period beginning September 1, 2019, and ending August 31, 2020.

SECTION 5. APPROPRIATION - FEDERAL CORONAVIRUS CAPITAL PROJECTS FUND - MATCHING FUNDS - ONE-TIME FUNDING.

1. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $78,000,000, or so much of the sum as may be necessary, to the department of career and technical education for the purpose of a statewide career academy initiative grant program for the period beginning with the effective date of this Act, and ending June 30, 2023. The department of career and technical education shall establish the application process and develop eligibility requirements for the grant program that must include:

a. Funding may be used only for career and technical education projects involving construction, addition, maintenance, and equipment for new and existing career academies;

b. Grants awarded to each recipient must be at least $500,000, but may not exceed $10,000,000;

c. Grants may be awarded only to the extent a school district has secured matching funds from nonstate sources on a dollar-for-dollar basis;

d. The application period for the grant program begins with the effective date of this Act and ends on June 30, 2022. If funding remains after June 30, 2022, a second application period is available from July 1, 2022, through December 31, 2022. Successful applicants from the first application period are eligible for funding during the second application period. Any funding not committed by December 31, 2022, may not be spent and must be canceled at the end of the 2021-23 biennium in accordance with section 54-44.1-11;

e. Preference must be given to school districts that collaborate with other school districts for a regional career academy facility or to school districts to create a new career academy or use an existing career academy to positively affect that region of the state; and

f. Preference must be given to school districts that will promote postsecondary education and workforce training education in conjunction with secondary education.

2. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $5,900,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing a grant to an entity for the development of a children's science center for the period beginning with the effective date of this Act, and ending June 30, 2023.

3. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $5,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of reconstruction of the university's apron at the Grand Forks airport for the period beginning with the effective date of this Act, and ending June 30, 2023.

4. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $4,000,000, or so much of the sum as may be necessary, to Dickinson state university for the purpose of a Pulver hall project, a meat processing laboratory remodel, and other projects for the period beginning with the effective date of this Act, and ending June 30, 2023.
5. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $3,000,000, or so much of the sum as may be necessary, to the highway patrol for the purpose of a law enforcement training center remodel project for the period beginning with the effective date of this Act, and ending June 30, 2023.
6. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $500,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of providing a grant to a medical center located in the county seat of Griggs County for the period beginning with the effective date of this Act, and ending June 30, 2023.
7. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $157,600, or so much of the sum as may be necessary, to the judicial branch for the purpose of purchasing information technology equipment for the period beginning with the effective date of this Act, and ending June 30, 2023.
8. If the federal government distributes funding derived from the federal coronavirus capital projects fund to the state in more than one funding round, the office of management and budget shall prioritize the amounts received in the first funding round as follows:
    a. $21,763,000 to the department of career and technical education;
    b. $11,716,400 to the parks and recreation department;
    c. $5,900,000 to the department of public instruction;
    d. $5,000,000 to the university of North Dakota;
    e. $4,200,000 to the state historical society;
    f. $4,000,000 to Dickinson state university;
    g. $3,000,000 to the highway patrol;

h. $500,000 to the office of management and budget; and

i. $157,600 to the judicial branch.

9. In addition to the amounts appropriated under this section, section 1 of House Bill No. 1019, as approved by the sixty-seventh legislative assembly, includes $11,716,400 and section 1 of House Bill No. 1018, as approved by the sixty-seventh legislative assembly, includes $4,200,000 to provide a total of $112,474,000 from federal funds derived from the federal coronavirus capital projects fund.

10. The funding provided under this section may be spent only to the extent the director of the office of management and budget, in consultation with the budget section, determines the use of the funding complies with federal guidance for the federal coronavirus capital projects fund. The funding provided under this section is considered a one-time funding item.

SECTION 6. APPROPRIATION - HIGHWAY FUND - DEPARTMENT OF TRANSPORTATION - ONE-TIME FUNDING - REPORT.

1. There is appropriated out of any moneys in the highway fund in the state treasury, not otherwise appropriated, the sum of $21,800,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of distributions to townships for road and bridge infrastructure needs for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

a. The department shall award grants with preference given to grant applications for projects that:

(1) Leverage available state, local, or federal funding;

(2) Coordinate with state, county, and other township projects;

(3) Focus on flood control and infrastructure resilience;

(4) Reduce road restrictions, improve mobility, and improve safety;

(5) Improve the agricultural economy and goods movement; and

(6) Confirm participating townships' ability to maintain the improvements.

b. The department shall establish an application process that must include the following eligibility requirements:

(1) The roadways or bridges associated with the project must provide continuity and connectivity to efficiently integrate and improve paved and unpaved corridors within the township and across township borders;

(2) The project must be consistent with applicable township long-range planning;

(3) The project must result in the roadway segment meeting an appropriate legal load limit; and

(4) The project must comply with the American association of state highway transportation officials pavement and bridge design procedures and standards developed by the department of transportation in conjunction with the local jurisdiction.

2. For approved projects, the department shall initially distribute the portion of the approved grant funding for engineering and plan development costs. Upon execution of a construction contract by the township, the department shall distribute the remainder of the approved funding. Townships shall report to the department upon awarding of each contract and upon completion of each project.

3. Grants may be awarded for construction, engineering, and plan development costs, but may not be used for routine maintenance. Grants awarded may be applied to engineering, design, and construction costs incurred on related projects as of January 1, 2021. Section 54-44.1-11 does not apply to funding under this section and any funds not spent by June 30, 2023, must be continued into the biennium beginning July 1, 2023, and ending June 30, 2025, and may be expended only for the purposes authorized by this section.

4. For the purposes of this section, a "non-oil-producing county" means a county that has received no allocation of funding or a total allocation of funding under subsection 2 of section 57-51-15 of less than $5,000,000 for the period beginning September 1, 2019, and ending August 31, 2020.

5. The funding provided under this section is considered a one-time funding item and the department shall report to the budget section and to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding, including the

amounts awarded and distributed to each township, the amounts spent to date, and the amounts anticipated to be continued into the 2023-25 biennium.

SECTION 7. APPROPRIATION - UNIVERSITY OF NORTH DAKOTA - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $4,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of a space command initiative and related technical programs, including equipment, renovation costs, a sensitive compartmental information facility, and other expenses for the biennium beginning July 1, 2021, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 8. APPROPRIATION - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - GRASSLANDS GRAZING GRANT PROGRAM - ONE-TIME FUNDING - MATCHING FUNDS. There is appropriated out of any moneys in the strategic investment and improvements fund in the state treasury, not otherwise appropriated, the sum of $5,000,000, or so much of the sum as may be necessary, to the agriculture commissioner for the purpose of providing grassland grazing grants to an organization representing cooperative grazing associations in the state for the biennium beginning July 1, 2021, and ending June 30, 2023. To be eligible for a grant under this program, an organization must provide one dollar of matching funds from nonstate sources for every four dollars of grant funding. An organization that receives a grant under this program may distribute the funding to cooperative grazing associations for eligible infrastructure projects, which must be located on national grasslands within the state. Eligible infrastructure projects include water development; fencing; conservation initiatives; compliance with federal permitting requirements, including fees for professional services; and other projects to enhance wildlife habitat, capture carbon, or increase the health of grasslands. The agriculture commissioner shall establish additional guidelines for the program. This funding is considered a one-time funding item.

SECTION 9. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO CULTURAL ENDOWMENT FUND - INTENT. The office of management and budget shall transfer the sum of $1,000,000 from the strategic investment and improvements fund to the cultural endowment fund during the biennium beginning July 1, 2021, and ending June 30, 2023. It is the intent of the sixty-seventh legislative assembly that the council on the arts expend up to $50,000 annually from the cultural endowment fund pursuant to the appropriation authority

provided in section 2 of Senate Bill No. 2010 during the 2021-23 biennium for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program. It is further the intent of the legislative assembly that the council on the arts continue to expend $50,000 annually from the cultural endowment fund for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program until the moneys derived from the strategic investment and improvements fund transfer authorized under this section and deposited in the fund have been fully expended.

SECTION 10. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO HIGHWAY FUND. The office of management and budget shall transfer the sum of $10,000,000 from the strategic investment and improvements fund to the highway fund during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 11. TRANSFER - TAX RELIEF FUND TO HIGHWAY FUND. The office of management and budget shall transfer the sum of $11,800,000 from the tax relief fund to the highway fund during the biennium beginning July 1, 2021, and ending June 30, 2021.

SECTION 12. TRANSFER - TAX RELIEF FUND TO HUMAN SERVICE FINANCE FUND. The office of management and budget shall transfer the sum of ~~$187,385,888~~$187,223,092 from the tax relief fund to the human service finance fund during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 13. TRANSFER - STATE STUDENT INTERNSHIP PROGRAM FUNDS TO STATE AGENCIES. The office of management and budget shall transfer funds from the state student internship program line item appropriated in section 1 of this Act to eligible state agencies for state student internships during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 14. ESTIMATED INCOME - ONE-TIME FUNDING - CAPITOL BUILDING FUND. The estimated income line item in section 1 of this Act includes ~~$2,268,800~~$2,168,800 of one-time funding from the capitol building fund. Of the ~~$2,268,800~~$2,168,800, $350,000 in the operating expenses line item is for a facility consolidation study, $300,000 in the operating expenses line item is for special assessments associated with the capitol grounds, ~~$600,000~~$500,000 in the capital assets line item is for extraordinary repairs, $518,800 in the capital assets line item is for a building automation project, and $500,000 in the capital assets line item is for interior and exterior signage.

SECTION 15. ESTIMATED INCOME - ONE-TIME FUNDING - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes $3,251,304 from the strategic investment and improvements fund. Of the $3,251,304, $2,021,204 in the capital assets line item is for procurement software, and $1,230,100 in the capital assets line item is for budget software.

SECTION 16. GRANTS AND SPECIAL ITEMS. Section 1 of this Act includes appropriation authority which may be used only for the following grants and special items:

Unemployment insurance	$2,000,000
Capitol grounds planning commission	$25,000
~~Statewide memberships and related expenses~~	~~$625,064~~
Statewide memberships and related expenses	$642,089

SECTION 17. RISK MANAGEMENT FUND - CLAIMS PAYMENT. Pursuant to the continuing appropriation authority under section 32-12.2-07, the director of the office of management and budget may make payments from the risk management fund during the biennium beginning July 1, 2021, and ending June 30, 2023, for reasonable and necessary costs and attorney's fees incurred by a state employee as a result of a criminal investigation or prosecution occurring after December 31, 2018, under circumstances in which there was an absence of probable cause, as identified in a prosecutorial or judicial determination or as determined by the director of the office of management and budget in the absence of a prosecutorial or judicial determination, and in which the offense involves the discharge of a public duty. The director of the office of management and budget shall consult with the attorney general when reviewing claims under this section and shall obtain written approval from the attorney general for any claim exceeding ten thousand dollars.

SECTION 18. STATE EMPLOYEE COMPENSATION ADJUSTMENTS - GUIDELINES.

1. The 2021-23 biennium compensation adjustments for permanent state employees are to average 1.5 percent with a minimum of $100 per month~~ and a maximum of $250 per month~~ per eligible employee for ~~each~~the first fiscal year of the biennium and are to average 2 percent per eligible employee for the second year of the biennium. The increases for the first year of the biennium are to be given beginning with the month of July 2021, to be paid in August 2021, and for the second year of the biennium are to be given beginning with the month of July 2022, to be paid in August 2022. Except for

minimum ~~and maximum~~ amounts, increases for eligible state employees are to be based on documented performance and are not to be the same percentage increase for each employee.

2. The office of management and budget shall develop guidelines for use by state agencies for providing compensation adjustments for classified state employees. The guidelines must follow the compensation philosophy statement under section 54-44.3-01.2.

3. Probationary employees are not entitled to the increases. However, at the discretion of the appointing authority, probationary employees may be given all or a portion of the increases effective in July, paid in August, or upon completion of probation. Employees whose overall documented performance level does not meet standards are not eligible for any salary increase.

SECTION 19. AMENDMENT. Subsection 1 of section 10-04-03 of the North Dakota Century Code is amended and reenacted as follows:

1. The state securities department is under the supervision of a chief officer designated as the securities commissioner. The securities commissioner must be appointed by the governor and confirmed by the senate and shall hold office for a term of four years, beginning on the first day of July following a national presidential election and continuing until a successor has been appointed, confirmed by the senate, and has qualified, unless removed as herein provided. If the senate is not in session, the governor may make an interim appointment, and the interim appointee ~~shall~~may hold office until the senate confirms or rejects the appointment. ~~The commissioner must be skilled in securities and may not be an incumbent of any other public office in the state.~~ The commissioner may not own or control any security required to be registered under this chapter, or any security which is exempt based on the approval of the securities department. The commissioner may not be an officer, director, or employee of any broker-dealer, agent, investment adviser, or investment adviser representative required to be registered under this chapter, or of a federal covered adviser required to be notice-filed under this chapter. The governor may remove from office any commissioner who fails to discharge faithfully the duties of office or who becomes disqualified under the provisions of this section.

It is the prime duty of the commissioner to administer the provisions of this chapter. The commissioner shall receive a salary within the amount appropriated for salaries by the legislative assembly. The commissioner shall use a seal with the words "securities commissioner, North Dakota" and such design as the commissioner may prescribe engraved thereon by which seal the commissioner may authenticate documents used in the administration of this chapter. The commissioner may employ such employees as are necessary for the administration of this chapter. In the absence or disability of the commissioner, the deputy or designee of the commissioner ~~shall~~may administer the provisions of this chapter as acting commissioner.

SECTION 20. A new section to chapter 10-04 of the North Dakota Century Code is created and enacted as follows:

Legacy fund investments - Notice filing.

1. Within thirty days of completion of the transaction, any issuer of securities in receipt of an investment from the legacy fund under paragraph 3 of subdivision a of subsection 3 of section 21-10-11 or under subdivision b of subsection 3 of section 21-10-11, as created by section 4 of House Bill No. 1425 as approved by the sixty-seventh legislative assembly, shall electronically file a notice on a form prescribed by the commissioner and containing information as required by the commissioner.
2. The notice filing requirement under this section does not exempt the issuer from or supersede any other provision of this chapter.

SECTION 21. AMENDMENT. A new chapter to title 54 of the North Dakota Century Code, as created by section 3 of House Bill No. 1452 as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

Definitions.

As used in this chapter:

1. "Authority" means the clean sustainable energy authority.
2. "Clean" means a technology or concept that reduces emissions to the air, water, or land and meets or exceeds state and federal environmental regulations.
3. "Commission" means the industrial commission.
4. "Fund" means the clean sustainable energy fund.
5. "Program" means the clean sustainable energy program.

6. "Sustainable" means a technology or concept that allows the use of a natural resource to be maintained or enhanced through increased efficiency and life cycle benefits while either increasing or not adversely impacting energy security, affordability, reliability, resilience, or national security.

Clean sustainable energy authority - Purpose.

There is created the clean sustainable energy authority to support research, development, and technological advancements through partnerships and financial support for the large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery. The purpose of the financial support is to enhance the production of clean sustainable energy, to make the state a world leader in the production of clean sustainable energy, and to diversify and grow the state's economy.

Clean sustainable energy authority - Membership - Meetings.

1. The clean sustainable energy authority consists of sixteen members, including eight voting members and eight nonvoting technical advisors.
2. The eight voting members consist of:
   a. One member appointed by the legislative management to serve as chairman;
   b. Two members appointed by the lignite research council;
   c. Two members appointed by the oil and gas research council;
   d. Two members appointed by the renewable energy council; and
   e. One member appointed by the western Dakota energy association.
3. The eight nonvoting technical advisors consist of:
   a. One member appointed by the North Dakota outdoor heritage fund advisory board;
   b. The commissioner of commerce or the commissioner's designee;
   c. The director of the department of environmental quality or the director's designee;
   d. The director of mineral resources or the director's designee;
   e. The director of the North Dakota pipeline authority or the director's designee;
   f. The director of the North Dakota transmission authority or the director's designee;
   g. The director of the state energy research center or the director's designee;
   h. The president of the Bank of North Dakota or the president's designee;

4. The term of office for the chairman is two years. The term of office for the other voting members is four years, and the other voting members may not serve more than two consecutive terms. The terms of office for the voting members commence on July first. The initial terms for the voting members of the authority must be staggered following a method determined by the authority.
5. The authority shall meet at least semiannually. The chairman shall call a meeting upon written request from three voting members of the authority. Five voting members is a quorum at any meeting.
6. The authority may not forward a recommendation to the commission unless the recommendation fulfills the purposes of this chapter and is approved by a majority of the voting members of the authority.

Clean sustainable energy authority - Duties - Report.

1. The authority shall make recommendations to the commission for program guidelines, including eligibility criteria for entities to receive funding under this chapter.
2. The nonvoting technical advisors shall develop a process to review and evaluate projects to determine the technical merits and feasibility of any application, including potential benefits of the development of low-emission technology, the expansion of the development of the state's natural resources or energy production, and the contribution to the economic diversity in the state.
3. The authority may develop a loan program or a loan guarantee program under the clean sustainable energy fund. The Bank of North Dakota shall administer the loan program or loan guarantee program. The interest rate of a loan under this program may not exceed two percent per year. The maximum term of a loan under this section must be approved by the commission based on a recommendation from the authority. The Bank shall review applications for loans or loan guarantees and shall consider the business plan, financial statements, and other information necessary to evaluate the application. To be eligible for a loan or loan guarantee, an entity shall agree to provide the Bank of North Dakota with information as requested. The Bank of North Dakota may develop policies for loan participation with local financial institutions.
4. The authority shall make recommendations to the commission for grant awards, loan approvals, or other financial assistance to provide funding to support research,

development, and technological advancements for the large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery in accordance with this chapter. Any projects, processes, activities, and technologies selected by the commission for funding must have been recommended by the authority, must demonstrate feasibility based on a technical review conducted by the nonvoting technical advisors of the authority, must have other sources of financial support, and must achieve the priorities and purposes of the program. At the request of the authority, the Bank of North Dakota shall provide a recommendation regarding the economic feasibility of a project, process, activity, or technology under consideration by the authority. The Bank shall review the business plan, financial statements, and other information necessary to provide a recommendation.

5. The authority may consult with any other state agency necessary to carry out the purposes under this chapter.

6. Each biennium, the authority shall provide a written report to the legislative management regarding its activities and the program's financial impact on state revenues and the state's economy.

Clean sustainable energy program - Powers and duties of the commission.

1. The commission is granted all the powers necessary to carry out the purposes of this chapter, including the power to:

   a. Provide grants, loans, or other forms of financial assistance to qualified entities for the research, demonstration, development, and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and use energy sources derived from within the state. Other forms of financial assistance include venture capital investments and interest rate buydowns. The commission must require an entity to provide assurance of financial and other types of support that demonstrate a commitment to the project, process, activity, or technology. The commission may develop policies for the approval of loans or loan guarantees issued from the clean sustainable energy fund.

   b. Enter into contracts or agreements to carry out the purposes of this chapter, including contracting for the administration of the program.

c. Keep accurate records of all financial transactions performed under this chapter.

d. Cooperate with any private, local, state, or national organization to make contracts and agreements for programs that advance the mission of the program.

e. Accept loan repayments, donations, grants, contributions, or gifts from any public or private source to carry out the purposes of this chapter, which must be deposited in the clean sustainable energy fund.

f. Make guidelines necessary to carry out the purposes of this chapter, including guidelines relating to the ownership of intellectual property.

g. Borrow from the Bank of North Dakota, as authorized by the legislative assembly, to make loans or loan guarantees under a loan program or loan guarantee program developed by the clean sustainable energy authority.

2. The commission may acquire, purchase, hold, use, lease, license, sell, transfer, or dispose of any interest in an asset necessary for clean sustainable energy technology development to facilitate the production, transportation, distribution, or delivery of clean energy commodities produced in the state as a purchases of last resort.

3. The commission shall provide administrative support to the authority for the operation of the program, including the preparation of forms, review of applications, and ongoing review of any contracts. The commission may contract with a public or private entity to provide technical assistance necessary to implement the purposes of this chapter.

4. The commission is not subject to the reporting requirements under chapter 54-60.1.

Clean sustainable energy program - Access to records.

1. To the extent the commission or authority determines the materials or data consist of trade secrets or commercial, financial, or proprietary information of individuals or entities applying to or contracting with the commission or receiving commission services under this chapter, materials and data submitted to, made by, or received by the commission or authority, are not public records subject to section 44-04-18 and section 6 of article XI of the Constitution of North Dakota, and are subject to section 44-04-18.4.

2. A person or entity may file a request with the commission to have material designated as confidential under subsection 1. The request must contain any information required by the commission and must include at least the following:

a. A general description of the nature of the information sought to be protected.

b. An explanation of why the information derives independent economic value, actual or potential, from not being generally known to other persons.

c. An explanation of why the information is not readily ascertainable by proper means of other persons.

d. A general description of any person that may obtain economic value from disclosure or use of the information, and how the person may obtain this value.

e. A description of the efforts used to maintain the secrecy of the information.

3. Any request under subsection 2 is confidential. The commission shall examine the request and determine whether the information is relevant to the matter at hand and is a trade secret under the definition in section 47-25.1-01 or 44-04-18.4. If the commission determines the information is either not relevant or not a trade secret, the commission shall notify the requester and the requester may ask for the return of the information and the request within ten days of the notice. If no return is sought, the information and request are public record.

4. The names or identities of independent technical reviewers on a project or program are confidential, may not be disclosed by the commission, and are not public records subject to section 44-04-18 or section 6 of article XI of the Constitution of North Dakota.

Clean sustainable energy fund - Continuing appropriation - Line of credit - Loans - Repayments.

1. There is created in the state treasury the clean sustainable energy fund. The fund consists of all moneys transferred to the fund by the legislative assembly; loan proceeds; interest upon moneys in the fund; principal and interest payments to the fund; and donations, grants, and other contributions received by the commission for deposit in the fund. All moneys in the fund are appropriated to the commission on a continuing basis to provide grants, loans, and other financial assistance and for administrative and operating costs of the authority and program pursuant to the provisions under this chapter.

2. Any bond proceeds deposited in the fund must be used for loans or loan guarantees. The Bank of North Dakota shall deposit in the fund all principal and interest paid on

the loans made from the fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay for administrative costs, not to exceed one-half of one percent of the amount of the interest payment. The Bank shall contract with a certified public accounting firm to audit the fund annually if the fund has any outstanding loans. The cost of the audit must be paid from the fund.

3. The Bank of North Dakota shall extend a line of credit to the industrial commission to support loans or loan guarantees issued from the clean sustainable energy fund. The line of credit may not exceed two hundred fifty million dollars, and the interest rate associated with the line of credit must be the prevailing interest rate charged to North Dakota governmental entities. The industrial commission shall repay the line of credit from moneys available in the clean sustainable energy fund or other funds, as appropriated by the legislative assembly. If the moneys available from the clean sustainable energy fund on June 30, 2025, are not sufficient to repay the line of credit, the industrial commission shall request from the legislative assembly a deficiency appropriation to repay the line of credit.

4. The industrial commission may access the line of credit to the extent needed through June 30, 2025, to provide funding as authorized by the legislative assembly to support loans or loan guarantees issued from the clean sustainable energy fund. Any moneys borrowed from the Bank of North Dakota pursuant to this section must be transferred to the clean sustainable energy fund to support loans or loan guarantees.

SECTION 22. AMENDMENT. Section 54-44.1-18 of the North Dakota Century Code is amended and reenacted as follows:

54-44.1-18. Searchable database of expenditures.

1. The director of the budget shall develop and make publicly available an aggregate and searchable budget database website that includes the following information for the biennium:
   a. Each budget unit making expenditures.
   b. The amount of funds expended.
   c. The source of the funds expended.
   d. The budget program of the expenditure.
   e. Any other information determined relevant by the director of the budget.

2. The director of the budget shall include the name and city of the recipient of each expenditure in the budget database website after the director has completed implementation of a business intelligence component to the state's financial reporting system.
3. The director of the budget may not include in the database any information that is confidential or exempt under state or federal law.
4. The director of the budget may update the budget database website as new data becomes available. Each state agency shall provide to the director of the budget any data required to be included in the budget database website no later than thirty days after the data becomes available to the agency.
5. By January first of each even-numbered year, the director of the budget shall add data for the previous biennium to the budget database website. The director of the budget shall ensure that all data added to the budget database website remains accessible to the public for a minimum of ten years.
6. The budget database website may not redirect users to any other government website, unless the website has information from all budget units and each category of information required can be searched electronically by field in a single search.
~~7. The governing body of each political subdivision may submit the annual budget adopted by the governing body to the director of the budget. The director of the budget shall include on the office of management and budget website any information submitted by a participating governing body of a political subdivision. The official who submits the annual budget to the director of the budget may not submit any information that is confidential under state or federal law. In lieu of submitting the annual budget adopted by the governing body to the director, any participating governing body may provide to the director a publicly accessible internet link on which the annual budget adopted by the participating governing body is available.~~

SECTION 23. AMENDMENT. Section 54-44.4-07 of the North Dakota Century Code is amended and reenacted as follows:

54-44.4-07. Procurement of environmentally preferable products.

1. The office of management and budget, the institutions of higher education, and any other state agency or institution that has authority to purchase products are encouraged to purchase environmentally preferable products.
   a. ~~Where~~When practicable, specifications for purchasing newsprint printing services should specify the use of soybean-based ink. The North Dakota soybean council and the agriculture commissioner shall assist the office of management and budget in locating suppliers of soybean-based inks and in collecting data on the purchase of soybean-based inks.
   b. ~~In requesting bids for paper products, the office of management and budget must request information on the recycled content of such products.~~
   ~~c.~~ ~~Where~~When practicable, biobased products should be specified.
2. The office of management and budget, in coordination with the state board of higher education, shall develop guidelines for a biobased procurement program.

SECTION 24. AMENDMENT. Section 54-44.4-08 of the North Dakota Century Code is amended and reenacted as follows:

54-44.4-08. Purchase of recycled paper products.

~~The~~When practicable, the office of management and budget, and any state agency or institution that has authority to purchase ~~products, shall ensure that at least twenty percent of the total volume of~~ paper and paper products ~~being purchased for state agencies and institutions contain~~, should specify at least twenty-five percent recycled material. ~~The office of management and budget shall implement a methodology to track compliance with this section.~~

SECTION 25. AMENDMENT. Section 57-51.1-07.5 of the North Dakota Century Code is amended and reenacted as follows:

57-51.1-07.5. State share of oil and gas taxes - Deposits.

From the revenues designated for deposit in the state general fund under chapters 57-51 and 57-51.1, the state treasurer shall deposit the revenues received each biennium in the following order:

1. The first two hundred million dollars into the state general fund;
2. The next two hundred million dollars into the tax relief fund;

3. The next seventy-five million dollars into the budget stabilization fund, but not in an amount that would bring the balance in the fund to more than the limit in section 54-27.2-01;
4. The next two hundred million dollars into the state general fund;
5. The next ten million dollars into the lignite research fund;
6. The next ~~fifteen~~twenty million dollars into the state disaster relief fund, but not in an amount that would bring the unobligated balance in the fund to more than ~~fifteen~~twenty million dollars;
7. ~~The next thirty million three hundred seventy-five thousand dollars, or the amount necessary to provide for the distributions under subsection 2 of section 57-51.1-07.7, into the municipal infrastructure fund;~~
~~8.~~ The next four hundred million dollars into the strategic investment and improvements fund;
~~9. An amount equal to the deposit under subsection 7 into the county and township infrastructure fund;~~
8. The next fifty-nine million seven hundred fifty thousand dollars, or the amount necessary to provide for twice the amount of the distributions under subsection 2 of section 57-51.1-07.7, into the funds designated for infrastructure development in non-oil-producing counties under sections 57-51.1-07.7 and 57-51.1-07.8 with fifty percent deposited into the municipal infrastructure fund and fifty percent deposited into the county and township infrastructure fund;
~~10.~~9. The next one hundred ~~sixty-nine~~seventy million two hundred fifty thousand dollars or the amount necessary to provide a total of two hundred thirty million dollars into the funds designated for infrastructure development in non-oil-producing counties under sections 57-51.1-07.7 and 57-51.1-07.8 with fifty percent deposited into the municipal infrastructure fund and fifty percent deposited into the county and township infrastructure fund;
~~11.~~10. The next twenty million dollars into the airport infrastructure fund; and
~~12.~~11. Any additional revenues into the strategic investment and improvements fund.

SECTION 26. AMENDMENT. Subsection 2 of section 57-51.1-07.7 of the North Dakota Century Code is amended and reenacted as follows:

2. Within forty days after the fund balance is greater than or equal to the amount needed for the grants under this subsection or by September thirtieth of each odd-numbered year, whichever is earlier, the state treasurer shall distribute moneys in the fund as grants to cities for essential infrastructure projects. The state treasurer shall distribute the grants only if the fund balance is at least ten percent of the amount needed for distributions under this subsection based on the following:
   a. Two million five hundred thousand dollars to each city with a population of at least five thousand;
   b. Five hundred thousand dollars to each city with a population of at least two thousand but less than five thousand; and
   c. One hundred twenty-five thousand dollars to each city with a population of at least one thousand but less than two thousand.
   d. If, at the time of the distributions, the moneys in the fund are less than the amount needed for the grants under this subsection, the state treasurer shall distribute the grants under this subsection on a pro rata basis.
   e. For the purposes of determining the city's population under this subsection, the state treasurer shall use the most recent actual or estimated census data published by the United States census bureau.

SECTION 27. AMENDMENT. Subsection 3 of section 57-51.1-07.7 of the North Dakota Century Code is amended and reenacted as follows:

3. Within sixty days after the fund receives its statutory limit of oil and gas tax allocations under section 57-51.1-07.5 or by September thirtieth of each odd-numbered year, whichever is earlier, the state treasurer shall distribute the moneys in the fund as grants to cities for essential infrastructure projects. The state treasurer shall distribute the grants only if the fund balance is at least ten percent of the amount needed for distributions under this subsection based on the following:
   a. One hundred fifty dollars per person of the city's population.
   b. In addition to the amounts in subdivision a, for a city with a positive average of the annual percentage increase in population from three years prior, a dollar amount equal to the product of the following:
      (1) The amount calculated in subdivision a; and

(2) The average of the annual percentage increase in population from three years prior, multiplied by ten.

c. In addition to the amounts in subdivisions a and b, for a city with a positive average of the annual percentage increase in taxable property values from three years prior, a dollar amount equal to the average of the annual property valuation percentage increase for the three most recent years, multiplied by twenty-five thousandths.

d. Grants may be distributed under this subdivision only if the grant distributions under subsection 2 are completed. If the moneys in the fund are insufficient to provide for the grants, the state treasurer shall distribute the grants under this subsection on a pro rata basis. If any moneys remain in the fund after the distribution of grants under this subsection, the state treasurer shall distribute any remaining moneys in the fund in proportion to the combined total distributed to each city under this section relative to the combined total distributed to all the cities under this section.

e. For the purposes of determining the city's population under this subsection, the state treasurer shall use the most recent actual or estimated census data published by the United States census bureau.

f. For the purposes of determining taxable property values, the state treasurer shall use the most recent data published by the tax commissioner in the tax levy report.

SECTION 28. AMENDMENT. Subsection 2 of section 57-51.1-07.8 of the North Dakota Century Code is amended and reenacted as follows:

2. Within sixty days after the fund receives its statutory limit of oil and gas tax allocations under section 57-51.1-07.5 or by September thirtieth of each odd-numbered year, whichever is earlier, the state treasurer shall distribute moneys in the fund as grants to counties for road and bridge infrastructure projects. <u>The state treasurer shall distribute the grants only if the fund balance is at least ten percent of the amount needed for distributions under this section.</u>

SECTION 29. REPEAL. Section 54-06-25 of the North Dakota Century Code is repealed.

SECTION 30. EXEMPTION - FISCAL MANAGEMENT. The amount appropriated for the fiscal management division, as contained in section 1 of chapter 40 of the the 2019 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for continued development and operating costs of the statewide systems, including accounting, management, and payroll, during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 31. EXEMPTION - STATE STUDENT INTERNSHIP PROGRAM. The amount of $250,000 appropriated in section 1, identified in section 2, and transferred in section 8 of chapter 40 of the 2019 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the office of management and budget for the state student internship program during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 32. EXEMPTION - ASSESSMENT OF STATE LANDS AND FACILITIES. The amount of $500,000 appropriated from the strategic investment and improvements fund in section 1 and identified in section 2 of chapter 40 of the 2019 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the office of management and budget to continue the assessment of state lands and facilities during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 33. LEGISLATIVE MANAGEMENT STUDY - SPACE NEEDS AT STATE CAPITOL.

1. During the 2021-22 interim, the legislative management shall consider studying space needs of the executive, judicial, and legislative branches at the state capitol. The study must include:
   a. A review of each branch's employee work location policies;
   b. An assessment of the space needs of each branch to fulfill their constitutional and statutory responsibilities;
   c. An evaluation of state agency leases of space from private and other governmental entities in Bismarck, amounts being paid for these leases, and state agency rental payments being made to the office of management and budget from special and federal funds;

d. Consideration of the feasibility and desirability of the office of management and budget charging rent to agencies receiving funding from the general fund; and

e. The development of a space utilization plan for the capitol complex.

2. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 34. LEGISLATIVE MANAGEMENT STUDY - STATE EMPLOYEE COMPENSATION. During the 2021-22 interim, the legislative management shall consider studying the classified state employee compensation system, including a review of the development and determination of pay grades and classifications. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 35. EMERGENCY. Sections 3 and 5 of this Act and Senate Bill No. 2140, as approved by the sixty-seventh legislative assembly, are declared to be an emergency measure.

2021 CONFERENCE COMMITTEE

HB 1015

2021 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Brynhild Haugland Room, State Capitol

HB 1015
4/29/2021
Conference Committee

BILL for an Act to adjust state agency spending authority approved by the emergency commission and budget section; to provide a statement of legislative intent; to provide an appropriation; to provide an exemption; to provide for retroactive application; and to declare an emergency.

11:06 Chairman Delzer Called the meeting to order, roll call was taken; Chairman Delzer Representative Pollert and Boschee; Senators Holmberg, Wardner and Heckaman

Discussion Topics:

- Amendments

11:07 Senator Holmberg – Reviews senate changes and proposed amendment 21.0274.03041(Testimony # 11698)

Additional written testimony: No additional testimony

11:56 Chairman Delzer Closed the meeting for HB 1015

Risa Berube,

House Appropriations Committee Clerk

21.0274.02041
Title.
Fiscal No. 2

Prepared by the Legislative Council staff for
Senator Wardner
April 28, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the House accede to the Senate amendments as printed on page 1866-1883 of the House Journal and page 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be further amended as follows:

Page 1, line 3, after the semicolon insert "to provide an appropriation to the department of career and technical education, the department of public instruction, the university of North Dakota, Dickinson state university, the highway patrol, the judicial branch, the department of transportation, and Mayville state university; to create and enact a new section to chapter 10-04 and a new section to chapter 24-02 of the North Dakota Century Code, relating to notice filing for certain legacy fund investments and cooperative transportation agreements;"

Page 1, line 3, after "reenact" insert "subsection 1 of section 10-04-03, section 54-09-05, as amended by section 4 of House Bill No. 1002, as approved by the sixty-seventh legislative assembly, a new chapter to title 54, as created by section 3 of House Bill No. 1452, as approved by the sixty-seventh legislative assembly,"

Page 1, line 5, after "to" insert "qualifications of the securities commissioner, the salary of the secretary of state, the clean sustainable energy authority,"

Page 1, line 10, after "exemption" insert "; to provide a statement of legislative intent"

Page 1, line 11, remove "and"

Page 1, line 11, after "report" insert "; and to declare an emergency"

Page 1, remove lines 21 through 24

Page 2, replace lines 1 through 9 with:

"Salaries and wages	$21,903,816	$23,163	$21,926,979
Operating expenses	14,937,426	1,375,788	16,313,214
Emergency commission contingency fund	500,000	(100,000)	400,000
Capital assets	767,125	4,767,494	5,534,619
Grants	54,000	(54,000)	0
Guardianship grants	1,950,000	500,000	2,450,000
Prairie public broadcasting	1,200,000	0	1,200,000
Community service supervision grants	350,000	0	350,000
State student internship program	0	100,000	100,000
Total all funds	$41,662,367	$6,612,445	$48,274,812
Less estimated income	8,746,515	5,501,898	14,248,413
Total general fund	$32,915,852	$1,110,547	$34,026,399
Full-time equivalent positions	112.00	(4.00)	108.00"

Page 3, line 8, replace "biennium beginning July 1, 2021" with "period beginning with the effective date of this Act"

Page 3, line 10, after "**FUND**" insert "**- TAX RELIEF FUND**"

Page 3, line 11, after the boldfaced period insert "1. a."

Page 3, line 14, replace "$8,100,000" with "$8,200,000"

Page 3, line 15, after the comma insert "and out of any moneys in the tax relief fund in the state treasury, not otherwise appropriated, the sum of $1,800,000, or so much of the sum as may be necessary,"

Page 3, line 18, after the period insert "b."

Page 3, line 18, replace "$8,100,000" with "$10,000,000"

Page 3, line 21, after "an" insert "equal"

Page 3, line 21, remove "of $5,000"

Page 3, line 22, after the period insert "c."

Page 3, line 23, replace "section" with "subsection"

Page 3, line 24, replace "section" with "subsection"

Page 3, line 25, after the period insert "d."

Page 3, line 25, replace "section" with "subsection"

Page 3, line 27, replace "section" with "subsection"

Page 3, line 28, after the period insert "e."

Page 3, after line 31, insert:

"2. a. There is appropriated out of any moneys in the tax relief fund in the state treasury, not otherwise appropriated, the sum of $10,000,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of providing distributions to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county, for the biennium beginning July 1, 2021, and ending June 30, 2023.

b. In August 2021, the state treasurer shall distribute $10,000,000, or so much of the sum as may be necessary, to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county. The distribution to each non-oil-producing county must provide for an allocation to each organized and unorganized township that is proportional to the number of township road miles in each organized and unorganized township relative to the combined total township road miles in all the organized and unorganized townships in all the non-oil-producing counties. The township road miles must be based on certifications provided to the state treasurer using roadway mileage criteria from the department of transportation.

c. The amount allocated to organized townships under this subsection must be paid by the county treasurer to each organized township. The amount allocated to unorganized townships under this subsection must be credited by the county treasurer to a special fund for unorganized township roads.

d. The distributions under this subsection must be used for the maintenance and improvement of township paved and unpaved roads and bridges.

e. For the purposes of this subsection, a "non-oil-producing county" means a county that has received no allocation of funding or a total allocation of funding under subsection 2 of section 57-51-15 of less than $5,000,000 for the period beginning September 1, 2019, and ending August 31, 2020.

SECTION 5. APPROPRIATION - FEDERAL FUNDS - DEPARTMENT OF TRANSPORTATION. There is appropriated out of any moneys derived from federal funds, not otherwise appropriated, the sum of $55,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of road and bridge projects, for the biennium beginning July 1, 2021, and ending June 30, 2023. Of the $55,000,000, $35,000,000 is federal funds that may be matched by funding appropriated in section 10 of House Bill No. 1431, as approved by the sixty-seventh legislative assembly, for road and bridge projects, and $20,000,000 is federal funds that may be matched by funding appropriated in section 4 of this Act for township road and bridge projects pursuant to cooperative agreements.

SECTION 6. APPROPRIATION - FEDERAL CORONAVIRUS CAPITAL PROJECTS FUND - MATCHING FUNDS - ONE-TIME FUNDING.

1. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $70,000,000, or so much of the sum as may be necessary, to the department of career and technical education for the purpose of a statewide area career center initiative grant program for the period beginning with the effective date of this Act, and ending June 30, 2023. The department of career and technical education shall establish the application process and develop eligibility requirements for the grant program that must include:

   a. Funding may be used only for career and technical education projects involving construction, addition, maintenance, and equipment for new and existing area career centers;

   b. Grants awarded to each recipient must be at least $500,000, but may not exceed $10,000,000;

   c. Grants may be awarded only to the extent a ~~school district has~~ secured matching funds from nonstate sources on a dollar-for-dollar basis;

   d. An applicant identifying sufficient future nonstate sources of funding for ongoing operating and maintenance costs associated with a new or expanded area career center;

   e. The application period for the grant program begins with the effective date of this Act and ends on June 30, 2022. Any funding not committed by December 31, 2022, may not be spent and must be canceled at the end of the 2021-23 biennium in accordance with section 54-44.1-11;

f. Preference must be given to school districts that collaborate with other school districts for a regional area career center facility or to school districts to create a new area career center or use an existing area career center to positively affect that region of the state; and

g. Preference must be given to school districts that will promote postsecondary education and workforce training education in conjunction with secondary education.

2. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $5,900,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing a grant to an entity for the development of a children's science center for the period beginning with the effective date of this Act, and ending June 30, 2023.

3. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $5,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of reconstruction of the university's apron at the Grand Forks airport for the period beginning with the effective date of this Act, and ending June 30, 2023.

4. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $4,000,000, or so much of the sum as may be necessary, to Dickinson state university for the purpose of a Pulver hall project, a meat processing laboratory remodel, and other projects for the period beginning with the effective date of this Act, and ending June 30, 2023.

5. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $3,000,000, or so much of the sum as may be necessary, to the highway patrol for the purpose of a law enforcement training center remodel project for the period beginning with the effective date of this Act, and ending June 30, 2023.

6. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $500,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of providing a grant for the construction of a new medical center located in the county seat of Griggs County for the period beginning with the effective date of this Act, and ending June 30, 2023.

7. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $157,600, or so much of the sum as may be necessary, to the judicial branch for the purpose of purchasing information technology equipment for the period beginning with the effective date of this Act, and ending June 30, 2023.

8. If the federal government distributes funding derived from the federal coronavirus capital projects fund to the state in more than one funding

round, the office of management and budget shall prioritize the amounts received in the first funding round as follows:

a. $21,763,000 to the department of career and technical education;

b. $11,716,400 to the parks and recreation department;

c. $5,900,000 to the department of public instruction;

d. $5,000,000 to the university of North Dakota;

e. $4,200,000 to the state historical society;

f. $4,000,000 to Dickinson state university;

g. $3,000,000 to the highway patrol;

h. $500,000 to the office of management and budget; and

i. $157,600 to the judicial branch.

9. The funding provided under this section may be spent only to the extent the director of the office of management and budget, in consultation with the budget section, determines the use of the funding complies with federal guidance for the federal coronavirus capital projects fund. The funding provided under this section is considered a one-time funding item.

SECTION 7. APPROPRIATION - UNIVERSITY OF NORTH DAKOTA - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $4,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of a space command initiative and related technical programs, including equipment, renovation costs, a sensitive compartmental information facility, and other expenses for the biennium beginning July 1, 2021, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 8. APPROPRIATION - MAYVILLE STATE UNIVERSITY - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $1,600,000, or so much of the sum as may be necessary, to Mayville state university for a natural gas boiler project, for the period beginning with the effective date of this Act, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 9. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO CULTURAL ENDOWMENT FUND - INTENT. The office of management and budget shall transfer the sum of $1,000,000 from the strategic investment and improvements fund to the cultural endowment fund during the biennium beginning July 1, 2021, and ending June 30, 2023. It is the intent of the sixty-seventh legislative assembly that the council on the arts expend up to $50,000 annually from the cultural endowment fund pursuant to the appropriation authority provided in section 2 of Senate Bill No. 2010 during the 2021-23 biennium for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program. It is further the intent of the legislative assembly that the council on the arts continue to expend $50,000 annually from the cultural endowment fund for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program until the moneys derived from the strategic investment and improvements

fund transfer authorized under this section and deposited in the fund have been fully expended."

Page 4, line 2, replace "$187,385,888" with "$187,223,092"

Page 4, line 11, replace "$2,268,800" with "$2,168,800"

Page 4, line 12, replace "$2,268,800" with "$2,168,800"

Page 4, line 14, replace "$600,000" with "$500,000"

Page 4, replace line 26 with:

"Statewide memberships and related expenses $642,089"

Page 5, line 10, remove "and a maximum of $250 and a maximum of $250"

Page 5, line 11, remove "per month"

Page 5, line 11, replace "each" with "the first"

Page 5, line 11, after "biennium" insert "and are to average 2 percent per eligible employee for the second year of the biennium"

Page 5, line 15, remove "and maximum"

Page 5, after line 26, insert:

"**SECTION 17. AMENDMENT.** Subsection 1 of section 10-04-03 of the North Dakota Century Code is amended and reenacted as follows:

1. The state securities department is under the supervision of a chief officer designated as the securities commissioner. The securities commissioner must be appointed by the governor and confirmed by the senate and shall hold office for a term of four years, beginning on the first day of July following a national presidential election and continuing until a successor has been appointed, confirmed by the senate, and has qualified, unless removed as herein provided. If the senate is not in session, the governor may make an interim appointment, and the interim appointee ~~shall~~may hold office until the senate confirms or rejects the appointment. ~~The commissioner must be skilled in securities and may not be an incumbent of any other public office in the state.~~ The commissioner may not own or control any security required to be registered under this chapter, or any security which is exempt based on the approval of the securities department. The commissioner may not be an officer, director, or employee of any broker-dealer, agent, investment adviser, or investment adviser representative required to be registered under this chapter, or of a federal covered adviser required to be notice-filed under this chapter. The governor may remove from office any commissioner who fails to discharge faithfully the duties of office or who becomes disqualified under the provisions of this section.

It is the prime duty of the commissioner to administer the provisions of this chapter. The commissioner shall receive a salary within the amount appropriated for salaries by the legislative assembly. The commissioner shall use a seal with the words "securities commissioner, North Dakota" and such design as the commissioner may prescribe engraved thereon by which seal the commissioner may authenticate documents used in the

administration of this chapter. The commissioner may employ such employees as are necessary for the administration of this chapter. In the absence or disability of the commissioner, the deputy or designee of the commissioner ~~shall~~may administer the provisions of this chapter as acting commissioner.

SECTION 18. A new section to chapter 10-04 of the North Dakota Century Code is created and enacted as follows:

Legacy fund investments - Notice filing.

Within thirty days of completion of the transaction, any issuer of securities in receipt of an investment from the legacy fund under paragraph 3 of subdivision a of subsection 3 of section 21-10-11 or under subdivision b of subsection 3 of section 21-10-11, as created by section 4 of House Bill No. 1425 as approved by the sixty-seventh legislative assembly, shall file electronically a notice on a form prescribed by the commissioner and containing information as required by the commissioner.

2. The notice filing requirement under this section does not exempt the issuer from or supersede any other provision of this chapter.

SECTION 19. A new section to chapter 24-02 of the North Dakota Century Code is created and enacted as follows:

Cooperative agreements - Federal transportation-related aid and safety and mobility.

The director may enter into cooperative agreements with any transferee under section 54-27-19 or any federal agency operating a national park and may expend highway fund moneys pursuant to legislative appropriations to match federal funds for the purposes of providing assistance with the assessment, design, and construction of projects to improve the safety and mobility of people or goods in the state.

SECTION 20. AMENDMENT. Section 54-09-05 of the North Dakota Century Code, as amended by section 4 of House Bill No. 1002, as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

54-09-05. Salary of secretary of state.

The annual salary of the secretary of state is one hundred twelve thousand two hundred forty-one dollars through June 30, ~~2021~~2022, and one hundred fourteen thousand four hundred eighty-six dollars thereafter.

SECTION 21. AMENDMENT. A new chapter to title 54 of the North Dakota Century Code, as created by section 3 of House Bill No. 1452 as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

Definitions.

As used in this chapter:

1. "Authority" means the clean sustainable energy authority.

2. "Clean" means a technology or concept that reduces emissions to the air, water, or land and meets or exceeds state and federal environmental regulations.

3. "Commission" means the industrial commission.

4. "Fund" means the clean sustainable energy fund.

5. "Program" means the clean sustainable energy program.

6. "Sustainable" means a technology or concept that allows the use of a natural resource to be maintained or enhanced through increased efficiency and life cycle benefits while either increasing or not adversely impacting energy security, affordability, reliability, resilience, or national security.

Clean sustainable energy authority - Purpose.

There is created the clean sustainable energy authority to support research, development, and technological advancements through partnerships and financial support for the large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery. The purpose of the financial support is to enhance the production of clean sustainable energy, to make the state a world leader in the production of clean sustainable energy, and to diversify and grow the state's economy.

Clean sustainable energy authority - Membership - Meetings.

1. The clean sustainable energy authority consists of sixteen members, including eight voting members and eight nonvoting technical advisors.

2. The eight voting members consist of:

   a. One member appointed by the legislative management to serve as chairman;

   b. Two members appointed by the lignite research council;

   c. Two members appointed by the oil and gas research council;

   d. Two members appointed by the renewable energy council; and

   e. One member appointed by the western Dakota energy association.

3. The eight nonvoting technical advisors consist of:

   a. One member appointed by the North Dakota outdoor heritage fund advisory board;

   b. The commissioner of commerce or the commissioner's designee;

   c. The director of the department of environmental quality or the director's designee;

   d. The director of mineral resources or the director's designee;

e. The director of the North Dakota pipeline authority or the director's designee;

f. The director of the North Dakota transmission authority or the director's designee;

g. The director of the state energy research center or the director's designee;

h. The president of the Bank of North Dakota or the president's designee;

4. The term of office for the chairman is two years. The term of office for the other voting members is four years, and the other voting members may not serve more than two consecutive terms. The terms of office for the voting members commence on July first. The initial terms for the voting members of the authority must be staggered following a method determined by the authority.

5. The authority shall meet at least semiannually. The chairman shall call a meeting upon written request from three voting members of the authority. Five voting members is a quorum at any meeting.

6. The authority may not forward a recommendation to the commission unless the recommendation fulfills the purposes of this chapter and is approved by a majority of the voting members of the authority.

Clean sustainable energy authority - Duties - Report.

1. The authority shall make recommendations to the commission for program guidelines, including eligibility criteria for entities to receive funding under this chapter.

2. The nonvoting technical advisors shall develop a process to review and evaluate projects to determine the technical merits and feasibility of any application, including potential benefits of the development of low-emission technology, the expansion of the development of the state's natural resources or energy production, and the contribution to the economic diversity in the state.

3. The authority may develop a loan program or a loan guarantee program under the clean sustainable energy fund. The Bank of North Dakota shall administer the loan program or loan guarantee program. The interest rate of a loan under this program may not exceed two percent per year. The maximum term of a loan under this section must be approved by the commission based on a recommendation from the authority. The Bank shall review applications for loans or loan guarantees and shall consider the business plan, financial statements, and other information necessary to evaluate the application. To be eligible for a loan or loan guarantee, an entity shall agree to provide the Bank of North Dakota with information as requested. The Bank of North Dakota may develop policies for loan participation with local financial institutions.

4. The authority shall make recommendations to the commission for grant awards, loan approvals, or other financial assistance to provide funding to support research, development, and technological advancements for the

large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery in accordance with this chapter. Any projects, processes, activities, and technologies selected by the commission for funding must have been recommended by the authority, must demonstrate feasibility based on a technical review conducted by the nonvoting technical advisors of the authority, must have other sources of financial support, and must achieve the priorities and purposes of the program. At the request of the authority, the Bank of North Dakota shall provide a recommendation regarding the economic feasibility of a project, process, activity, or technology under consideration by the authority. The Bank shall review the business plan, financial statements, and other information necessary to provide a recommendation.

5. The authority may consult with any other state agency necessary to carry out the purposes under this chapter.

6. Each biennium, the authority shall provide a written report to the legislative management regarding its activities and the program's financial impact on state revenues and the state's economy.

Clean sustainable energy program - Powers and duties of the commission.

1. The commission is granted all the powers necessary to carry out the purposes of this chapter, including the power to:

   a. Provide grants, loans, or other forms of financial assistance to qualified entities for the research, demonstration, development, and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and use energy sources derived from within the state. Other forms of financial assistance include venture capital investments and interest rate buydowns. The commission must require an entity to provide assurance of financial and other types of support that demonstrate a commitment to the project, process, activity, or technology. The commission may develop policies for the approval of loans or loan guarantees issued from the clean sustainable energy fund.

   b. Enter into contracts or agreements to carry out the purposes of this chapter, including contracting for the administration of the program.

   c. Keep accurate records of all financial transactions performed under this chapter.

   d. Cooperate with any private, local, state, or national organization to make contracts and agreements for programs that advance the mission of the program.

   e. Accept loan repayments, donations, grants, contributions, or gifts from any public or private source to carry out the purposes of this chapter, which must be deposited in the clean sustainable energy fund.

   f. Make guidelines necessary to carry out the purposes of this chapter, including guidelines relating to the ownership of intellectual property.

g. Borrow from the Bank of North Dakota, as authorized by the legislative assembly, to make loans or loan guarantees under a loan program or loan guarantee program developed by the clean sustainable energy authority.

2. The commission may acquire, purchase, hold, use, lease, license, sell, transfer, or dispose of any interest in an asset necessary for clean sustainable energy technology development to facilitate the production, transportation, distribution, or delivery of clean energy commodities produced in the state as a purchases of last resort.

3. The commission shall provide administrative support to the authority for the operation of the program, including the preparation of forms, review of applications, and ongoing review of any contracts. The commission may contract with a public or private entity to provide technical assistance necessary to implement the purposes of this chapter.

4. The commission is not subject to the reporting requirements under chapter 54-60.1.

Clean sustainable energy program - Access to records.

1. To the extent the commission or authority determines the materials or data consist of trade secrets or commercial, financial, or proprietary information of individuals or entities applying to or contracting with the commission or receiving commission services under this chapter, materials and data submitted to, made by, or received by the commission or authority, are not public records subject to section 44-04-18 and section 6 of article XI of the Constitution of North Dakota, and are subject to section 44-04-18.4.

2. A person or entity may file a request with the commission to have material designated as confidential under subsection 1. The request must contain any information required by the commission and must include at least the following:

   a. A general description of the nature of the information sought to be protected.

   b. An explanation of why the information derives independent economic value, actual or potential, from not being generally known to other persons.

   c. An explanation of why the information is not readily ascertainable by proper means of other persons.

   d. A general description of any person that may obtain economic value from disclosure or use of the information, and how the person may obtain this value.

   e. A description of the efforts used to maintain the secrecy of the information.

3. Any request under subsection 2 is confidential. The commission shall examine the request and determine whether the information is relevant to the matter at hand and is a trade secret under the definition in section 47-25.1-01 or 44-04-18.4. If the commission determines the information is

either not relevant or not a trade secret, the commission shall notify the requester and the requester may ask for the return of the information and the request within ten days of the notice. If no return is sought, the information and request are public record.

4. The names or identities of independent technical reviewers on a project or program are confidential, may not be disclosed by the commission, and are not public records subject to section 44-04-18 or section 6 of article XI of the Constitution of North Dakota.

Clean sustainable energy fund - Continuing appropriation - Line of credit - Loans - Repayments.

1. There is created in the state treasury the clean sustainable energy fund. The fund consists of all moneys transferred to the fund by the legislative assembly; loan proceeds; interest upon moneys in the fund; principal and interest payments to the fund; and donations, grants, and other contributions received by the commission for deposit in the fund. All moneys in the fund are appropriated to the commission on a continuing basis to provide grants, loans, and other financial assistance and for administrative and operating costs of the authority and program pursuant to the provisions under this chapter.

2. Any bond proceeds deposited in the fund must be used for loans or loan guarantees. The Bank of North Dakota shall deposit in the fund all principal and interest paid on the loans made from the fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay for administrative costs, not to exceed one-half of one percent of the amount of the interest payment. The Bank shall contract with a certified public accounting firm to audit the fund annually if the fund has any outstanding loans. The cost of the audit must be paid from the fund.

3. The Bank of North Dakota shall extend a line of credit to the industrial commission to support loans or loan guarantees issued from the clean sustainable energy fund. The line of credit may not exceed two hundred fifty million dollars, and the interest rate associated with the line of credit must be the prevailing interest rate charged to North Dakota governmental entities. The industrial commission shall repay the line of credit from moneys available in the clean sustainable energy fund derived from payments received on loans issued under this chapter or other sources. If the moneys available from the clean sustainable energy fund on June 30, 2025, are not sufficient to repay the line of credit, the industrial commission shall request from the legislative assembly a deficiency appropriation to repay the line of credit or the industrial commission may repay the line of credit from other funds, as appropriated by the legislative assembly.

4. The industrial commission may access the line of credit to the extent needed through June 30, 2025, to provide funding as authorized by the legislative assembly to support loans or loan guarantees issued from the clean sustainable energy fund. Any moneys borrowed from the Bank of North Dakota pursuant to this section must be transferred to the clean sustainable energy fund to support loans or loan guarantees."

Page 11, after line 25, insert:

"SECTION 33. LEGISLATIVE INTENT - AREA CAREER CENTERS - FUTURE COSTS. It is the intent of the sixty-seventh legislative assembly that school districts:

1. Prepare to provide for any future operating and maintenance costs relating to new or expanded area career centers resulting from the expenditure of federal coronavirus capital projects funds because state funds will not be provided to replace these federal funds; and

2. Prepare to provide increased local support for area career centers since state grant funding is limited and may not be available to support any increased future costs related to new or expanded area career centers completed with these federal funds."

Page 12, after line 12, insert:

"SECTION 35. LEGISLATIVE MANAGEMENT STUDY - STATE EMPLOYEE COMPENSATION. During the 2021-22 interim, the legislative management shall consider studying the classified state employee compensation system, including a review of the development and determination of pay grades and classifications. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 36. LEGISLATIVE MANAGEMENT STUDY - CHARITABLE GAMING. During the 2021-22 interim, the legislative management shall study the expansion of electronic pull tab devices in the state. The study must include the laws and regulatory structure of electronic pull tab devices; the allowable and actual expenses of electronic pull tab devices; the impacts on charitable and tribal gaming revenues; the impacts on gambling addiction; and a cost-benefit analysis of the increase in charitable gaming revenues, tribal casino jobs, and impacted services. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 37. EMERGENCY. Sections 3, 6, and 8 of this Act and Senate Bill No. 2140, as approved by the sixty-seventh legislative assembly, are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Office of Management and Budget						
Total all funds	$41,662,367	$47,361,750	$1,413,062	$48,774,812	$48,824,813	($50,001)
Less estimated income	8,746,515	14,252,906	495,507	14,748,413	14,748,413	0
General fund	$32,915,852	$33,108,844	$917,555	$34,026,399	$34,076,400	($50,001)
FTE	112.00	112.00	(4.00)	108.00	108.00	0.00
State Treasurer						
Total all funds	$0	$8,100,000	$11,900,000	$20,000,000	$8,200,000	$11,800,000
Less estimated income	0	8,100,000	11,900,000	20,000,000	8,200,000	11,800,000
General fund	$0	$0	$0	$0	$0	$0

FTE	0.00	0.00	0.00	0.00	0.00	0.00
Judicial Branch						
Total all funds	$0	$0	$157,600	$157,600	$157,600	$0
Less estimated income	0	0	157,600	157,600	157,600	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Public Instruction						
Total all funds	$0	$0	$5,900,000	$5,900,000	$5,900,000	$0
Less estimated income	0	0	5,900,000	5,900,000	5,900,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
University of North Dakota						
Total all funds	$0	$0	$9,000,000	$9,000,000	$9,000,000	$0
Less estimated income	0	0	5,000,000	5,000,000	5,000,000	0
General fund	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Dickinson State University						
Total all funds	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
Less estimated income	0	0	4,000,000	4,000,000	4,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Mayville State University						
Total all funds	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
Less estimated income	0	0	0	0	0	0
General fund	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Dept. of Career and Technical Education						
Total all funds	$0	$0	$70,000,000	$70,000,000	$78,000,000	($8,000,000)
Less estimated income	0	0	70,000,000	70,000,000	78,000,000	(8,000,000)
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Highway Patrol						
Total all funds	$0	$0	$3,000,000	$3,000,000	$3,000,000	$0
Less estimated income	0	0	3,000,000	3,000,000	3,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Agriculture						
Total all funds	$0	$0	$0	$0	$5,000,000	($5,000,000)
Less estimated income	0	0	0	0	5,000,000	(5,000,000)
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Transportation						
Total all funds	$0	$0	$55,000,000	$55,000,000	$21,800,000	$33,200,000
Less estimated income	0	0	55,000,000	55,000,000	21,800,000	33,200,000
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Bill total						
Total all funds	$41,662,367	$55,461,750	$161,970,662	$217,432,412	$183,882,413	$33,549,999
Less estimated income	8,746,515	22,352,906	155,453,107	177,806,013	145,806,013	32,000,000
General fund	$32,915,852	$33,108,844	$6,517,555	$39,626,399	$38,076,400	$1,549,999
FTE	112.00	112.00	(4.00)	108.00	108.00	0.00

House Bill No. 1015 - Office of Management and Budget - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	$21,903,816	$22,797,003	($870,024)	$21,926,979	$21,926,979	
Operating expenses	14,937,426	15,430,128	883,086	16,313,214	16,313,214	
Capital assets	767,125	5,534,619		5,534,619	5,534,619	
Grants	54,000					
Emergency commission contingency fund	500,000	400,000		400,000	400,000	
Guardianship grants	1,950,000	2,050,000	400,000	2,450,000	2,450,000	
Prairie public broadcasting	1,200,000	800,000	400,000	1,200,000	1,200,001	($1)
Community service supervision grants	350,000	250,000	100,000	350,000	400,000	(50,000)
Student internship program		100,000		100,000	100,000	
Federal coronavirus capital projects			500,000	500,000	500,000	
Total all funds	$41,662,367	$47,361,750	$1,413,062	$48,774,812	$48,824,813	($50,001)
Less estimated income	8,746,515	14,252,906	495,507	14,748,413	14,748,413	0
General fund	$32,915,852	$33,108,844	$917,555	$34,026,399	$34,076,400	($50,001)
FTE	112.00	112.00	(4.00)	108.00	108.00	0.00

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

	Adjusts Funding for Salary Increases[1]	Transfers FTE Positions for IT Unification[2]	Adds Funding for Statewide Dues[3]	Adds Funding for Grants[4]	Total Conference Committee Changes
Salaries and wages	($23,477)	($846,547)			($870,024)
Operating expenses		866,061	$17,025		883,086
Capital assets					
Grants					
Emergency commission contingency fund					
Guardianship grants				$400,000	400,000
Prairie public broadcasting				400,000	400,000
Community service supervision grants				100,000	100,000
Student internship program					
Federal coronavirus capital projects				500,000	500,000
Total all funds	($23,477)	$19,514	$17,025	$1,400,000	$1,413,062
Less estimated income	(4,493)	0	0	500,000	495,507
General fund	($18,984)	$19,514	$17,025	$900,000	$917,555
FTE	0.00	(4.00)	0.00	0.00	(4.00)

[1] Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of $100, and 2 percent on July 1, 2022, the same as the Senate. The House provided salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of $100 and a maximum monthly increase of $250.

[2] Four FTE positions are transferred to the Information Technology Department for the IT unification project, reducing salaries and wages by $846,547 and increasing operating expenses by $866,061. The Senate included the IT unification project, but the House did not.

[3] Funding of $17,025 from the general fund is added for increased costs associated with statewide memberships and dues, the same as the Senate. The House did not increase funding for statewide memberships and dues.

[4] Funding of $1,400,000 is added as follows:

- $400,000 from the general fund for guardianship grants to provide a total of $2,450,000, the same as the Senate. The House provided a total of $2,050,000.
- $400,000 from the general fund for Prairie Public Broadcasting to provide a total of $1,200,000, a decrease of $1 from the Senate. The House provided a total of $800,000.
- $100,000 from the general fund for community service supervision grants to provide a total of $350,000. The

House provided a total of $250,000, and the Senate provided a total of $400,000.

- $500,000 from federal funds derived from the federal Coronavirus Capital Projects Fund for a capital project grant for construction of a new medical center in Griggs County, the same as the Senate. The House did not include this funding.

This amendment also:

- Includes a section added by the Senate to appropriate funding from the federal Coronavirus Capital Projects Fund to various agencies for eligible capital projects. The House did not include this section.
- Appropriates $20 million from the tax relief fund ($11.8 million) and the state disaster relief fund ($10 million) to the State Treasurer for allocations to townships for road and bridge projects. The Senate provided $30 million from the state disaster relief fund ($8.2 million), the tax relief fund ($11.8 million), and the strategic investment and improvements fund ($10 million) for township road and bridge projects. The House provided $8.1 million from the state disaster relief fund for township road and bridge projects.
- Transfers $1 million from the strategic investment and improvements fund to the cultural endowment fund for arts initiatives, the same as the Senate. The House did not include this transfer.
- Adjusts the transfer from the tax relief fund to the human service finance fund to provide $187,223,092, the same as the Senate. The House provided for a transfer of $187,385,888.
- Adjusts the funding identified from the Capitol building fund for extraordinary repairs to match the $500,000 appropriated in Section 1 of the bill, the same as the Senate. The House appropriated $500,000 for extraordinary repairs.
- Increases the amount of funding identified for statewide memberships and dues totaling $642,089. The Senate increased the funding for statewide memberships and dues. The House provided $625,064 for statewide memberships and dues.
- Adjusts the compensation guidelines to reflect an average increase of 1.5 percent with a monthly minimum of $100 in the 1st year of the biennium and an average increase of 2 percent in the 2nd year of the biennium, the same as the Senate. The House provided an average increase of 1.5 percent with a monthly minimum of $100 and a monthly maximum of $200 for both years of the biennium.
- Removes the requirement for the Securities Commissioner to be skilled in securities and removes the restriction that the Securities Commissioner may not hold any other public office. The Senate also removed this requirement, but the House did not include this change.
- Requires a notice filing for certain securities held as investments from the legacy fund, the same as the Senate. The House did not include this requirement.
- Authorizes the Bank of North Dakota to provide a line of credit of up to $250 million to support loans or loan guarantees under the clean sustainable energy fund, which was added by the Senate. The House did not authorize this line of credit.
- Adds a Legislative Management study of state employee compensation, the same as the Senate. The House did not include a study of state employee compensation.
- Provides an emergency clause for community service supervision fund grants, federal coronavirus capital projects, a boiler project at Mayville State University, and Senate Bill No. 2140, relating to repayments under the professional student exchange program. The Senate included an emergency clause for selected items, but the House did not.

House Bill No. 1015 - State Treasurer - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Non-oil township grants		$8,100,000	$11,900,000	$20,000,000	$8,200,000	$11,800,000
Total all funds	$0	$8,100,000	$11,900,000	$20,000,000	$8,200,000	$11,800,000
Less estimated income	0	8,100,000	11,900,000	20,000,000	8,200,000	11,800,000
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 120 - State Treasurer - Detail of Conference Committee Changes

	Increases Funding for Grants[1]	Total Conference Committee Changes
Non-oil township grants	$11,900,000	$11,900,000
Total all funds	$11,900,000	$11,900,000
Less estimated income	11,900,000	11,900,000
General fund	$0	$0
FTE	0.00	0.00

[1] Funding for grants to non-oil-producing townships is increased by $11.9 million to provide a total of $20 million for township road and bridge projects. Of the $20 million, $8.2 million is from the state disaster relief fund and $11.8 million is from the tax relief fund. The State Treasurer is required to distribute $10 million as equal allocations to all the townships and $10 million based on road miles. The House provided $8.1 million from the disaster relief fund for township road and bridge projects. The Senate provided a total of $30 million for township road and bridge projects, including $8.2 million from the disaster relief fund, $11.8 million from the tax relief fund, and $10 million from the strategic investment and improvements fund.

House Bill No. 1015 - Judicial Branch - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$157,600	$157,600	$157,600	
Total all funds	$0	$0	$157,600	$157,600	$157,600	$0
Less estimated income	0	0	157,600	157,600	157,600	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 180 - Judicial Branch - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$157,600	$157,600
Total all funds	$157,600	$157,600
Less estimated income	157,600	157,600
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $157,600 from the federal Coronavirus Capital Projects Fund is added for information technology equipment, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - Department of Public Instruction - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$5,900,000	$5,900,000	$5,900,000	
Total all funds	$0	$0	$5,900,000	$5,900,000	$5,900,000	$0
Less estimated income	0	0	5,900,000	5,900,000	5,900,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 201 - Department of Public Instruction - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$5,900,000	$5,900,000
Total all funds	$5,900,000	$5,900,000
Less estimated income	5,900,000	5,900,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $5.9 million from the federal Coronavirus Capital Projects Fund is added for a grant to an entity for the development of a children's science center in Minot, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - University of North Dakota - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$5,000,000	$5,000,000	$5,000,000	
Space command initiative			4,000,000	4,000,000	4,000,000	
Total all funds	$0	$0	$9,000,000	$9,000,000	$9,000,000	$0
Less estimated income	0	0	5,000,000	5,000,000	5,000,000	0
General fund	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 230 - University of North Dakota - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$5,000,000	$5,000,000
Space command initiative	4,000,000	4,000,000
Total all funds	$9,000,000	$9,000,000
Less estimated income	5,000,000	5,000,000
General fund	$4,000,000	$4,000,000
FTE	0.00	0.00

[1] One-time funding of $5 million from the federal Coronavirus Capital Projects Fund is added for reconstruction of the University of North Dakota's apron at the Grand Forks airport. One-time funding of $4 million from the general fund is added for a space command initiative. These items were also added by the Senate. The House did not include funding for these items.

House Bill No. 1015 - Dickinson State University - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$4,000,000	$4,000,000	$4,000,000	
Total all funds	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
Less estimated income	0	0	4,000,000	4,000,000	4,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 239 - Dickinson State University - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$4,000,000	$4,000,000
Total all funds	$4,000,000	$4,000,000
Less estimated income	4,000,000	4,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $4 million from the federal Coronavirus Capital Projects Fund is added for a Pulver Hall, meat processing laboratory, and other projects at Dickinson State University, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - Mayville State University - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Capital assets			$1,600,000	$1,600,000		$1,600,000
Total all funds	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
Less estimated income	0	0	0	0	0	0
General fund	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 240 - Mayville State University - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Capital assets	$1,600,000	$1,600,000
Total all funds	$1,600,000	$1,600,000
Less estimated income	0	0
General fund	$1,600,000	$1,600,000
FTE	0.00	0.00

[1] One-time funding of $1.6 million from the general fund is added a boiler project at Mayville State University. Neither the House nor the Senate included this funding.

House Bill No. 1015 - Dept. of Career and Technical Education - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$70,000,000	$70,000,000	$78,000,000	($8,000,000)
Total all funds	$0	$0	$70,000,000	$70,000,000	$78,000,000	($8,000,000)
Less estimated income	0	0	70,000,000	70,000,000	78,000,000	(8,000,000)
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 270 - Dept. of Career and Technical Education - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$70,000,000	$70,000,000
Total all funds	$70,000,000	$70,000,000
Less estimated income	70,000,000	70,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $70 million from the federal Coronavirus Capital Projects Fund is added for a statewide career academy initiative grant program. The Senate provided $78 million from the federal Coronavirus Capital Projects fund, but the House did not include this funding.

House Bill No. 1015 - Highway Patrol - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$3,000,000	$3,000,000	$3,000,000	
Total all funds	$0	$0	$3,000,000	$3,000,000	$3,000,000	$0
Less estimated income	0	0	3,000,000	3,000,000	3,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 504 - Highway Patrol - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$3,000,000	$3,000,000
Total all funds	$3,000,000	$3,000,000
Less estimated income	3,000,000	3,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $3 million from the federal Coronavirus Capital Projects Fund is added for a law enforcement training center remodel project, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - Department of Agriculture - Conference Committee Action

The Conference Committee did not add the funding for the grasslands grazing grant program included in the Senate version. The funding was included in House Bill No. 1009, the budget for the Agriculture Commissioner.

House Bill No. 1015 - Department of Transportation - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Capital assets			$55,000,000	$55,000,000		$55,000,000
Township road projects					$21,800,000	(21,800,000)
Total all funds	$0	$0	$55,000,000	$55,000,000	$21,800,000	$33,200,000
Less estimated income	0	0	55,000,000	55,000,000	21,800,000	33,200,000
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 801 - Department of Transportation - Detail of Conference Committee Changes

	Adds Funding for Road and Bridge Projects[1]	Total Conference Committee Changes
Capital assets	$55,000,000	$55,000,000
Township road projects		
Total all funds	$55,000,000	$55,000,000
Less estimated income	55,000,000	55,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] Funding of $55 million from federal funds is added as matching funds for road and bridge projects, of which $35 million is to match funding provided through bonding in House Bill No. 1431 and $20 million is to match funding allocated to townships. Neither the House nor the Senate included this funding.

House Bill No. 1015 - Other Changes - Conference Committee Action

Other changes in this amendment, which were not included by the House or Senate, include:

- Authorizes the Department of Transportation to create cooperative agreements for matching federal funds.
- Amends North Dakota Century Code Section 54-09-05, as amended by House Bill No. 1002, to correct the effective date for the salary increase of the Secretary of State.
- Adds a statement of legislative intent regarding future funding for operating and maintenance costs associated with new area career centers.
- Adds a Legislative Management study regarding charitable gaming.

2021 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Brynhild Haugland Room, State Capitol

HB 1015
4/29/2021
Conference Committee

BILL for an Act to adjust state agency spending authority approved by the emergency commission and budget section;

4:37 Chairman Delzer Called the meeting to order, roll call was taken; Chairman Delzer Representative Pollert and Boschee; Senators Holmberg, Wardner and Heckaman

Discussion Topics:

- Amendments

4:37 Chairman Delzer Explains new amendments 21.0274.02051 #11705

4:41 Senator Wardner – Makes a motion to adopt the amendment except section 36

Representative Boschee- Second

4:42 Voice Vote was taken; - Motion Carries

Senator Heckaman- Explains her amendment 21.0274.02031 #11711

4:45 Senator Heckaman- Makes a motion to adopt the amendment

Representative Boschee –Seconds the motion

4:46 Voice Vote – Motion Carries

Representative Boschee- Explains his amendment 21.0274.02029 #11710

4:49 Representative Boschee- Makes a motion to adopt the amendment

Senator Holmberg -Seconds

4:49 Voice Vote- Motion Carries

Representative Boschee- Explains amendment 21.0274.02042 #11704

4:52 Representative Boschee- Makes a motion to adopt the amendment

Heckaman- Second

Roll Call Vote – 4-2-0 Motion Fails

4:54 Representative Pollert –Explains Amendment 21.0274.02038 #11703

Senator Wardner- Second

4:57 Voice Vote- Motion Carries

Senator Holmberg - Explains amendment 21.0274.02050 #11702 and makes a motion to adopt the amendment

Wardner- Second

5:00 Voice Vote- Motion Carries

Senator Wardner- Explains amendment 21.0274.02023 #11701

5:03 Representative Boschee –Seconds the motion

5:07 Voice Vote- Motion Carries

Senator Wardner- Explains amendment 21.0274.02045 #11700

5:15 Senator Wardner Makes a motion to adopt amendment

Senator Holmberg- Seconds the motion

5:21 Roll Call Vote 5-1-0 Motion Carries

Chairman Delzer Explains amendment 21.0274.02025 #11706

Senator Holberg – Makes a motion to adopt amendment

Representative Boschee Second

5:25 Voice Vote- Motion Carries

Chairman Delzer- Explains the amendment 21.0274.02049 #11709

5:36 Chairman Delzer- Explains the amendment 21.0274.02052 #11708

Representative Pollert- Makes a motion to adopt the amendment

Senator Holmberg Second

5:40 Voice Vote- Motion Carries

5:48 Chairman Delzer Closed the meeting for HB 1015

Risa Berube,

House Appropriations Committee Clerk

Prepared by the Legislative Council staff for
Conference Committee
April 29, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the House accede to the Senate amendments as printed on page 1866-1883 of the House Journal and page 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be further amended as follows:

Page 1, line 3, after the semicolon insert "to provide an appropriation to the department of career and technical education, the department of public instruction, the university of North Dakota, Dickinson state university, the highway patrol, the judicial branch, the department of transportation, and Mayville state university; to create and enact a new section to chapter 10-04 and a new section to chapter 24-02 of the North Dakota Century Code, relating to notice filing for certain legacy fund investments and cooperative transportation agreements;"

Page 1, line 3, after "reenact" insert "subsection 1 of section 10-04-03, section 54-09-05, as amended by section 4 of House Bill No. 1002, as approved by the sixty-seventh legislative assembly, a new chapter to title 54, as created by section 3 of House Bill No. 1452, as approved by the sixty-seventh legislative assembly,"

Page 1, line 5, after "to" insert "qualifications of the securities commissioner, the salary of the secretary of state, the clean sustainable energy authority,"

Page 1, line 10, after "exemption" insert "; to provide a statement of legislative intent"

Page 1, line 11, remove "and"

Page 1, line 11, after "report" insert "; and to declare an emergency"

Page 1, remove lines 21 through 24

Page 2, replace lines 1 through 9 with:

"Salaries and wages	$21,903,816	$23,163	$21,926,979
Operating expenses	14,937,426	1,375,788	16,313,214
Emergency commission contingency fund	500,000	(100,000)	400,000
Capital assets	767,125	4,767,494	5,534,619
Grants	54,000	(54,000)	0
Guardianship grants	1,950,000	500,000	2,450,000
Prairie public broadcasting	1,200,000	0	1,200,000
Community service supervision grants	350,000	0	350,000
State student internship program	0	100,000	100,000
Total all funds	$41,662,367	$6,612,445	$48,274,812
Less estimated income	8,746,515	5,501,898	14,248,413
Total general fund	$32,915,852	$1,110,547	$34,026,399
Full-time equivalent positions	112.00	(4.00)	108.00"

Page 3, line 8, replace "biennium beginning July 1, 2021" with "period beginning with the effective date of this Act"

Page 3, line 10, after "**FUND**" insert "**- TAX RELIEF FUND**"

Page 3, line 11, after the boldfaced period insert "1. a."

Page 3, line 14, replace "$8,100,000" with "$8,200,000"

Page 3, line 15, after the comma insert "and out of any moneys in the tax relief fund in the state treasury, not otherwise appropriated, the sum of $1,800,000, or so much of the sum as may be necessary,"

Page 3, line 18, after the period insert "b."

Page 3, line 18, replace "$8,100,000" with "$10,000,000"

Page 3, line 21, after "an" insert "equal"

Page 3, line 21, remove "of $5,000"

Page 3, line 22, after the period insert "c."

Page 3, line 23, replace "section" with "subsection"

Page 3, line 24, replace "section" with "subsection"

Page 3, line 25, after the period insert "d."

Page 3, line 25, replace "section" with "subsection"

Page 3, line 27, replace "section" with "subsection"

Page 3, line 28, after the period insert "e."

Page 3, after line 31, insert:

"2. a. There is appropriated out of any moneys in the tax relief fund in the state treasury, not otherwise appropriated, the sum of $10,000,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of providing distributions to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county, for the biennium beginning July 1, 2021, and ending June 30, 2023.

b. In August 2021, the state treasurer shall distribute $10,000,000, or so much of the sum as may be necessary, to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county. The distribution to each non-oil-producing county must provide for an allocation to each organized and unorganized township that is proportional to the number of township road miles in each organized and unorganized township relative to the combined total township road miles in all the organized and unorganized townships in all the non-oil-producing counties. The township road miles must be based on certifications provided to the state treasurer using roadway mileage criteria from the department of transportation.

c. The amount allocated to organized townships under this subsection must be paid by the county treasurer to each organized township. The amount allocated to unorganized townships under this subsection must be credited by the county treasurer to a special fund for unorganized township roads.

d. The distributions under this subsection must be used for the maintenance and improvement of township paved and unpaved roads and bridges.

e. For the purposes of this subsection, a "non-oil-producing county" means a county that has received no allocation of funding or a total allocation of funding under subsection 2 of section 57-51-15 of less than $5,000,000 for the period beginning September 1, 2019, and ending August 31, 2020.

SECTION 5. APPROPRIATION - FEDERAL FUNDS - DEPARTMENT OF TRANSPORTATION. There is appropriated out of any moneys derived from federal funds, not otherwise appropriated, the sum of $55,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of road and bridge projects, for the biennium beginning July 1, 2021, and ending June 30, 2023. Of the $55,000,000, $35,000,000 is federal funds that may be matched by funding appropriated in section 10 of House Bill No. 1431, as approved by the sixty-seventh legislative assembly, for road and bridge projects, and $20,000,000 is federal funds that may be matched by funding appropriated in section 4 of this Act for township road and bridge projects pursuant to cooperative agreements.

SECTION 6. APPROPRIATION - FEDERAL CORONAVIRUS CAPITAL PROJECTS FUND - MATCHING FUNDS - ONE-TIME FUNDING.

1. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $70,000,000, or so much of the sum as may be necessary, to the department of career and technical education for the purpose of a statewide area career center initiative grant program for the period beginning with the effective date of this Act, and ending June 30, 2023. The department of career and technical education shall establish the application process and develop eligibility requirements for the grant program that must include:

   a. Funding may be used only for career and technical education projects involving construction, addition, maintenance, and equipment for new and existing area career centers;

   b. Grants awarded to each recipient must be at least $500,000, but may not exceed $10,000,000;

   c. Grants may be awarded only to the extent a school district has secured matching funds from nonstate sources on a dollar-for-dollar basis;

   d. An applicant identifying sufficient future nonstate sources of funding for ongoing operating and maintenance costs associated with a new or expanded area career center;

   e. The application period for the grant program begins with the effective date of this Act and ends on June 30, 2022. Any funding not committed by December 31, 2022, may not be spent and must be canceled at the end of the 2021-23 biennium in accordance with section 54-44.1-11;

f. Preference must be given to school districts that collaborate with other school districts for a regional area career center facility or to school districts to create a new area career center or use an existing area career center to positively affect that region of the state; and

g. Preference must be given to school districts that will promote postsecondary education and workforce training education in conjunction with secondary education.

2. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $5,900,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing a grant to an entity for the development of a children's science center for the period beginning with the effective date of this Act, and ending June 30, 2023.

3. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $5,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of reconstruction of the university's apron at the Grand Forks airport for the period beginning with the effective date of this Act, and ending June 30, 2023.

4. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $4,000,000, or so much of the sum as may be necessary, to Dickinson state university for the purpose of a Pulver hall project, a meat processing laboratory remodel, and other projects for the period beginning with the effective date of this Act, and ending June 30, 2023.

5. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $3,000,000, or so much of the sum as may be necessary, to the highway patrol for the purpose of a law enforcement training center remodel project for the period beginning with the effective date of this Act, and ending June 30, 2023.

6. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $500,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of providing a grant for the construction of a new medical center located in the county seat of Griggs County for the period beginning with the effective date of this Act, and ending June 30, 2023.

7. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $157,600, or so much of the sum as may be necessary, to the judicial branch for the purpose of purchasing information technology equipment for the period beginning with the effective date of this Act, and ending June 30, 2023.

8. If the federal government distributes funding derived from the federal coronavirus capital projects fund to the state in more than one funding

round, the office of management and budget shall prioritize the amounts received in the first funding round as follows:

a. $19,763,000 to the department of career and technical education;

b. $11,716,400 to the parks and recreation department;

c. $5,900,000 to the department of public instruction;

d. $5,000,000 to the university of North Dakota;

e. $4,200,000 to the state historical society;

f. $4,000,000 to Dickinson state university;

g. $3,000,000 to the highway patrol;

h. $2,000,000 to the agriculture commissioner;

i. $500,000 to the office of management and budget; and

j. $157,600 to the judicial branch.

9. The funding provided under this section may be spent only to the extent the director of the office of management and budget, in consultation with the budget section, determines the use of the funding complies with federal guidance for the federal coronavirus capital projects fund. The funding provided under this section is considered a one-time funding item.

SECTION 7. LEGISLATIVE INTENT - AREA CAREER CENTERS - FUTURE COSTS. It is the intent of the sixty-seventh legislative assembly that school districts:

1. Prepare to provide for any future operating and maintenance costs relating to new or expanded area career centers resulting from the expenditure of federal coronavirus capital projects funds because state funds will not be provided to replace these federal funds; and

2. Prepare to provide increased local support for area career centers since state grant funding is limited and may not be available to support any increased future costs related to new or expanded area career centers completed with these federal funds.

SECTION 8. APPROPRIATION - UNIVERSITY OF NORTH DAKOTA - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $4,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of a space command initiative and related technical programs, including equipment, renovation costs, a sensitive compartmental information facility, and other expenses for the biennium beginning July 1, 2021, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 9. APPROPRIATION - MAYVILLE STATE UNIVERSITY - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $1,600,000, or so much of the sum as may be necessary, to Mayville state university for a natural gas boiler project, for the period beginning with the effective date of this Act, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 10. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO CULTURAL ENDOWMENT FUND - INTENT. The office of management and budget shall transfer the sum of $1,000,000 from the strategic investment and improvements fund to the cultural endowment fund during the biennium beginning July 1, 2021, and ending June 30, 2023. It is the intent of the sixty-seventh legislative assembly that the council on the arts expend up to $50,000 annually from the cultural endowment fund pursuant to the appropriation authority provided in section 2 of Senate Bill No. 2010 during the 2021-23 biennium for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program. It is further the intent of the legislative assembly that the council on the arts continue to expend $50,000 annually from the cultural endowment fund for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program until the moneys derived from the strategic investment and improvements fund transfer authorized under this section and deposited in the fund have been fully expended."

Page 4, line 2, replace "$187,385,888" with "$187,223,092"

Page 4, line 11, replace "$2,268,800" with "$2,168,800"

Page 4, line 12, replace "$2,268,800" with "$2,168,800"

Page 4, line 14, replace "$600,000" with "$500,000"

Page 4, replace line 26 with:

"Statewide memberships and related expenses $642,089"

Page 5, line 10, remove "and a maximum of $250 and a maximum of $250"

Page 5, line 11, remove "per month"

Page 5, line 11, replace "each" with "the first"

Page 5, line 11, after "biennium" insert "and are to average 2 percent per eligible employee for the second year of the biennium"

Page 5, line 15, remove "and maximum"

Page 5, after line 26, insert:

"**SECTION 18. AMENDMENT.** Subsection 1 of section 10-04-03 of the North Dakota Century Code is amended and reenacted as follows:

1. The state securities department is under the supervision of a chief officer designated as the securities commissioner. The securities commissioner must be appointed by the governor and confirmed by the senate and shall hold office for a term of four years, beginning on the first day of July following a national presidential election and continuing until a successor has been appointed, confirmed by the senate, and has qualified, unless removed as herein provided. If the senate is not in session, the governor may make an interim appointment, and the interim appointee ~~shall~~may hold office until the senate confirms or rejects the appointment. ~~The commissioner must be skilled in securities and may not be an incumbent of any other public office in the state.~~ The commissioner may not own or control any security required to be registered under this chapter, or any security which is exempt based on the approval of the securities

department. The commissioner may not be an officer, director, or employee of any broker-dealer, agent, investment adviser, or investment adviser representative required to be registered under this chapter, or of a federal covered adviser required to be notice-filed under this chapter. The governor may remove from office any commissioner who fails to discharge faithfully the duties of office or who becomes disqualified under the provisions of this section.

It is the prime duty of the commissioner to administer the provisions of this chapter. The commissioner shall receive a salary within the amount appropriated for salaries by the legislative assembly. The commissioner shall use a seal with the words "securities commissioner, North Dakota" and such design as the commissioner may prescribe engraved thereon by which seal the commissioner may authenticate documents used in the administration of this chapter. The commissioner may employ such employees as are necessary for the administration of this chapter. In the absence or disability of the commissioner, the deputy or designee of the commissioner ~~shall~~may administer the provisions of this chapter as acting commissioner.

SECTION 19. A new section to chapter 10-04 of the North Dakota Century Code is created and enacted as follows:

Legacy fund investments - Notice filing.

1. Within thirty days of completion of the transaction, any issuer of securities in receipt of an investment from the legacy fund under paragraph 3 of subdivision a of subsection 3 of section 21-10-11 or under subdivision b of subsection 3 of section 21-10-11, as created by section 4 of House Bill No. 1425 as approved by the sixty-seventh legislative assembly, shall file electronically a notice on a form prescribed by the commissioner and containing information as required by the commissioner.

2. The notice filing requirement under this section does not exempt the issuer from or supersede any other provision of this chapter.

SECTION 20. A new section to chapter 24-02 of the North Dakota Century Code is created and enacted as follows:

Cooperative agreements - Federal transportation-related aid and safety and mobility.

The director may enter into cooperative agreements with any transferee under section 54-27-19 or any federal agency operating a national park and may expend highway fund moneys pursuant to legislative appropriations to match federal funds for the purposes of providing assistance with the assessment, design, and construction of projects to improve the safety and mobility of people or goods in the state.

SECTION 21. AMENDMENT. Section 54-09-05 of the North Dakota Century Code, as amended by section 4 of House Bill No. 1002, as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

54-09-05. Salary of secretary of state.

The annual salary of the secretary of state is one hundred twelve thousand two hundred forty-one dollars through June 30, ~~2021~~2022, and one hundred fourteen thousand four hundred eighty-six dollars thereafter.

SECTION 22. AMENDMENT. A new chapter to title 54 of the North Dakota Century Code, as created by section 3 of House Bill No. 1452 as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

Definitions.

As used in this chapter:

1. "Authority" means the clean sustainable energy authority.

2. "Clean" means a technology or concept that reduces emissions to the air, water, or land and meets or exceeds state and federal environmental regulations.

3. "Commission" means the industrial commission.

4. "Fund" means the clean sustainable energy fund.

5. "Program" means the clean sustainable energy program.

6. "Sustainable" means a technology or concept that allows the use of a natural resource to be maintained or enhanced through increased efficiency and life cycle benefits while either increasing or not adversely impacting energy security, affordability, reliability, resilience, or national security.

Clean sustainable energy authority - Purpose.

There is created the clean sustainable energy authority to support research, development, and technological advancements through partnerships and financial support for the large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery. The purpose of the financial support is to enhance the production of clean sustainable energy, to make the state a world leader in the production of clean sustainable energy, and to diversify and grow the state's economy.

Clean sustainable energy authority - Membership - Meetings.

1. The clean sustainable energy authority consists of sixteen members, including eight voting members and eight nonvoting technical advisors.

2. The eight voting members consist of:

   a. One member appointed by the legislative management to serve as chairman;

   b. Two members appointed by the lignite research council;

   c. Two members appointed by the oil and gas research council;

d. Two members appointed by the renewable energy council; and

e. One member appointed by the western Dakota energy association.

3. The eight nonvoting technical advisors consist of:

   a. One member appointed by the North Dakota outdoor heritage fund advisory board;

   b. The commissioner of commerce or the commissioner's designee;

   c. The director of the department of environmental quality or the director's designee;

   d. The director of mineral resources or the director's designee;

   e. The director of the North Dakota pipeline authority or the director's designee;

   f. The director of the North Dakota transmission authority or the director's designee;

   g. The director of the state energy research center or the director's designee;

   h. The president of the Bank of North Dakota or the president's designee;

4. The term of office for the chairman is two years. The term of office for the other voting members is four years, and the other voting members may not serve more than two consecutive terms. The terms of office for the voting members commence on July first. The initial terms for the voting members of the authority must be staggered following a method determined by the authority.

5. The authority shall meet at least semiannually. The chairman shall call a meeting upon written request from three voting members of the authority. Five voting members is a quorum at any meeting.

6. The authority may not forward a recommendation to the commission unless the recommendation fulfills the purposes of this chapter and is approved by a majority of the voting members of the authority.

Clean sustainable energy authority - Duties - Report.

1. The authority shall make recommendations to the commission for program guidelines, including eligibility criteria for entities to receive funding under this chapter.

2. The nonvoting technical advisors shall develop a process to review and evaluate projects to determine the technical merits and feasibility of any application, including potential benefits of the development of low-emission technology, the expansion of the development of the state's natural resources or energy production, and the contribution to the economic diversity in the state.

3. The authority may develop a loan program or a loan guarantee program under the clean sustainable energy fund. The Bank of North Dakota shall administer the loan program or loan guarantee program. The interest rate of a loan under this program may not exceed two percent per year. The maximum term of a loan under this section must be approved by the commission based on a recommendation from the authority. The Bank shall review applications for loans or loan guarantees and shall consider the business plan, financial statements, and other information necessary to evaluate the application. To be eligible for a loan or loan guarantee, an entity shall agree to provide the Bank of North Dakota with information as requested. The Bank of North Dakota may develop policies for loan participation with local financial institutions.

4. The authority shall make recommendations to the commission for grant awards, loan approvals, or other financial assistance to provide funding to support research, development, and technological advancements for the large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery in accordance with this chapter. Any projects, processes, activities, and technologies selected by the commission for funding must have been recommended by the authority, must demonstrate feasibility based on a technical review conducted by the nonvoting technical advisors of the authority, must have other sources of financial support, and must achieve the priorities and purposes of the program. At the request of the authority, the Bank of North Dakota shall provide a recommendation regarding the economic feasibility of a project, process, activity, or technology under consideration by the authority. The Bank shall review the business plan, financial statements, and other information necessary to provide a recommendation.

5. The authority may consult with any other state agency necessary to carry out the purposes under this chapter.

6. Each biennium, the authority shall provide a written report to the legislative management regarding its activities and the program's financial impact on state revenues and the state's economy.

Clean sustainable energy program - Powers and duties of the commission.

1. The commission is granted all the powers necessary to carry out the purposes of this chapter, including the power to:

   a. Provide grants, loans, or other forms of financial assistance to qualified entities for the research, demonstration, development, and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and use energy sources derived from within the state. Other forms of financial assistance include venture capital investments and interest rate buydowns. The commission must require an entity to provide assurance of financial and other types of support that demonstrate a commitment to the project, process, activity, or technology. The commission may develop policies for the approval of loans or loan guarantees issued from the clean sustainable energy fund.

b. Enter into contracts or agreements to carry out the purposes of this chapter, including contracting for the administration of the program.

c. Keep accurate records of all financial transactions performed under this chapter.

d. Cooperate with any private, local, state, or national organization to make contracts and agreements for programs that advance the mission of the program.

e. Accept loan repayments, donations, grants, contributions, or gifts from any public or private source to carry out the purposes of this chapter, which must be deposited in the clean sustainable energy fund.

f. Make guidelines necessary to carry out the purposes of this chapter, including guidelines relating to the ownership of intellectual property.

g. Borrow from the Bank of North Dakota, as authorized by the legislative assembly, to make loans or loan guarantees under a loan program or loan guarantee program developed by the clean sustainable energy authority.

2. The commission may acquire, purchase, hold, use, lease, license, sell, transfer, or dispose of any interest in an asset necessary for clean sustainable energy technology development to facilitate the production, transportation, distribution, or delivery of clean energy commodities produced in the state as a purchases of last resort.

3. The commission shall provide administrative support to the authority for the operation of the program, including the preparation of forms, review of applications, and ongoing review of any contracts. The commission may contract with a public or private entity to provide technical assistance necessary to implement the purposes of this chapter.

4. The commission is not subject to the reporting requirements under chapter 54-60.1.

Clean sustainable energy program - Access to records.

1. To the extent the commission or authority determines the materials or data consist of trade secrets or commercial, financial, or proprietary information of individuals or entities applying to or contracting with the commission or receiving commission services under this chapter, materials and data submitted to, made by, or received by the commission or authority, are not public records subject to section 44-04-18 and section 6 of article XI of the Constitution of North Dakota, and are subject to section 44-04-18.4.

2. A person or entity may file a request with the commission to have material designated as confidential under subsection 1. The request must contain any information required by the commission and must include at least the following:

   a. A general description of the nature of the information sought to be protected.

b. An explanation of why the information derives independent economic value, actual or potential, from not being generally known to other persons.

c. An explanation of why the information is not readily ascertainable by proper means of other persons.

d. A general description of any person that may obtain economic value from disclosure or use of the information, and how the person may obtain this value.

e. A description of the efforts used to maintain the secrecy of the information.

3. Any request under subsection 2 is confidential. The commission shall examine the request and determine whether the information is relevant to the matter at hand and is a trade secret under the definition in section 47-25.1-01 or 44-04-18.4. If the commission determines the information is either not relevant or not a trade secret, the commission shall notify the requester and the requester may ask for the return of the information and the request within ten days of the notice. If no return is sought, the information and request are public record.

4. The names or identities of independent technical reviewers on a project or program are confidential, may not be disclosed by the commission, and are not public records subject to section 44-04-18 or section 6 of article XI of the Constitution of North Dakota.

Clean sustainable energy fund - Continuing appropriation - Line of credit - Loans - Repayments.

1. There is created in the state treasury the clean sustainable energy fund. The fund consists of all moneys transferred to the fund by the legislative assembly; loan proceeds; interest upon moneys in the fund; principal and interest payments to the fund; and donations, grants, and other contributions received by the commission for deposit in the fund. All moneys in the fund are appropriated to the commission on a continuing basis to provide grants, loans, and other financial assistance and for administrative and operating costs of the authority and program pursuant to the provisions under this chapter.

2. Any bond proceeds deposited in the fund must be used for loans or loan guarantees. The Bank of North Dakota shall deposit in the fund all principal and interest paid on the loans made from the fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay for administrative costs, not to exceed one-half of one percent of the amount of the interest payment. The Bank shall contract with a certified public accounting firm to audit the fund annually if the fund has any outstanding loans. The cost of the audit must be paid from the fund.

3. The Bank of North Dakota shall extend a line of credit to the industrial commission to support loans or loan guarantees issued from the clean sustainable energy fund. The line of credit may not exceed two hundred fifty million dollars, and the interest rate associated with the line of credit must be the prevailing interest rate charged to North Dakota governmental

entities. The industrial commission shall repay the line of credit from moneys available in the clean sustainable energy fund derived from payments received on loans issued under this chapter or other sources. If the moneys available from the clean sustainable energy fund on June 30, 2025, are not sufficient to repay the line of credit, the industrial commission shall request from the legislative assembly a deficiency appropriation to repay the line of credit or the industrial commission may repay the line of credit from other funds, as appropriated by the legislative assembly.

4. The industrial commission may access the line of credit to the extent needed through June 30, 2025, to provide funding as authorized by the legislative assembly to support loans or loan guarantees issued from the clean sustainable energy fund. Any moneys borrowed from the Bank of North Dakota pursuant to this section must be transferred to the clean sustainable energy fund to support loans or loan guarantees."

Page 12, after line 12, insert:

"**SECTION 35. LEGISLATIVE MANAGEMENT STUDY - STATE EMPLOYEE COMPENSATION.** During the 2021-22 interim, the legislative management shall consider studying the classified state employee compensation system, including a review of the development and determination of pay grades and classifications. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 36. LEGISLATIVE MANAGEMENT STUDY - CHARITABLE GAMING. During the 2021-22 interim, the legislative management shall study the expansion of electronic pull tab devices in the state. The study must include the laws and regulatory structure of electronic pull tab devices; the allowable and actual expenses of electronic pull tab devices; the impacts on charitable and tribal gaming revenues; the impacts on gambling addiction; and a cost-benefit analysis of the increase in charitable gaming revenues, tribal casino jobs, and impacted services. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 37. EMERGENCY. The following are declared to be an emergency measure:

1. Sections 3, 6, and 9 of this Act;

2. $12,000,000 appropriated from the federal coronavirus relief fund, of which $6,565,432 is in the operating expenses line item and $5,434,568 is in the grants line item in section 1 and identified in sections 2 and 8 of Senate Bill No. 2018, as approved by the sixty-seventh legislative assembly;

3. $100,000 appropriated from the general fund for a motion picture production and recruitment grant in the grants line item in section 1 and identified in section 2 of Senate Bill No. 2018, as approved by the sixty-seventh legislative assembly;

4. Senate Bill No. 2140, as approved by the sixty-seventh legislative assembly; and

5. Senate Bill No. 2317, as approved by the sixty-seventh legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Office of Management and Budget						
Total all funds	$41,662,367	$47,361,750	$1,413,062	$48,774,812	$48,824,813	($50,001)
Less estimated income	8,746,515	14,252,906	495,507	14,748,413	14,748,413	0
General fund	$32,915,852	$33,108,844	$917,555	$34,026,399	$34,076,400	($50,001)
FTE	112.00	112.00	(4.00)	108.00	108.00	0.00
State Treasurer						
Total all funds	$0	$8,100,000	$11,900,000	$20,000,000	$8,200,000	$11,800,000
Less estimated income	0	8,100,000	11,900,000	20,000,000	8,200,000	11,800,000
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Judicial Branch						
Total all funds	$0	$0	$157,600	$157,600	$157,600	$0
Less estimated income	0	0	157,600	157,600	157,600	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Public Instruction						
Total all funds	$0	$0	$5,900,000	$5,900,000	$5,900,000	$0
Less estimated income	0	0	5,900,000	5,900,000	5,900,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
University of North Dakota						
Total all funds	$0	$0	$9,000,000	$9,000,000	$9,000,000	$0
Less estimated income	0	0	5,000,000	5,000,000	5,000,000	0
General fund	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Dickinson State University						
Total all funds	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
Less estimated income	0	0	4,000,000	4,000,000	4,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Mayville State University						
Total all funds	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
Less estimated income	0	0	0	0	0	0
General fund	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Dept. of Career and Technical Education						
Total all funds	$0	$0	$70,000,000	$70,000,000	$78,000,000	($8,000,000)
Less estimated income	0	0	70,000,000	70,000,000	78,000,000	(8,000,000)
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Highway Patrol						
Total all funds	$0	$0	$3,000,000	$3,000,000	$3,000,000	$0
Less estimated income	0	0	3,000,000	3,000,000	3,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Agriculture						
Total all funds	$0	$0	$0	$0	$5,000,000	($5,000,000)
Less estimated income	0	0	0	0	5,000,000	(5,000,000)
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Transportation						
Total all funds	$0	$0	$55,000,000	$55,000,000	$21,800,000	$33,200,000
Less estimated income	0	0	55,000,000	55,000,000	21,800,000	33,200,000
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Bill total						
Total all funds	$41,662,367	$55,461,750	$161,970,662	$217,432,412	$183,882,413	$33,549,999
Less estimated income	8,746,515	22,352,906	155,453,107	177,806,013	145,806,013	32,000,000
General fund	$32,915,852	$33,108,844	$6,517,555	$39,626,399	$38,076,400	$1,549,999
FTE	112.00	112.00	(4.00)	108.00	108.00	0.00

House Bill No. 1015 - Office of Management and Budget - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	$21,903,816	$22,797,003	($870,024)	$21,926,979	$21,926,979	
Operating expenses	14,937,426	15,430,128	883,086	16,313,214	16,313,214	
Capital assets	767,125	5,534,619		5,534,619	5,534,619	
Grants	54,000					
Emergency commission contingency fund	500,000	400,000		400,000	400,000	
Guardianship grants	1,950,000	2,050,000	400,000	2,450,000	2,450,000	
Prairie public broadcasting	1,200,000	800,000	400,000	1,200,000	1,200,001	($1)
Community service supervision grants	350,000	250,000	100,000	350,000	400,000	(50,000)
Student internship program		100,000		100,000	100,000	
Federal coronavirus capital projects			500,000	500,000	500,000	
Total all funds	$41,662,367	$47,361,750	$1,413,062	$48,774,812	$48,824,813	($50,001)
Less estimated income	8,746,515	14,252,906	495,507	14,748,413	14,748,413	0
General fund	$32,915,852	$33,108,844	$917,555	$34,026,399	$34,076,400	($50,001)
FTE	112.00	112.00	(4.00)	108.00	108.00	0.00

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

	Adjusts Funding for Salary Increases[1]	Transfers FTE Positions for IT Unification[2]	Adds Funding for Statewide Dues[3]	Adds Funding for Grants[4]	Total Conference Committee Changes
Salaries and wages	($23,477)	($846,547)			($870,024)
Operating expenses		866,061	$17,025		883,086
Capital assets					
Grants					
Emergency commission contingency fund					
Guardianship grants				$400,000	400,000
Prairie public broadcasting				400,000	400,000
Community service supervision grants				100,000	100,000
Student internship program					
Federal coronavirus capital projects				500,000	500,000
Total all funds	($23,477)	$19,514	$17,025	$1,400,000	$1,413,062
Less estimated income	(4,493)	0	0	500,000	495,507
General fund	($18,984)	$19,514	$17,025	$900,000	$917,555
FTE	0.00	(4.00)	0.00	0.00	(4.00)

[1] Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of $100, and 2 percent on July 1, 2022, the same as the Senate. The House provided salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of $100 and a maximum monthly increase of $250.

[2] Four FTE positions are transferred to the Information Technology Department for the IT unification project, reducing salaries and wages by $846,547 and increasing operating expenses by $866,061. The Senate included the IT unification project, but the House did not.

[3] Funding of $17,025 from the general fund is added for increased costs associated with statewide memberships and dues, the same as the Senate. The House did not increase funding for statewide memberships and dues.

[4] Funding of $1,400,000 is added as follows:

- $400,000 from the general fund for guardianship grants to provide a total of $2,450,000, the same as the Senate. The House provided a total of $2,050,000.
- $400,000 from the general fund for Prairie Public Broadcasting to provide a total of $1,200,000, a decrease of $1 from the Senate. The House provided a total of $800,000.
- $100,000 from the general fund for community service supervision grants to provide a total of $350,000. The House provided a total of $250,000, and the Senate provided a total of $400,000.
- $500,000 from federal funds derived from the federal Coronavirus Capital Projects Fund for a capital project grant for construction of a new medical center in Griggs County, the same as the Senate. The House did not include this funding.

This amendment also:

- Includes a section added by the Senate to appropriate funding from the federal Coronavirus Capital Projects Fund to various agencies for eligible capital projects. The House did not include this section.
- Appropriates $20 million from the tax relief fund ($11.8 million) and the state disaster relief fund ($10 million) to the State Treasurer for allocations to townships for road and bridge projects. The Senate provided $30 million from the state disaster relief fund ($8.2 million), the tax relief fund ($11.8 million), and the strategic investment and improvements fund ($10 million) for township road and bridge projects. The House provided $8.1 million from the state disaster relief fund for township road and bridge projects.
- Transfers $1 million from the strategic investment and improvements fund to the cultural endowment fund for arts initiatives, the same as the Senate. The House did not include this transfer.
- Adjusts the transfer from the tax relief fund to the human service finance fund to provide $187,223,092, the same as the Senate. The House provided for a transfer of $187,385,888.
- Adjusts the funding identified from the Capitol building fund for extraordinary repairs to match the $500,000 appropriated in Section 1 of the bill, the same as the Senate. The House appropriated $500,000 for extraordinary repairs.
- Increases the amount of funding identified for statewide memberships and dues totaling $642,089. The Senate

increased the funding for statewide memberships and dues. The House provided $625,064 for statewide memberships and dues.

- Adjusts the compensation guidelines to reflect an average increase of 1.5 percent with a monthly minimum of $100 in the 1st year of the biennium and an average increase of 2 percent in the 2nd year of the biennium, the same as the Senate. The House provided an average increase of 1.5 percent with a monthly minimum of $100 and a monthly maximum of $200 for both years of the biennium.
- Removes the requirement for the Securities Commissioner to be skilled in securities and removes the restriction that the Securities Commissioner may not hold any other public office. The Senate also removed this requirement, but the House did not include this change.
- Requires a notice filing for certain securities held as investments from the legacy fund, the same as the Senate. The House did not include this requirement.
- Authorizes the Bank of North Dakota to provide a line of credit of up to $250 million to support loans or loan guarantees under the clean sustainable energy fund, which was added by the Senate. The House did not authorize this line of credit.
- Adds a Legislative Management study of state employee compensation, the same as the Senate. The House did not include a study of state employee compensation.
- Provides an emergency clause for community service supervision fund grants, federal coronavirus capital projects, and Senate Bill No. 2140, relating to repayments under the professional student exchange program, the same as the Senate. The House did not include an emergency clause.

House Bill No. 1015 - State Treasurer - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Non-oil township grants		$8,100,000	$11,900,000	$20,000,000	$8,200,000	$11,800,000
Total all funds	$0	$8,100,000	$11,900,000	$20,000,000	$8,200,000	$11,800,000
Less estimated income	0	8,100,000	11,900,000	20,000,000	8,200,000	11,800,000
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 120 - State Treasurer - Detail of Conference Committee Changes

	Increases Funding for Grants[1]	Total Conference Committee Changes
Non-oil township grants	$11,900,000	$11,900,000
Total all funds	$11,900,000	$11,900,000
Less estimated income	11,900,000	11,900,000
General fund	$0	$0
FTE	0.00	0.00

[1] Funding for grants to non-oil-producing townships is increased by $11.9 million to provide a total of $20 million for township road and bridge projects. Of the $20 million, $8.2 million is from the state disaster relief fund and $11.8 million is from the tax relief fund. The State Treasurer is required to distribute $10 million as equal allocations to all the townships and $10 million based on road miles. The House provided $8.1 million from the disaster relief fund for township road and bridge projects. The Senate provided a total of $30 million for township road and bridge projects, including $8.2 million from the disaster relief fund, $11.8 million from the tax relief fund, and $10 million from the strategic investment and improvements fund.

House Bill No. 1015 - Judicial Branch - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$157,600	$157,600	$157,600	
Total all funds	$0	$0	$157,600	$157,600	$157,600	$0
Less estimated income	0	0	157,600	157,600	157,600	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 180 - Judicial Branch - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$157,600	$157,600
Total all funds	$157,600	$157,600
Less estimated income	157,600	157,600
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $157,600 from the federal Coronavirus Capital Projects Fund is added for information technology equipment, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - Department of Public Instruction - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$5,900,000	$5,900,000	$5,900,000	
Total all funds	$0	$0	$5,900,000	$5,900,000	$5,900,000	$0
Less estimated income	0	0	5,900,000	5,900,000	5,900,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 201 - Department of Public Instruction - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$5,900,000	$5,900,000
Total all funds	$5,900,000	$5,900,000
Less estimated income	5,900,000	5,900,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $5.9 million from the federal Coronavirus Capital Projects Fund is added for a grant to an entity for the development of a children's science center in Minot, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - University of North Dakota - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$5,000,000	$5,000,000	$5,000,000	
Space command initiative			4,000,000	4,000,000	4,000,000	
Total all funds	$0	$0	$9,000,000	$9,000,000	$9,000,000	$0
Less estimated income	0	0	5,000,000	5,000,000	5,000,000	0
General fund	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 230 - University of North Dakota - Detail of Conference Committee Changes

	Adds Funding for Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$5,000,000	$5,000,000
Space command initiative	4,000,000	4,000,000
Total all funds	$9,000,000	$9,000,000
Less estimated income	5,000,000	5,000,000
General fund	$4,000,000	$4,000,000
FTE	0.00	0.00

[1] One-time funding of $5 million from the federal Coronavirus Capital Projects Fund is added for reconstruction of the University of North Dakota's apron at the Grand Forks airport. One-time funding of $4 million from the general fund is added for a space command initiative. These items were also added by the Senate. The House did not include funding for these items.

House Bill No. 1015 - Dickinson State University - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$4,000,000	$4,000,000	$4,000,000	
Total all funds	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
Less estimated income	0	0	4,000,000	4,000,000	4,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 239 - Dickinson State University - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$4,000,000	$4,000,000
Total all funds	$4,000,000	$4,000,000
Less estimated income	4,000,000	4,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $4 million from the federal Coronavirus Capital Projects Fund is added for a Pulver Hall, meat processing laboratory, and other projects at Dickinson State University, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - Mayville State University - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Capital assets			$1,600,000	$1,600,000		$1,600,000
Total all funds	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
Less estimated income	0	0	0	0	0	0
General fund	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 240 - Mayville State University - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Capital assets	$1,600,000	$1,600,000
Total all funds	$1,600,000	$1,600,000
Less estimated income	0	0
General fund	$1,600,000	$1,600,000
FTE	0.00	0.00

[1] One-time funding of $1.6 million from the general fund is added a boiler project at Mayville State University. Neither the House nor the Senate included this funding.

House Bill No. 1015 - Dept. of Career and Technical Education - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$70,000,000	$70,000,000	$78,000,000	($8,000,000)
Total all funds	$0	$0	$70,000,000	$70,000,000	$78,000,000	($8,000,000)
Less estimated income	0	0	70,000,000	70,000,000	78,000,000	(8,000,000)
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 270 - Dept. of Career and Technical Education - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$70,000,000	$70,000,000
Total all funds	$70,000,000	$70,000,000
Less estimated income	70,000,000	70,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $70 million from the federal Coronavirus Capital Projects Fund is added for a statewide area career center initiative grant program. The Senate provided $78 million from the federal Coronavirus Capital Projects fund, but the House did not include this funding.

House Bill No. 1015 - Highway Patrol - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$3,000,000	$3,000,000	$3,000,000	
Total all funds	$0	$0	$3,000,000	$3,000,000	$3,000,000	$0
Less estimated income	0	0	3,000,000	3,000,000	3,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 504 - Highway Patrol - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$3,000,000	$3,000,000
Total all funds	$3,000,000	$3,000,000
Less estimated income	3,000,000	3,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $3 million from the federal Coronavirus Capital Projects Fund is added for a law enforcement training center remodel project, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - Department of Agriculture - Conference Committee Action

The Conference Committee did not add the funding for the grasslands grazing grant program included in the Senate version. The funding was included in House Bill No. 1009, the budget for the Agriculture Commissioner.

House Bill No. 1015 - Department of Transportation - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Capital assets			$55,000,000	$55,000,000		$55,000,000
Township road projects					$21,800,000	(21,800,000)
Total all funds	$0	$0	$55,000,000	$55,000,000	$21,800,000	$33,200,000
Less estimated income	0	0	55,000,000	55,000,000	21,800,000	33,200,000
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 801 - Department of Transportation - Detail of Conference Committee Changes

	Adds Funding for Road and Bridge Projects[1]	Total Conference Committee Changes
Capital assets	$55,000,000	$55,000,000
Township road projects		
Total all funds	$55,000,000	$55,000,000
Less estimated income	55,000,000	55,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] Funding of $55 million from federal funds is added as matching funds for road and bridge projects, of which

$35 million is to match funding provided through bonding in House Bill No. 1431 and $20 million is to match funding allocated to townships. Neither the House nor the Senate included this funding.

House Bill No. 1015 - Other Changes - Conference Committee Action

Other changes in this amendment, which were not included by the House or Senate, include:

- Authorizes the Department of Transportation to create cooperative agreements for matching federal funds.
- Amends North Dakota Century Code Section 54-09-05, as amended by House Bill No. 1002, to correct the effective date for the salary increase of the Secretary of State.
- Adds a statement of legislative intent regarding future funding for operating and maintenance costs associated with new area career centers.
- Adds a Legislative Management study regarding charitable gaming.
- Adds an emergency clause for $1.6 million from the general fund for a boiler project at Mayville State University; $12 million from the federal Coronavirus Relief Fund in Senate Bill No. 2018; $100,000 from the general fund for a motion picture production and recruitment grant in Senate Bill No. 2018; and Senate Bill No. 2317, relating to capital assets as collateral for coal power plant bonding.

Prepared by the Legislative Council staff for
Senator Heckaman
April 26, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the Senate recede from its amendments as printed on pages 1866-1883 of the House Journal and pages 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be amended as follows:

Page 1, line 3, after the semicolon insert "to provide an appropriation to the judicial branch;"

Page 3, after line 31, insert:

"**SECTION 5. APPROPRIATION - JUDICIAL BRANCH - YOUTH CULTURAL ACHIEVEMENT PROGRAMS.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $90,000, or so much of the sum as may be necessary, to the judicial branch for youth cultural achievement programs, for the biennium beginning July 1, 2021, and ending June 30, 2023."

Renumber accordingly

Prepared by the Legislative Council staff for
Representative Boschee
April 26, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 3, after the semicolon insert "to provide an appropriation to the judicial branch;"

Page 3, after line 31, insert:

"SECTION 5. APPROPRIATION - JUDICIAL BRANCH - VETERANS' COURT. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $145,247, or so much of the sum as may be necessary, to the judicial branch for the purpose of establishing a veterans' treatment court in the northeast central judicial district, for the biennium beginning July 1, 2021, and ending June 30, 2023."

Renumber accordingly

Prepared by the Legislative Council staff for
Representative Boschee
April 28, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the Senate recede from its amendments as printed on pages 1866-1883 of the House Journal and pages 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be amended as follows:

Page 1, line 3, after "reenact" insert "subdivision c of subsection 1 of section 26.1-36-09.15,"

Page 1, line 4, after the first comma insert "and"

Page 1, line 5, after "to" insert "telehealth,"

Page 5, after line 26, insert:

"**SECTION 12. AMENDMENT.** Subdivision c of subsection 1 of section 26.1-36-09.15 of the North Dakota Century Code is amended and reenacted as follows:

c. "Health care provider" includes an individual licensed under chapter 43-05, 43-06, 43-12.1 as a registered nurse or as an advanced practice registered nurse, 43-13, 43-15, 43-17, 43-26.1, 43-28, 43-32, 43-37, 43-40, 43-41, 43-42, 43-44, 43-45, 43-47, 43-53, 43-58, or 43-60."

Renumber accordingly

Prepared by the Legislative Council staff

April 28, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 12, after line 12, insert:

"**SECTION 24. LEGISLATIVE MANAGEMENT STUDY - BIOLOGIC MANUFACTURING SALES TAX EXEMPTION.** During the 2021-22 interim, the legislative management shall consider studying the fiscal impact of providing a sales tax exemption for raw materials critical to the manufacturing process used to support biologic product generation, product impurity removal, chemical or physical product alteration, and analysis of in-process to final deliverable products. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

02035

Prepared by the Legislative Council staff for
Senator Holmberg
April 29, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the House accede to the Senate amendments as printed on page 1866-1883 of the House Journal and page 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be further amended as follows:

Page 1, line 3, after the semicolon insert "to provide an appropriation to the department of commerce;"

Page 3, after line 31, insert:

"**SECTION 5. APPROPRIATION - DEPARTMENT OF COMMERCE - DISCRETIONARY FUNDS - ONE-TIME FUNDING.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $1,000,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of providing discretionary funds, for the biennium beginning July 1, 2021, and ending June 30, 2023. This funding is considered a one-time funding item."

Renumber accordingly

Prepared by the Legislative Council staff for
Senator Wardner
April 26, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the House accede to the Senate amendments as printed on pages 1866-1883 of the House Journal and pages 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be further amended as follows:

Page 3, after line 31 insert:

"SECTION 9. 2019-21 BIENNIUM APPROPRIATION - TRANSFER - GENERAL FUND TO HIGHWAY FUND - 2021-23 BIENNIUM APPROPRIATION - HIGHWAY FUND AND FEDERAL FUNDS - REPORT.

1. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $100,000,000, which the office of management and budget shall transfer to the highway fund during the period beginning with the effective date of this Act, and ending June 30, 2021. The funds transferred to the highway fund must be maintained and reported separately from other funds in the highway fund.

2. There is appropriated out of any moneys in the highway fund, not otherwise appropriated, the sum of $100,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of matching federal discretionary funds received in excess of the regular federal funding amounts included in the department's 2021-23 biennium budget, for the biennium beginning July 1, 2021, and ending June 30, 2023. Of this amount, the department shall use at least $10,000,000 for matching federal funds for township road and bridge projects.

3. There is appropriated from federal funds, the sum of $100,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of defraying the expenses of road and bridge construction projects for the biennium beginning July 1, 2021, and ending June 30, 2023.

4. On June 30, 2023, the office of management and budget shall transfer any unexpended and unobligated funds transferred to the highway fund under subsection 1 to the general fund.

5. During the 2021-22 interim, the department of transportation shall provide quarterly reports to the budget section regarding the use of funds transferred from the general fund to the highway fund."

Page 4, after line 26 insert:

"SECTION 18. LEGACY FUND EARNINGS ESTIMATE - 2019-21 BIENNIUM. For legislative council budget status reporting purposes, the sixty-seventh legislative assembly estimates $736,000,000 of earnings will be transferred from the legacy fund to the general fund at the end of the biennium beginning July 1, 2019, and ending June 30, 2021."

Page 4, after line 26 insert:

"**SECTION 38. EMERGENCY.** Section 9 of this Act is declared to be an emergency measure."

Renumber accordingly

Prepared by the Legislative Council staff for
Senator Wardner
April 29, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the House accede to the Senate amendments as printed on page 1866-1883 of the House Journal and page 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be further amended as follows:

Page 1, line 9, after the first semicolon insert "to provide a contingent appropriation;"

Page 3, after line 31, insert:

"**SECTION 5. CONTINGENT APPROPRIATION - THEODORE ROOSEVELT PRESIDENTIAL LIBRARY - LOAN REPAYMENT - ONE-TIME FUNDING.** Subject to the provisions of this section, there is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $17,500,000, or so much of the sum as may be necessary, to the Bank of North Dakota for the purpose of repaying the loan authorized in section 8 of chapter 26 of the 2019 Session Laws related to the Theodore Roosevelt presidential library, for the biennium beginning July 1, 2021, and ending June 30, 2023. The funding provided in this section is available only if the actual July 1, 2021, general fund balance exceeds the legislative estimate made at the close of the 2021 legislative session by at least $17,500,000, as determined by the office of management and budget. This funding is considered a one-time funding item."

Renumber accordingly

Prepared by the Legislative Council staff for
Representative Meier
April 26, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the Senate recede from its amendments as printed on pages 1866-1883 of the House Journal and pages 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be amended as follows:

Page 1, line 3, after the semicolon insert "to create and enact a new subsection to section 54-44-04 of the North Dakota Century Code, relating to employee salary increases;"

Page 5, after line 26, insert:

"**SECTION 12.** A new subsection to section 54-44-04 of the North Dakota Century Code is created and enacted as follows:

Shall prepare and submit a quarterly report to the legislative management of each agency that gives any full-time state employee salary increases between April 1, 2021, and June 30, 2023, which cumulatively are fifteen percent or more over the employee's base salary as of March 31, 2021. The report must include the name of each employee receiving the increase and any relevant salary information."

Renumber accordingly

Prepared by the Legislative Council staff for
Representative Delzer
April 29, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the Senate recede from its amendments as printed on pages 1866-1883 of the House Journal and pages 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be amended as follows:

Page 4, after line 9, insert:

"**SECTION 7. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO GENERAL FUND.** The office of management and budget shall transfer the sum of $410,000,000 from the strategic investment and improvements fund to the general fund during the biennium beginning July 1, 2021, and ending June 30, 2023."

Renumber accordingly

Date: 4/29/2021
Roll Call Vote #: 1

2021 HOUSE CONFERENCE COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. HB 1015 engrossed

House Appropriations Committee

Action Taken
- ☐ **HOUSE accede to Senate Amendments**
- ☐ **HOUSE accede to Senate Amendments and further amend**
- ☐ **SENATE recede from Senate amendments**
- ☐ **SENATE recede from Senate amendments and amend as follows**

☐ **Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Representative Boschee Seconded by: Senator Heckaman

Representatives	4/29			**Yes**	**No**		**Senators**	4/29			**Yes**	**No**
Delzer	P				X		Holmberg	P			X	
Pollert	P				X		Wardner	P			X	
Boschee	P			X			Heckaman	P			X	
Total Rep. Vote	3	0	0	1	2		Total Senate Vote	3	0	0	3	0

Vote Count Yes: 4 No: 2 Absent: 0

House Carrier Chairman Delzer Senate Carrier Senator Holmberg

LC Number _____ . _____ of amendment

LC Number _____ . _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

Amendment #21.0274.02042

Motion Fails

Date: 4/29/2021
Roll Call Vote #: 2

2021 HOUSE CONFERENCE COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. HB 1015 engrossed

House Appropriations Committee

Action Taken
- ☐ **HOUSE accede to Senate Amendments**
- ☐ **HOUSE accede to Senate Amendments and further amend**
- ☐ **SENATE recede from Senate amendments**
- ☐ **SENATE recede from Senate amendments and amend as follows**

☐ **Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Senator Wardner Seconded by: Senator Holmberg

Representatives	4/29			Yes	No		Senators	4/29			Yes	No
Delzer	P				X		Holmberg	P			X	
Pollert	P			X			Wardner	P			X	
Boschee	P			X			Heckaman	P			X	
Total Rep. Vote	3	0	0	2	1		Total Senate Vote	3	0	0	3	0

Vote Count Yes: 5 No: 1 Absent: 0

House Carrier Chairman Delzer Senate Carrier Senator Holmberg

LC Number _____ . _____ of amendment

LC Number _____ . _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

Amendment #21.0274.02045

Motion Carries

21.0274.02051
Title.
Fiscal No. 4

Prepared by the Legislative Council staff for
Conference Committee
April 29, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the House accede to the Senate amendments as printed on page 1866-1883 of the House Journal and page 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be further amended as follows:

Page 1, line 3, after the semicolon insert "to provide an appropriation to the department of career and technical education, the department of public instruction, the university of North Dakota, Dickinson state university, the highway patrol, the judicial branch, the department of transportation, and Mayville state university; to create and enact a new section to chapter 10-04 and a new section to chapter 24-02 of the North Dakota Century Code, relating to notice filing for certain legacy fund investments and cooperative transportation agreements;"

Page 1, line 3, after "reenact" insert "subsection 1 of section 10-04-03, section 54-09-05, as amended by section 4 of House Bill No. 1002, as approved by the sixty-seventh legislative assembly, a new chapter to title 54, as created by section 3 of House Bill No. 1452, as approved by the sixty-seventh legislative assembly,"

Page 1, line 5, after "to" insert "qualifications of the securities commissioner, the salary of the secretary of state, the clean sustainable energy authority,"

Page 1, line 10, after "exemption" insert "; to provide a statement of legislative intent"

Page 1, line 11, remove "and"

Page 1, line 11, after "report" insert "; and to declare an emergency"

Page 1, remove lines 21 through 24

Page 2, replace lines 1 through 9 with:

"Salaries and wages	$21,903,816	$23,163	$21,926,979
Operating expenses	14,937,426	1,375,788	16,313,214
Emergency commission contingency fund	500,000	(100,000)	400,000
Capital assets	767,125	4,767,494	5,534,619
Grants	54,000	(54,000)	0
Guardianship grants	1,950,000	500,000	2,450,000
Prairie public broadcasting	1,200,000	0	1,200,000
Community service supervision grants	350,000	0	350,000
State student internship program	0	100,000	100,000
Total all funds	$41,662,367	$6,612,445	$48,274,812
Less estimated income	8,746,515	5,501,898	14,248,413
Total general fund	$32,915,852	$1,110,547	$34,026,399
Full-time equivalent positions	112.00	(4.00)	108.00"

Page 3, line 8, replace "biennium beginning July 1, 2021" with "period beginning with the effective date of this Act"

Page 3, line 10, after "**FUND**" insert "**- TAX RELIEF FUND**"

Page 3, line 11, after the boldfaced period insert "1. a."

Page 3, line 14, replace "$8,100,000" with "$8,200,000"

Page 3, line 15, after the comma insert "and out of any moneys in the tax relief fund in the state treasury, not otherwise appropriated, the sum of $1,800,000, or so much of the sum as may be necessary,"

Page 3, line 18, after the period insert "b."

Page 3, line 18, replace "$8,100,000" with "$10,000,000"

Page 3, line 21, after "an" insert "equal"

Page 3, line 21, remove "of $5,000"

Page 3, line 22, after the period insert "c."

Page 3, line 23, replace "section" with "subsection"

Page 3, line 24, replace "section" with "subsection"

Page 3, line 25, after the period insert "d."

Page 3, line 25, replace "section" with "subsection"

Page 3, line 27, replace "section" with "subsection"

Page 3, line 28, after the period insert "e."

Page 3, after line 31, insert:

"2. a. There is appropriated out of any moneys in the tax relief fund in the state treasury, not otherwise appropriated, the sum of $10,000,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of providing distributions to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county, for the biennium beginning July 1, 2021, and ending June 30, 2023.

b. In August 2021, the state treasurer shall distribute $10,000,000, or so much of the sum as may be necessary, to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county. The distribution to each non-oil-producing county must provide for an allocation to each organized and unorganized township that is proportional to the number of township road miles in each organized and unorganized township relative to the combined total township road miles in all the organized and unorganized townships in all the non-oil-producing counties. The township road miles must be based on certifications provided to the state treasurer using roadway mileage criteria from the department of transportation.

c. The amount allocated to organized townships under this subsection must be paid by the county treasurer to each organized township. The amount allocated to unorganized townships under this subsection must be credited by the county treasurer to a special fund for unorganized township roads.

d. The distributions under this subsection must be used for the maintenance and improvement of township paved and unpaved roads and bridges.

e. For the purposes of this subsection, a "non-oil-producing county" means a county that has received no allocation of funding or a total allocation of funding under subsection 2 of section 57-51-15 of less than $5,000,000 for the period beginning September 1, 2019, and ending August 31, 2020.

SECTION 5. APPROPRIATION - FEDERAL FUNDS - DEPARTMENT OF TRANSPORTATION. There is appropriated out of any moneys derived from federal funds, not otherwise appropriated, the sum of $55,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of road and bridge projects, for the biennium beginning July 1, 2021, and ending June 30, 2023. Of the $55,000,000, $35,000,000 is federal funds that may be matched by funding appropriated in section 10 of House Bill No. 1431, as approved by the sixty-seventh legislative assembly, for road and bridge projects, and $20,000,000 is federal funds that may be matched by funding appropriated in section 4 of this Act for township road and bridge projects pursuant to cooperative agreements.

SECTION 6. APPROPRIATION - FEDERAL CORONAVIRUS CAPITAL PROJECTS FUND - MATCHING FUNDS - ONE-TIME FUNDING.

1. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $70,000,000, or so much of the sum as may be necessary, to the department of career and technical education for the purpose of a statewide area career center initiative grant program for the period beginning with the effective date of this Act, and ending June 30, 2023. The department of career and technical education shall establish the application process and develop eligibility requirements for the grant program that must include:

   a. Funding may be used only for career and technical education projects involving construction, addition, maintenance, and equipment for new and existing area career centers;

   b. Grants awarded to each recipient must be at least $500,000, but may not exceed $10,000,000;

   c. Grants may be awarded only to the extent a school district has secured matching funds from nonstate sources on a dollar-for-dollar basis;

   d. An applicant identifying sufficient future nonstate sources of funding for ongoing operating and maintenance costs associated with a new or expanded area career center;

   e. The application period for the grant program begins with the effective date of this Act and ends on June 30, 2022. Any funding not committed by December 31, 2022, may not be spent and must be canceled at the end of the 2021-23 biennium in accordance with section 54-44.1-11;

f. Preference must be given to school districts that collaborate with other school districts for a regional area career center facility or to school districts to create a new area career center or use an existing area career center to positively affect that region of the state; and

g. Preference must be given to school districts that will promote postsecondary education and workforce training education in conjunction with secondary education.

2. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $5,900,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing a grant to an entity for the development of a children's science center for the period beginning with the effective date of this Act, and ending June 30, 2023.

3. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $5,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of reconstruction of the university's apron at the Grand Forks airport for the period beginning with the effective date of this Act, and ending June 30, 2023.

4. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $4,000,000, or so much of the sum as may be necessary, to Dickinson state university for the purpose of a Pulver hall project, a meat processing laboratory remodel, and other projects for the period beginning with the effective date of this Act, and ending June 30, 2023.

5. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $3,000,000, or so much of the sum as may be necessary, to the highway patrol for the purpose of a law enforcement training center remodel project for the period beginning with the effective date of this Act, and ending June 30, 2023.

6. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $500,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of providing a grant for the construction of a new medical center located in the county seat of Griggs County for the period beginning with the effective date of this Act, and ending June 30, 2023.

7. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $157,600, or so much of the sum as may be necessary, to the judicial branch for the purpose of purchasing information technology equipment for the period beginning with the effective date of this Act, and ending June 30, 2023.

8. If the federal government distributes funding derived from the federal coronavirus capital projects fund to the state in more than one funding

round, the office of management and budget shall prioritize the amounts received in the first funding round as follows:

a. $19,763,000 to the department of career and technical education;

b. $11,716,400 to the parks and recreation department;

c. $5,900,000 to the department of public instruction;

d. $5,000,000 to the university of North Dakota;

e. $4,200,000 to the state historical society;

f. $4,000,000 to Dickinson state university;

g. $3,000,000 to the highway patrol;

h. $2,000,000 to the agriculture commissioner;

i. $500,000 to the office of management and budget; and

j. $157,600 to the judicial branch.

9. The funding provided under this section may be spent only to the extent the director of the office of management and budget, in consultation with the budget section, determines the use of the funding complies with federal guidance for the federal coronavirus capital projects fund. The funding provided under this section is considered a one-time funding item.

SECTION 7. LEGISLATIVE INTENT - AREA CAREER CENTERS - FUTURE COSTS. It is the intent of the sixty-seventh legislative assembly that school districts:

1. Prepare to provide for any future operating and maintenance costs relating to new or expanded area career centers resulting from the expenditure of federal coronavirus capital projects funds because state funds will not be provided to replace these federal funds; and

2. Prepare to provide increased local support for area career centers since state grant funding is limited and may not be available to support any increased future costs related to new or expanded area career centers completed with these federal funds.

SECTION 8. APPROPRIATION - UNIVERSITY OF NORTH DAKOTA - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $4,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of a space command initiative and related technical programs, including equipment, renovation costs, a sensitive compartmental information facility, and other expenses for the biennium beginning July 1, 2021, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 9. APPROPRIATION - MAYVILLE STATE UNIVERSITY - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $1,600,000, or so much of the sum as may be necessary, to Mayville state university for a natural gas boiler project, for the period beginning with the effective date of this Act, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 10. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO CULTURAL ENDOWMENT FUND - INTENT. The office of management and budget shall transfer the sum of $1,000,000 from the strategic investment and improvements fund to the cultural endowment fund during the biennium beginning July 1, 2021, and ending June 30, 2023. It is the intent of the sixty-seventh legislative assembly that the council on the arts expend up to $50,000 annually from the cultural endowment fund pursuant to the appropriation authority provided in section 2 of Senate Bill No. 2010 during the 2021-23 biennium for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program. It is further the intent of the legislative assembly that the council on the arts continue to expend $50,000 annually from the cultural endowment fund for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program until the moneys derived from the strategic investment and improvements fund transfer authorized under this section and deposited in the fund have been fully expended."

Page 4, line 2, replace "$187,385,888" with "$187,223,092"

Page 4, line 11, replace "$2,268,800" with "$2,168,800"

Page 4, line 12, replace "$2,268,800" with "$2,168,800"

Page 4, line 14, replace "$600,000" with "$500,000"

Page 4, replace line 26 with:

"Statewide memberships and related expenses $642,089"

Page 5, line 10, remove "and a maximum of $250 and a maximum of $250"

Page 5, line 11, remove "per month"

Page 5, line 11, replace "each" with "the first"

Page 5, line 11, after "biennium" insert "and are to average 2 percent per eligible employee for the second year of the biennium"

Page 5, line 15, remove "and maximum"

Page 5, after line 26, insert:

"**SECTION 18. AMENDMENT.** Subsection 1 of section 10-04-03 of the North Dakota Century Code is amended and reenacted as follows:

1. The state securities department is under the supervision of a chief officer designated as the securities commissioner. The securities commissioner must be appointed by the governor and confirmed by the senate and shall hold office for a term of four years, beginning on the first day of July following a national presidential election and continuing until a successor has been appointed, confirmed by the senate, and has qualified, unless removed as herein provided. If the senate is not in session, the governor may make an interim appointment, and the interim appointee ~~shall~~may hold office until the senate confirms or rejects the appointment. ~~The commissioner must be skilled in securities and may not be an incumbent of any other public office in the state.~~ The commissioner may not own or control any security required to be registered under this chapter, or any security which is exempt based on the approval of the securities

department. The commissioner may not be an officer, director, or employee of any broker-dealer, agent, investment adviser, or investment adviser representative required to be registered under this chapter, or of a federal covered adviser required to be notice-filed under this chapter. The governor may remove from office any commissioner who fails to discharge faithfully the duties of office or who becomes disqualified under the provisions of this section.

It is the prime duty of the commissioner to administer the provisions of this chapter. The commissioner shall receive a salary within the amount appropriated for salaries by the legislative assembly. The commissioner shall use a seal with the words "securities commissioner, North Dakota" and such design as the commissioner may prescribe engraved thereon by which seal the commissioner may authenticate documents used in the administration of this chapter. The commissioner may employ such employees as are necessary for the administration of this chapter. In the absence or disability of the commissioner, the deputy or designee of the commissioner ~~shall~~may administer the provisions of this chapter as acting commissioner.

SECTION 19. A new section to chapter 10-04 of the North Dakota Century Code is created and enacted as follows:

Legacy fund investments - Notice filing.

1. Within thirty days of completion of the transaction, any issuer of securities in receipt of an investment from the legacy fund under paragraph 3 of subdivision a of subsection 3 of section 21-10-11 or under subdivision b of subsection 3 of section 21-10-11, as created by section 4 of House Bill No. 1425 as approved by the sixty-seventh legislative assembly, shall file electronically a notice on a form prescribed by the commissioner and containing information as required by the commissioner.

2. The notice filing requirement under this section does not exempt the issuer from or supersede any other provision of this chapter.

SECTION 20. A new section to chapter 24-02 of the North Dakota Century Code is created and enacted as follows:

Cooperative agreements - Federal transportation-related aid and safety and mobility.

The director may enter into cooperative agreements with any transferee under section 54-27-19 or any federal agency operating a national park and may expend highway fund moneys pursuant to legislative appropriations to match federal funds for the purposes of providing assistance with the assessment, design, and construction of projects to improve the safety and mobility of people or goods in the state.

SECTION 21. AMENDMENT. Section 54-09-05 of the North Dakota Century Code, as amended by section 4 of House Bill No. 1002, as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

54-09-05. Salary of secretary of state.

The annual salary of the secretary of state is one hundred twelve thousand two hundred forty-one dollars through June 30, ~~2021~~2022, and one hundred fourteen thousand four hundred eighty-six dollars thereafter.

SECTION 22. AMENDMENT. A new chapter to title 54 of the North Dakota Century Code, as created by section 3 of House Bill No. 1452 as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

Definitions.

As used in this chapter:

1. "Authority" means the clean sustainable energy authority.

2. "Clean" means a technology or concept that reduces emissions to the air, water, or land and meets or exceeds state and federal environmental regulations.

3. "Commission" means the industrial commission.

4. "Fund" means the clean sustainable energy fund.

5. "Program" means the clean sustainable energy program.

6. "Sustainable" means a technology or concept that allows the use of a natural resource to be maintained or enhanced through increased efficiency and life cycle benefits while either increasing or not adversely impacting energy security, affordability, reliability, resilience, or national security.

Clean sustainable energy authority - Purpose.

There is created the clean sustainable energy authority to support research, development, and technological advancements through partnerships and financial support for the large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery. The purpose of the financial support is to enhance the production of clean sustainable energy, to make the state a world leader in the production of clean sustainable energy, and to diversify and grow the state's economy.

Clean sustainable energy authority - Membership - Meetings.

1. The clean sustainable energy authority consists of sixteen members, including eight voting members and eight nonvoting technical advisors.

2. The eight voting members consist of:

   a. One member appointed by the legislative management to serve as chairman;

   b. Two members appointed by the lignite research council;

   c. Two members appointed by the oil and gas research council;

d. Two members appointed by the renewable energy council; and

e. One member appointed by the western Dakota energy association.

3. The eight nonvoting technical advisors consist of:

   a. One member appointed by the North Dakota outdoor heritage fund advisory board;

   b. The commissioner of commerce or the commissioner's designee;

   c. The director of the department of environmental quality or the director's designee;

   d. The director of mineral resources or the director's designee;

   e. The director of the North Dakota pipeline authority or the director's designee;

   f. The director of the North Dakota transmission authority or the director's designee;

   g. The director of the state energy research center or the director's designee;

   h. The president of the Bank of North Dakota or the president's designee;

4. The term of office for the chairman is two years. The term of office for the other voting members is four years, and the other voting members may not serve more than two consecutive terms. The terms of office for the voting members commence on July first. The initial terms for the voting members of the authority must be staggered following a method determined by the authority.

5. The authority shall meet at least semiannually. The chairman shall call a meeting upon written request from three voting members of the authority. Five voting members is a quorum at any meeting.

6. The authority may not forward a recommendation to the commission unless the recommendation fulfills the purposes of this chapter and is approved by a majority of the voting members of the authority.

Clean sustainable energy authority - Duties - Report.

1. The authority shall make recommendations to the commission for program guidelines, including eligibility criteria for entities to receive funding under this chapter.

2. The nonvoting technical advisors shall develop a process to review and evaluate projects to determine the technical merits and feasibility of any application, including potential benefits of the development of low-emission technology, the expansion of the development of the state's natural resources or energy production, and the contribution to the economic diversity in the state.

3. The authority may develop a loan program or a loan guarantee program under the clean sustainable energy fund. The Bank of North Dakota shall administer the loan program or loan guarantee program. The interest rate of a loan under this program may not exceed two percent per year. The maximum term of a loan under this section must be approved by the commission based on a recommendation from the authority. The Bank shall review applications for loans or loan guarantees and shall consider the business plan, financial statements, and other information necessary to evaluate the application. To be eligible for a loan or loan guarantee, an entity shall agree to provide the Bank of North Dakota with information as requested. The Bank of North Dakota may develop policies for loan participation with local financial institutions.

4. The authority shall make recommendations to the commission for grant awards, loan approvals, or other financial assistance to provide funding to support research, development, and technological advancements for the large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery in accordance with this chapter. Any projects, processes, activities, and technologies selected by the commission for funding must have been recommended by the authority, must demonstrate feasibility based on a technical review conducted by the nonvoting technical advisors of the authority, must have other sources of financial support, and must achieve the priorities and purposes of the program. At the request of the authority, the Bank of North Dakota shall provide a recommendation regarding the economic feasibility of a project, process, activity, or technology under consideration by the authority. The Bank shall review the business plan, financial statements, and other information necessary to provide a recommendation.

5. The authority may consult with any other state agency necessary to carry out the purposes under this chapter.

6. Each biennium, the authority shall provide a written report to the legislative management regarding its activities and the program's financial impact on state revenues and the state's economy.

Clean sustainable energy program - Powers and duties of the commission.

1. The commission is granted all the powers necessary to carry out the purposes of this chapter, including the power to:

   a. Provide grants, loans, or other forms of financial assistance to qualified entities for the research, demonstration, development, and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and use energy sources derived from within the state. Other forms of financial assistance include venture capital investments and interest rate buydowns. The commission must require an entity to provide assurance of financial and other types of support that demonstrate a commitment to the project, process, activity, or technology. The commission may develop policies for the approval of loans or loan guarantees issued from the clean sustainable energy fund.

b. Enter into contracts or agreements to carry out the purposes of this chapter, including contracting for the administration of the program.

c. Keep accurate records of all financial transactions performed under this chapter.

d. Cooperate with any private, local, state, or national organization to make contracts and agreements for programs that advance the mission of the program.

e. Accept loan repayments, donations, grants, contributions, or gifts from any public or private source to carry out the purposes of this chapter, which must be deposited in the clean sustainable energy fund.

f. Make guidelines necessary to carry out the purposes of this chapter, including guidelines relating to the ownership of intellectual property.

g. Borrow from the Bank of North Dakota, as authorized by the legislative assembly, to make loans or loan guarantees under a loan program or loan guarantee program developed by the clean sustainable energy authority.

2. The commission may acquire, purchase, hold, use, lease, license, sell, transfer, or dispose of any interest in an asset necessary for clean sustainable energy technology development to facilitate the production, transportation, distribution, or delivery of clean energy commodities produced in the state as a purchases of last resort.

3. The commission shall provide administrative support to the authority for the operation of the program, including the preparation of forms, review of applications, and ongoing review of any contracts. The commission may contract with a public or private entity to provide technical assistance necessary to implement the purposes of this chapter.

4. The commission is not subject to the reporting requirements under chapter 54-60.1.

Clean sustainable energy program - Access to records.

1. To the extent the commission or authority determines the materials or data consist of trade secrets or commercial, financial, or proprietary information of individuals or entities applying to or contracting with the commission or receiving commission services under this chapter, materials and data submitted to, made by, or received by the commission or authority, are not public records subject to section 44-04-18 and section 6 of article XI of the Constitution of North Dakota, and are subject to section 44-04-18.4.

2. A person or entity may file a request with the commission to have material designated as confidential under subsection 1. The request must contain any information required by the commission and must include at least the following:

   a. A general description of the nature of the information sought to be protected.

b. An explanation of why the information derives independent economic value, actual or potential, from not being generally known to other persons.

c. An explanation of why the information is not readily ascertainable by proper means of other persons.

d. A general description of any person that may obtain economic value from disclosure or use of the information, and how the person may obtain this value.

e. A description of the efforts used to maintain the secrecy of the information.

3. Any request under subsection 2 is confidential. The commission shall examine the request and determine whether the information is relevant to the matter at hand and is a trade secret under the definition in section 47-25.1-01 or 44-04-18.4. If the commission determines the information is either not relevant or not a trade secret, the commission shall notify the requester and the requester may ask for the return of the information and the request within ten days of the notice. If no return is sought, the information and request are public record.

4. The names or identities of independent technical reviewers on a project or program are confidential, may not be disclosed by the commission, and are not public records subject to section 44-04-18 or section 6 of article XI of the Constitution of North Dakota.

Clean sustainable energy fund - Continuing appropriation - Line of credit - Loans - Repayments.

1. There is created in the state treasury the clean sustainable energy fund. The fund consists of all moneys transferred to the fund by the legislative assembly; loan proceeds; interest upon moneys in the fund; principal and interest payments to the fund; and donations, grants, and other contributions received by the commission for deposit in the fund. All moneys in the fund are appropriated to the commission on a continuing basis to provide grants, loans, and other financial assistance and for administrative and operating costs of the authority and program pursuant to the provisions under this chapter.

2. Any bond proceeds deposited in the fund must be used for loans or loan guarantees. The Bank of North Dakota shall deposit in the fund all principal and interest paid on the loans made from the fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay for administrative costs, not to exceed one-half of one percent of the amount of the interest payment. The Bank shall contract with a certified public accounting firm to audit the fund annually if the fund has any outstanding loans. The cost of the audit must be paid from the fund.

3. The Bank of North Dakota shall extend a line of credit to the industrial commission to support loans or loan guarantees issued from the clean sustainable energy fund. The line of credit may not exceed two hundred fifty million dollars, and the interest rate associated with the line of credit must be the prevailing interest rate charged to North Dakota governmental

entities. The industrial commission shall repay the line of credit from moneys available in the clean sustainable energy fund derived from payments received on loans issued under this chapter or other sources. If the moneys available from the clean sustainable energy fund on June 30, 2025, are not sufficient to repay the line of credit, the industrial commission shall request from the legislative assembly a deficiency appropriation to repay the line of credit or the industrial commission may repay the line of credit from other funds, as appropriated by the legislative assembly.

4. The industrial commission may access the line of credit to the extent needed through June 30, 2025, to provide funding as authorized by the legislative assembly to support loans or loan guarantees issued from the clean sustainable energy fund. Any moneys borrowed from the Bank of North Dakota pursuant to this section must be transferred to the clean sustainable energy fund to support loans or loan guarantees."

Page 12, after line 12, insert:

"**SECTION 35. LEGISLATIVE MANAGEMENT STUDY - STATE EMPLOYEE COMPENSATION.** During the 2021-22 interim, the legislative management shall consider studying the classified state employee compensation system, including a review of the development and determination of pay grades and classifications. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 36. LEGISLATIVE MANAGEMENT STUDY - CHARITABLE GAMING. During the 2021-22 interim, the legislative management shall study the expansion of electronic pull tab devices in the state. The study must include the laws and regulatory structure of electronic pull tab devices; the allowable and actual expenses of electronic pull tab devices; the impacts on charitable and tribal gaming revenues; the impacts on gambling addiction; and a cost-benefit analysis of the increase in charitable gaming revenues, tribal casino jobs, and impacted services. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 37. EMERGENCY. The following are declared to be an emergency measure:

1. Sections 3, 6, and 9 of this Act;

2. $12,000,000 appropriated from the federal coronavirus relief fund, of which $6,565,432 is in the operating expenses line item and $5,434,568 is in the grants line item in section 1 and identified in sections 2 and 8 of Senate Bill No. 2018, as approved by the sixty-seventh legislative assembly;

3. $100,000 appropriated from the general fund for a motion picture production and recruitment grant in the grants line item in section 1 and identified in section 2 of Senate Bill No. 2018, as approved by the sixty-seventh legislative assembly;

4. Senate Bill No. 2140, as approved by the sixty-seventh legislative assembly; and

5. Senate Bill No. 2317, as approved by the sixty-seventh legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Office of Management and Budget						
Total all funds	$41,662,367	$47,361,750	$1,413,062	$48,774,812	$48,824,813	($50,001)
Less estimated income	8,746,515	14,252,906	495,507	14,748,413	14,748,413	0
General fund	$32,915,852	$33,108,844	$917,555	$34,026,399	$34,076,400	($50,001)
FTE	112.00	112.00	(4.00)	108.00	108.00	0.00
State Treasurer						
Total all funds	$0	$8,100,000	$11,900,000	$20,000,000	$8,200,000	$11,800,000
Less estimated income	0	8,100,000	11,900,000	20,000,000	8,200,000	11,800,000
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Judicial Branch						
Total all funds	$0	$0	$157,600	$157,600	$157,600	$0
Less estimated income	0	0	157,600	157,600	157,600	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Public Instruction						
Total all funds	$0	$0	$5,900,000	$5,900,000	$5,900,000	$0
Less estimated income	0	0	5,900,000	5,900,000	5,900,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
University of North Dakota						
Total all funds	$0	$0	$9,000,000	$9,000,000	$9,000,000	$0
Less estimated income	0	0	5,000,000	5,000,000	5,000,000	0
General fund	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Dickinson State University						
Total all funds	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
Less estimated income	0	0	4,000,000	4,000,000	4,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Mayville State University						
Total all funds	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
Less estimated income	0	0	0	0	0	0
General fund	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Dept. of Career and Technical Education						
Total all funds	$0	$0	$70,000,000	$70,000,000	$78,000,000	($8,000,000)
Less estimated income	0	0	70,000,000	70,000,000	78,000,000	(8,000,000)
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Highway Patrol						
Total all funds	$0	$0	$3,000,000	$3,000,000	$3,000,000	$0
Less estimated income	0	0	3,000,000	3,000,000	3,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Agriculture						
Total all funds	$0	$0	$0	$0	$5,000,000	($5,000,000)
Less estimated income	0	0	0	0	5,000,000	(5,000,000)
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Transportation						
Total all funds	$0	$0	$55,000,000	$55,000,000	$21,800,000	$33,200,000
Less estimated income	0	0	55,000,000	55,000,000	21,800,000	33,200,000
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Bill total						
Total all funds	$41,662,367	$55,461,750	$161,970,662	$217,432,412	$183,882,413	$33,549,999
Less estimated income	8,746,515	22,352,906	155,453,107	177,806,013	145,806,013	32,000,000
General fund	$32,915,852	$33,108,844	$6,517,555	$39,626,399	$38,076,400	$1,549,999
FTE	112.00	112.00	(4.00)	108.00	108.00	0.00

House Bill No. 1015 - Office of Management and Budget - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	$21,903,816	$22,797,003	($870,024)	$21,926,979	$21,926,979	
Operating expenses	14,937,426	15,430,128	883,086	16,313,214	16,313,214	
Capital assets	767,125	5,534,619		5,534,619	5,534,619	
Grants	54,000					
Emergency commission contingency fund	500,000	400,000		400,000	400,000	
Guardianship grants	1,950,000	2,050,000	400,000	2,450,000	2,450,000	
Prairie public broadcasting	1,200,000	800,000	400,000	1,200,000	1,200,001	($1)
Community service supervision grants	350,000	250,000	100,000	350,000	400,000	(50,000)
Student internship program		100,000		100,000	100,000	
Federal coronavirus capital projects			500,000	500,000	500,000	
Total all funds	$41,662,367	$47,361,750	$1,413,062	$48,774,812	$48,824,813	($50,001)
Less estimated income	8,746,515	14,252,906	495,507	14,748,413	14,748,413	0
General fund	$32,915,852	$33,108,844	$917,555	$34,026,399	$34,076,400	($50,001)
FTE	112.00	112.00	(4.00)	108.00	108.00	0.00

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

	Adjusts Funding for Salary Increases[1]	Transfers FTE Positions for IT Unification[2]	Adds Funding for Statewide Dues[3]	Adds Funding for Grants[4]	Total Conference Committee Changes
Salaries and wages	($23,477)	($846,547)			($870,024)
Operating expenses		866,061	$17,025		883,086
Capital assets					
Grants					
Emergency commission contingency fund					
Guardianship grants				$400,000	400,000
Prairie public broadcasting				400,000	400,000
Community service supervision grants				100,000	100,000
Student internship program					
Federal coronavirus capital projects				500,000	500,000
Total all funds	($23,477)	$19,514	$17,025	$1,400,000	$1,413,062
Less estimated income	(4,493)	0	0	500,000	495,507
General fund	($18,984)	$19,514	$17,025	$900,000	$917,555
FTE	0.00	(4.00)	0.00	0.00	(4.00)

[1] Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of $100, and 2 percent on July 1, 2022, the same as the Senate. The House provided salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of $100 and a maximum monthly increase of $250.

[2] Four FTE positions are transferred to the Information Technology Department for the IT unification project, reducing salaries and wages by $846,547 and increasing operating expenses by $866,061. The Senate included the IT unification project, but the House did not.

[3] Funding of $17,025 from the general fund is added for increased costs associated with statewide memberships and dues, the same as the Senate. The House did not increase funding for statewide memberships and dues.

[4] Funding of $1,400,000 is added as follows:

- $400,000 from the general fund for guardianship grants to provide a total of $2,450,000, the same as the Senate. The House provided a total of $2,050,000.
- $400,000 from the general fund for Prairie Public Broadcasting to provide a total of $1,200,000, a decrease of $1 from the Senate. The House provided a total of $800,000.
- $100,000 from the general fund for community service supervision grants to provide a total of $350,000. The House provided a total of $250,000, and the Senate provided a total of $400,000.
- $500,000 from federal funds derived from the federal Coronavirus Capital Projects Fund for a capital project grant for construction of a new medical center in Griggs County, the same as the Senate. The House did not include this funding.

This amendment also:

- Includes a section added by the Senate to appropriate funding from the federal Coronavirus Capital Projects Fund to various agencies for eligible capital projects. The House did not include this section.
- Appropriates $20 million from the tax relief fund ($11.8 million) and the state disaster relief fund ($10 million) to the State Treasurer for allocations to townships for road and bridge projects. The Senate provided $30 million from the state disaster relief fund ($8.2 million), the tax relief fund ($11.8 million), and the strategic investment and improvements fund ($10 million) for township road and bridge projects. The House provided $8.1 million from the state disaster relief fund for township road and bridge projects.
- Transfers $1 million from the strategic investment and improvements fund to the cultural endowment fund for arts initiatives, the same as the Senate. The House did not include this transfer.
- Adjusts the transfer from the tax relief fund to the human service finance fund to provide $187,223,092, the same as the Senate. The House provided for a transfer of $187,385,888.
- Adjusts the funding identified from the Capitol building fund for extraordinary repairs to match the $500,000 appropriated in Section 1 of the bill, the same as the Senate. The House appropriated $500,000 for extraordinary repairs.
- Increases the amount of funding identified for statewide memberships and dues totaling $642,089. The Senate

increased the funding for statewide memberships and dues. The House provided $625,064 for statewide memberships and dues.

- Adjusts the compensation guidelines to reflect an average increase of 1.5 percent with a monthly minimum of $100 in the 1st year of the biennium and an average increase of 2 percent in the 2nd year of the biennium, the same as the Senate. The House provided an average increase of 1.5 percent with a monthly minimum of $100 and a monthly maximum of $200 for both years of the biennium.
- Removes the requirement for the Securities Commissioner to be skilled in securities and removes the restriction that the Securities Commissioner may not hold any other public office. The Senate also removed this requirement, but the House did not include this change.
- Requires a notice filing for certain securities held as investments from the legacy fund, the same as the Senate. The House did not include this requirement.
- Authorizes the Bank of North Dakota to provide a line of credit of up to $250 million to support loans or loan guarantees under the clean sustainable energy fund, which was added by the Senate. The House did not authorize this line of credit.
- Adds a Legislative Management study of state employee compensation, the same as the Senate. The House did not include a study of state employee compensation.
- Provides an emergency clause for community service supervision fund grants, federal coronavirus capital projects, and Senate Bill No. 2140, relating to repayments under the professional student exchange program, the same as the Senate. The House did not include an emergency clause.

House Bill No. 1015 - State Treasurer - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Non-oil township grants		$8,100,000	$11,900,000	$20,000,000	$8,200,000	$11,800,000
Total all funds	$0	$8,100,000	$11,900,000	$20,000,000	$8,200,000	$11,800,000
Less estimated income	0	8,100,000	11,900,000	20,000,000	8,200,000	11,800,000
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 120 - State Treasurer - Detail of Conference Committee Changes

	Increases Funding for Grants[1]	Total Conference Committee Changes
Non-oil township grants	$11,900,000	$11,900,000
Total all funds	$11,900,000	$11,900,000
Less estimated income	11,900,000	11,900,000
General fund	$0	$0
FTE	0.00	0.00

[1] Funding for grants to non-oil-producing townships is increased by $11.9 million to provide a total of $20 million for township road and bridge projects. Of the $20 million, $8.2 million is from the state disaster relief fund and $11.8 million is from the tax relief fund. The State Treasurer is required to distribute $10 million as equal allocations to all the townships and $10 million based on road miles. The House provided $8.1 million from the disaster relief fund for township road and bridge projects. The Senate provided a total of $30 million for township road and bridge projects, including $8.2 million from the disaster relief fund, $11.8 million from the tax relief fund, and $10 million from the strategic investment and improvements fund.

House Bill No. 1015 - Judicial Branch - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$157,600	$157,600	$157,600	
Total all funds	$0	$0	$157,600	$157,600	$157,600	$0
Less estimated income	0	0	157,600	157,600	157,600	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 180 - Judicial Branch - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$157,600	$157,600
Total all funds	$157,600	$157,600
Less estimated income	157,600	157,600
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $157,600 from the federal Coronavirus Capital Projects Fund is added for information technology equipment, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - Department of Public Instruction - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$5,900,000	$5,900,000	$5,900,000	
Total all funds	$0	$0	$5,900,000	$5,900,000	$5,900,000	$0
Less estimated income	0	0	5,900,000	5,900,000	5,900,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 201 - Department of Public Instruction - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$5,900,000	$5,900,000
Total all funds	$5,900,000	$5,900,000
Less estimated income	5,900,000	5,900,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $5.9 million from the federal Coronavirus Capital Projects Fund is added for a grant to an entity for the development of a children's science center in Minot, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - University of North Dakota - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$5,000,000	$5,000,000	$5,000,000	
Space command initiative			4,000,000	4,000,000	4,000,000	
Total all funds	$0	$0	$9,000,000	$9,000,000	$9,000,000	$0
Less estimated income	0	0	5,000,000	5,000,000	5,000,000	0
General fund	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 230 - University of North Dakota - Detail of Conference Committee Changes

	Adds Funding for Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$5,000,000	$5,000,000
Space command initiative	4,000,000	4,000,000
Total all funds	$9,000,000	$9,000,000
Less estimated income	5,000,000	5,000,000
General fund	$4,000,000	$4,000,000
FTE	0.00	0.00

[1] One-time funding of $5 million from the federal Coronavirus Capital Projects Fund is added for reconstruction of the University of North Dakota's apron at the Grand Forks airport. One-time funding of $4 million from the general fund is added for a space command initiative. These items were also added by the Senate. The House did not include funding for these items.

House Bill No. 1015 - Dickinson State University - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$4,000,000	$4,000,000	$4,000,000	
Total all funds	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
Less estimated income	0	0	4,000,000	4,000,000	4,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 239 - Dickinson State University - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$4,000,000	$4,000,000
Total all funds	$4,000,000	$4,000,000
Less estimated income	4,000,000	4,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $4 million from the federal Coronavirus Capital Projects Fund is added for a Pulver Hall, meat processing laboratory, and other projects at Dickinson State University, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - Mayville State University - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Capital assets			$1,600,000	$1,600,000		$1,600,000
Total all funds	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
Less estimated income	0	0	0	0	0	0
General fund	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 240 - Mayville State University - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Capital assets	$1,600,000	$1,600,000
Total all funds	$1,600,000	$1,600,000
Less estimated income	0	0
General fund	$1,600,000	$1,600,000
FTE	0.00	0.00

[1] One-time funding of $1.6 million from the general fund is added a boiler project at Mayville State University. Neither the House nor the Senate included this funding.

House Bill No. 1015 - Dept. of Career and Technical Education - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$70,000,000	$70,000,000	$78,000,000	($8,000,000)
Total all funds	$0	$0	$70,000,000	$70,000,000	$78,000,000	($8,000,000)
Less estimated income	0	0	70,000,000	70,000,000	78,000,000	(8,000,000)
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 270 - Dept. of Career and Technical Education - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$70,000,000	$70,000,000
Total all funds	$70,000,000	$70,000,000
Less estimated income	70,000,000	70,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $70 million from the federal Coronavirus Capital Projects Fund is added for a statewide area career center initiative grant program. The Senate provided $78 million from the federal Coronavirus Capital Projects fund, but the House did not include this funding.

House Bill No. 1015 - Highway Patrol - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$3,000,000	$3,000,000	$3,000,000	
Total all funds	$0	$0	$3,000,000	$3,000,000	$3,000,000	$0
Less estimated income	0	0	3,000,000	3,000,000	3,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 504 - Highway Patrol - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$3,000,000	$3,000,000
Total all funds	$3,000,000	$3,000,000
Less estimated income	3,000,000	3,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $3 million from the federal Coronavirus Capital Projects Fund is added for a law enforcement training center remodel project, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - Department of Agriculture - Conference Committee Action

The Conference Committee did not add the funding for the grasslands grazing grant program included in the Senate version. The funding was included in House Bill No. 1009, the budget for the Agriculture Commissioner.

House Bill No. 1015 - Department of Transportation - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Capital assets			$55,000,000	$55,000,000		$55,000,000
Township road projects					$21,800,000	(21,800,000)
Total all funds	$0	$0	$55,000,000	$55,000,000	$21,800,000	$33,200,000
Less estimated income	0	0	55,000,000	55,000,000	21,800,000	33,200,000
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 801 - Department of Transportation - Detail of Conference Committee Changes

	Adds Funding for Road and Bridge Projects[1]	Total Conference Committee Changes
Capital assets	$55,000,000	$55,000,000
Township road projects		
Total all funds	$55,000,000	$55,000,000
Less estimated income	55,000,000	55,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] Funding of $55 million from federal funds is added as matching funds for road and bridge projects, of which

$35 million is to match funding provided through bonding in House Bill No. 1431 and $20 million is to match funding allocated to townships. Neither the House nor the Senate included this funding.

House Bill No. 1015 - Other Changes - Conference Committee Action

Other changes in this amendment, which were not included by the House or Senate, include:

- Authorizes the Department of Transportation to create cooperative agreements for matching federal funds.
- Amends North Dakota Century Code Section 54-09-05, as amended by House Bill No. 1002, to correct the effective date for the salary increase of the Secretary of State.
- Adds a statement of legislative intent regarding future funding for operating and maintenance costs associated with new area career centers.
- Adds a Legislative Management study regarding charitable gaming.
- Adds an emergency clause for $1.6 million from the general fund for a boiler project at Mayville State University; $12 million from the federal Coronavirus Relief Fund in Senate Bill No. 2018; $100,000 from the general fund for a motion picture production and recruitment grant in Senate Bill No. 2018; and Senate Bill No. 2317, relating to capital assets as collateral for coal power plant bonding.

21.0274.02031
Title.

Prepared by the Legislative Council staff for
Senator Heckaman
April 26, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the Senate recede from its amendments as printed on pages 1866-1883 of the House Journal and pages 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be amended as follows:

Page 1, line 3, after the semicolon insert "to provide an appropriation to the judicial branch;"

Page 3, after line 31, insert:

"**SECTION 5. APPROPRIATION - JUDICIAL BRANCH - YOUTH CULTURAL ACHIEVEMENT PROGRAMS.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $90,000, or so much of the sum as may be necessary, to the judicial branch for youth cultural achievement programs, for the biennium beginning July 1, 2021, and ending June 30, 2023."

Renumber accordingly

21.0274.02029
Title.

Prepared by the Legislative Council staff for
Representative Boschee
April 26, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 3, after the semicolon insert "to provide an appropriation to the judicial branch;"

Page 3, after line 31, insert:

"SECTION 5. APPROPRIATION - JUDICIAL BRANCH - VETERANS' COURT. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $145,247, or so much of the sum as may be necessary, to the judicial branch for the purpose of establishing a veterans' treatment court in the northeast central judicial district, for the biennium beginning July 1, 2021, and ending June 30, 2023."

Renumber accordingly

21.0274.02042
Title.

Prepared by the Legislative Council staff for
Representative Boschee
April 28, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the Senate recede from its amendments as printed on pages 1866-1883 of the House Journal and pages 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be amended as follows:

Page 1, line 3, after "reenact" insert "subdivision c of subsection 1 of section 26.1-36-09.15,"

Page 1, line 4, after the first comma insert "and"

Page 1, line 5, after "to" insert "telehealth,"

Page 5, after line 26, insert:

"**SECTION 12. AMENDMENT.** Subdivision c of subsection 1 of section 26.1-36-09.15 of the North Dakota Century Code is amended and reenacted as follows:

c. "Health care provider" includes an individual licensed under chapter 43-05, 43-06, 43-12.1 as a registered nurse or as an advanced practice registered nurse, 43-13, 43-15, 43-17, 43-26.1, 43-28, 43-32, 43-37, 43-40, 43-41, 43-42, 43-44, 43-45, 43-47, 43-53, 43-58, or 43-60."

Renumber accordingly

21.0274.02038
Title.

Prepared by the Legislative Council staff

April 28, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 12, after line 12, insert:

"**SECTION 24. LEGISLATIVE MANAGEMENT STUDY - BIOLOGIC MANUFACTURING SALES TAX EXEMPTION.** During the 2021-22 interim, the legislative management shall consider studying the fiscal impact of providing a sales tax exemption for raw materials critical to the manufacturing process used to support biologic product generation, product impurity removal, chemical or physical product alteration, and analysis of in-process to final deliverable products. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

02035

21.0274.02050
Title.

Prepared by the Legislative Council staff for
Senator Holmberg
April 29, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the House accede to the Senate amendments as printed on page 1866-1883 of the House Journal and page 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be further amended as follows:

Page 1, line 3, after the semicolon insert "to provide an appropriation to the department of commerce;"

Page 3, after line 31, insert:

"**SECTION 5. APPROPRIATION - DEPARTMENT OF COMMERCE - DISCRETIONARY FUNDS - ONE-TIME FUNDING.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $1,000,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of providing discretionary funds, for the biennium beginning July 1, 2021, and ending June 30, 2023. This funding is considered a one-time funding item."

Renumber accordingly

21.0274.02023
Title.

Prepared by the Legislative Council staff for
Senator Wardner
April 26, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the House accede to the Senate amendments as printed on pages 1866-1883 of the House Journal and pages 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be further amended as follows:

Page 3, after line 31 insert:

"SECTION 9. 2019-21 BIENNIUM APPROPRIATION - TRANSFER - GENERAL FUND TO HIGHWAY FUND - 2021-23 BIENNIUM APPROPRIATION - HIGHWAY FUND AND FEDERAL FUNDS - REPORT.

1. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $100,000,000, which the office of management and budget shall transfer to the highway fund during the period beginning with the effective date of this Act, and ending June 30, 2021. The funds transferred to the highway fund must be maintained and reported separately from other funds in the highway fund.

2. There is appropriated out of any moneys in the highway fund, not otherwise appropriated, the sum of $100,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of matching federal discretionary funds received in excess of the regular federal funding amounts included in the department's 2021-23 biennium budget, for the biennium beginning July 1, 2021, and ending June 30, 2023. Of this amount, the department shall use at least $10,000,000 for matching federal funds for township road and bridge projects.

3. There is appropriated from federal funds, the sum of $100,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of defraying the expenses of road and bridge construction projects for the biennium beginning July 1, 2021, and ending June 30, 2023.

4. On June 30, 2023, the office of management and budget shall transfer any unexpended and unobligated funds transferred to the highway fund under subsection 1 to the general fund.

5. During the 2021-22 interim, the department of transportation shall provide quarterly reports to the budget section regarding the use of funds transferred from the general fund to the highway fund."

Page 4, after line 26 insert:

"SECTION 18. LEGACY FUND EARNINGS ESTIMATE - 2019-21 BIENNIUM. For legislative council budget status reporting purposes, the sixty-seventh legislative assembly estimates $736,000,000 of earnings will be transferred from the legacy fund to the general fund at the end of the biennium beginning July 1, 2019, and ending June 30, 2021."

Page 4, after line 26 insert:

"**SECTION 38. EMERGENCY.** Section 9 of this Act is declared to be an emergency measure."

Renumber accordingly

21.0274.02045
Title.

Prepared by the Legislative Council staff for
Senator Wardner
April 29, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the House accede to the Senate amendments as printed on page 1866-1883 of the House Journal and page 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be further amended as follows:

Page 1, line 9, after the first semicolon insert "to provide a contingent appropriation;"

Page 3, after line 31, insert:

"**SECTION 5. CONTINGENT APPROPRIATION - THEODORE ROOSEVELT PRESIDENTIAL LIBRARY - LOAN REPAYMENT - ONE-TIME FUNDING.** Subject to the provisions of this section, there is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $17,500,000, or so much of the sum as may be necessary, to the Bank of North Dakota for the purpose of repaying the loan authorized in section 8 of chapter 26 of the 2019 Session Laws related to the Theodore Roosevelt presidential library, for the biennium beginning July 1, 2021, and ending June 30, 2023. The funding provided in this section is available only if the actual July 1, 2021, general fund balance exceeds the legislative estimate made at the close of the 2021 legislative session by at least $17,500,000, as determined by the office of management and budget. This funding is considered a one-time funding item."

Renumber accordingly

21.0274.02025
Title.

Prepared by the Legislative Council staff for
Representative Meier
April 26, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the Senate recede from its amendments as printed on pages 1866-1883 of the House Journal and pages 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be amended as follows:

Page 1, line 3, after the semicolon insert "to create and enact a new subsection to section 54-44-04 of the North Dakota Century Code, relating to employee salary increases;"

Page 5, after line 26, insert:

"**SECTION 12.** A new subsection to section 54-44-04 of the North Dakota Century Code is created and enacted as follows:

Shall prepare and submit a quarterly report to the legislative management of each agency that gives any full-time state employee salary increases between April 1, 2021, and June 30, 2023, which cumulatively are fifteen percent or more over the employee's base salary as of March 31, 2021. The report must include the name of each employee receiving the increase and any relevant salary information."

Renumber accordingly

21.0274.02049
Title.

Prepared by the Legislative Council staff for
Representative Delzer
April 29, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 8, replace "section" with "sections"

Page 1, line 8, after "54-06-25" insert "and 54-35-23"

Page 1, line 9, after "commission" insert "and the committee on tribal and state relations"

Page 11, line 7, replace "Section" with "Sections"

Page 11, line 7, after "54-06-25" insert "and 54-35-23"

Page 11, line 7, replace "is" with "are"

Renumber accordingly

21.0274.02052
Title.

Prepared by the Legislative Council staff for
Representative Delzer
April 29, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the Senate recede from its amendments as printed on pages 1866-1883 of the House Journal and pages 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be amended as follows:

Page 4, after line 9, insert:

"**SECTION 7. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO GENERAL FUND.** The office of management and budget shall transfer the sum of $410,000,000 from the strategic investment and improvements fund to the general fund during the biennium beginning July 1, 2021, and ending June 30, 2023."

Renumber accordingly

2021 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Brynhild Haugland Room, State Capitol

HB 1015
4/29/2021
Conference Committee

BILL for an Act to adjust state agency spending authority approved by the emergency commission and budget section; to provide a statement of legislative intent; to provide an appropriation; to provide an exemption; to provide for retroactive application; and to declare an emergency.

9:33 pm Chairman Delzer Called the meeting to order, roll call was taken; Chairman Delzer Representative Pollert and Boschee; Senators Holmberg, Wardner and Heckaman

Discussion Topics,

- **Final Amendment**

Senator Holmberg- Explains a change to the amendment

9:38 Representative Boschee Makes a motion to adopt the amendment 21.0274.02053

Representative Pollert Seconds the motion
Further discussion

Roll Call Vote was taken;

Motion Carries 6-0-0

Senate recedes and amends with amendment 21.0274.02053

9:40 pm Chairman Delzer Closed the meeting for HB 1015

Risa Berube,

House Appropriations Committee Clerk

SR 1024 4/29

21.0274.02053
Title.04000
Fiscal No. 4

Prepared by the Legislative Council staff for
Conference Committee
April 29, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the Senate recede from its amendments as printed on pages 1866-1883 of the House Journal and pages 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be amended as follows:

Page 1, line 3, after the semicolon insert "to provide an appropriation to the department of career and technical education, the department of public instruction, the university of North Dakota, Dickinson state university, the highway patrol, the judicial branch, the department of transportation, the department of commerce, and Mayville state university; to provide a contingent appropriation to the Bank of North Dakota; to create and enact a new section to chapter 10-04, a new section to chapter 24-02, and a new subsection to section 54-44-04 of the North Dakota Century Code, relating to notice filing for certain legacy fund investments, cooperative transportation agreements, and state employee salary increases;"

Page 1, line 3, after "reenact" insert "subsection 1 of section 10-04-03, section 54-09-05, as amended by section 4 of House Bill No. 1002, as approved by the sixty-seventh legislative assembly, a new chapter to title 54, as created by section 3 of House Bill No. 1452, as approved by the sixty-seventh legislative assembly, subsection 3 of section 54-44-11"

Page 1, line 5, after "to" insert "qualifications of the securities commissioner, the salary of the secretary of state, the clean sustainable energy authority, the balance of the state personnel training and development operating fund,"

Page 1, line 10, after "exemption" insert "; to provide a statement of legislative intent"

Page 1, line 11, remove "and"

Page 1, line 11, after "report" insert "; and to declare an emergency"

Page 1, remove lines 21 through 24

Page 2, replace lines 1 through 9 with:

"Salaries and wages	$21,903,816	$23,163	$21,926,979
Operating expenses	14,937,426	1,375,788	16,313,214
Emergency commission contingency fund	500,000	(100,000)	400,000
Capital assets	767,125	4,767,494	5,534,619
Grants	54,000	(54,000)	0
Guardianship grants	1,950,000	500,000	2,450,000
Prairie public broadcasting	1,200,000	0	1,200,000
Community service supervision grants	350,000	0	350,000
State student internship program	0	100,000	100,000
Total all funds	$41,662,367	$6,612,445	$48,274,812
Less estimated income	8,746,515	5,501,898	14,248,413
Total general fund	$32,915,852	$1,110,547	$34,026,399
Full-time equivalent positions	112.00	(4.00)	108.00"

Page 3, line 8, replace "biennium beginning July 1, 2021" with "period beginning with the effective date of this Act"

Page 3, line 10, after "**FUND**" insert "**- TAX RELIEF FUND**"

Page 3, line 11, after the boldfaced period insert:

"1. a."

Page 3, line 14, replace "$8,100,000" with "$8,200,000"

Page 3, line 15, after the comma insert "and out of any moneys in the tax relief fund in the state treasury, not otherwise appropriated, the sum of $1,800,000, or so much of the sum as may be necessary,"

Page 3, line 18, after the period insert:

"b."

Page 3, line 18, replace "$8,100,000" with "$10,000,000"

Page 3, line 21, after "an" insert "equal"

Page 3, line 21, remove "of $5,000"

Page 3, line 22, after the period insert:

"c."

Page 3, line 23, replace "section" with "subsection"

Page 3, line 24, replace "section" with "subsection"

Page 3, line 25, after the period insert:

"d."

Page 3, line 25, replace "section" with "subsection"

Page 3, line 27, replace "section" with "subsection"

Page 3, line 28, after the period insert:

"e."

Page 3, after line 31, insert:

"2. a. There is appropriated out of any moneys in the tax relief fund in the state treasury, not otherwise appropriated, the sum of $10,000,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of providing distributions to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county, for the biennium beginning July 1, 2021, and ending June 30, 2023.

b. In August 2021, the state treasurer shall distribute $10,000,000, or so much of the sum as may be necessary, to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county. The distribution to each non-oil-producing county must provide for an allocation to each organized and unorganized township that is proportional to the number of township road miles in each organized and unorganized township relative to the combined total township road miles in all the

organized and unorganized townships in all the non-oil-producing counties. The township road miles must be based on certifications provided to the state treasurer using roadway mileage criteria from the department of transportation.

c. The amount allocated to organized townships under this subsection must be paid by the county treasurer to each organized township. The amount allocated to unorganized townships under this subsection must be credited by the county treasurer to a special fund for unorganized township roads.

d. The distributions under this subsection must be used for the maintenance and improvement of township paved and unpaved roads and bridges.

e. For the purposes of this subsection, a "non-oil-producing county" means a county that has received no allocation of funding or a total allocation of funding under subsection 2 of section 57-51-15 of less than $5,000,000 for the period beginning September 1, 2019, and ending August 31, 2020.

SECTION 5. APPROPRIATION - FEDERAL FUNDS - DEPARTMENT OF TRANSPORTATION. There is appropriated out of any moneys derived from federal funds, not otherwise appropriated, the sum of $55,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of road and bridge projects, for the biennium beginning July 1, 2021, and ending June 30, 2023. Of the $55,000,000, $35,000,000 is federal funds that may be matched by funding appropriated in section 10 of House Bill No. 1431, as approved by the sixty-seventh legislative assembly, for road and bridge projects, and $20,000,000 is federal funds that may be matched by funding appropriated in section 4 of this Act for township road and bridge projects pursuant to cooperative agreements.

SECTION 6. APPROPRIATION - FEDERAL CORONAVIRUS CAPITAL PROJECTS FUND - MATCHING FUNDS - ONE-TIME FUNDING.

1. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $70,000,000, or so much of the sum as may be necessary, to the department of career and technical education for the purpose of a statewide area career center initiative grant program for the period beginning with the effective date of this Act, and ending June 30, 2023. The department of career and technical education shall establish the application process and develop eligibility requirements for the grant program that must include:

   a. Funding may be used only for career and technical education projects involving construction, addition, maintenance, and equipment for new and existing area career centers;

   b. Grants awarded to each recipient must be at least $500,000, but may not exceed $10,000,000;

   c. Grants may be awarded only to the extent a school district has secured matching funds from nonstate sources on a dollar-for-dollar basis;

d. An applicant identifying sufficient future nonstate sources of funding for ongoing operating and maintenance costs associated with a new or expanded area career center;

e. The application period for the grant program begins with the effective date of this Act and ends on June 30, 2022. Any funding not committed by December 31, 2022, may not be spent and must be canceled at the end of the 2021-23 biennium in accordance with section 54-44.1-11;

f. Preference must be given to school districts that collaborate with other school districts for a regional area career center facility or to school districts to create a new area career center or use an existing area career center to positively affect that region of the state; and

g. Preference must be given to school districts that will promote postsecondary education and workforce training education in conjunction with secondary education.

2. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $5,900,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing a grant to an entity for the development of a children's science center for the period beginning with the effective date of this Act, and ending June 30, 2023.

3. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $5,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of reconstruction of the university's apron at the Grand Forks airport for the period beginning with the effective date of this Act, and ending June 30, 2023.

4. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $4,000,000, or so much of the sum as may be necessary, to Dickinson state university for the purpose of a Pulver hall project, a meat processing laboratory remodel, and other projects for the period beginning with the effective date of this Act, and ending June 30, 2023.

5. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $3,000,000, or so much of the sum as may be necessary, to the highway patrol for the purpose of a law enforcement training center remodel project for the period beginning with the effective date of this Act, and ending June 30, 2023.

6. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $500,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of providing a grant for the construction of a new medical center located in the county seat of Griggs County for the period beginning with the effective date of this Act, and ending June 30, 2023.

7. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $157,600, or so much of the sum as may be necessary, to the judicial branch for the purpose of purchasing information technology equipment for the period beginning with the effective date of this Act, and ending June 30, 2023.

8. If the federal government distributes funding derived from the federal coronavirus capital projects fund to the state in more than one funding round, the office of management and budget shall prioritize the amounts received in the first funding round as follows:

   a. $19,763,000 to the department of career and technical education;

   b. $11,716,400 to the parks and recreation department;

   c. $5,900,000 to the department of public instruction;

   d. $5,000,000 to the university of North Dakota;

   e. $4,200,000 to the state historical society;

   f. $4,000,000 to Dickinson state university;

   g. $3,000,000 to the highway patrol;

   h. $2,000,000 to the agriculture commissioner;

   i. $500,000 to the office of management and budget; and

   j. $157,600 to the judicial branch.

9. The funding provided under this section may be spent only to the extent the director of the office of management and budget, in consultation with the budget section, determines the use of the funding complies with federal guidance for the federal coronavirus capital projects fund. The funding provided under this section is considered a one-time funding item.

SECTION 7. LEGISLATIVE INTENT - AREA CAREER CENTERS - FUTURE COSTS. It is the intent of the sixty-seventh legislative assembly that school districts:

1. Prepare to provide for any future operating and maintenance costs relating to new or expanded area career centers resulting from the expenditure of federal coronavirus capital projects funds because state funds will not be provided to replace these federal funds; and

2. Prepare to provide increased local support for area career centers since state grant funding is limited and may not be available to support any increased future costs related to new or expanded area career centers completed with these federal funds.

SECTION 8. APPROPRIATION - UNIVERSITY OF NORTH DAKOTA - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $4,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of a space command initiative and related technical programs, including equipment, renovation costs, a sensitive compartmental information facility, and other expenses for the

biennium beginning July 1, 2021, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 9. APPROPRIATION - MAYVILLE STATE UNIVERSITY - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $1,600,000, or so much of the sum as may be necessary, to Mayville state university for a natural gas boiler project, for the period beginning with the effective date of this Act, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 10. APPROPRIATION - DEPARTMENT OF COMMERCE - DISCRETIONARY FUNDS - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $1,000,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of providing discretionary funds, for the biennium beginning July 1, 2021, and ending June 30, 2023. This funding is considered a one-time funding item.

SECTION 11. APPROPRIATION - JUDICIAL BRANCH - VETERANS' COURT. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $145,247, or so much of the sum as may be necessary, to the judicial branch for the purpose of establishing a veterans' treatment court in the northeast central judicial district, for the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 12. APPROPRIATION - JUDICIAL BRANCH - YOUTH CULTURAL ACHIEVEMENT PROGRAMS. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $90,000, or so much of the sum as may be necessary, to the judicial branch for youth cultural achievement programs, for the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 13. 2019-21 BIENNIUM APPROPRIATION - TRANSFER - GENERAL FUND TO HIGHWAY FUND - 2021-23 BIENNIUM APPROPRIATION - HIGHWAY FUND AND FEDERAL FUNDS - REPORT.

1. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $100,000,000, which the office of management and budget shall transfer to the highway fund during the period beginning with the effective date of this Act, and ending June 30, 2021. The funds transferred to the highway fund must be maintained and reported separately from other funds in the highway fund.

2. There is appropriated out of any moneys in the highway fund, not otherwise appropriated, the sum of $100,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of matching federal discretionary funds received in excess of the regular federal funding amounts included in the department's 2021-23 biennium budget, for the biennium beginning July 1, 2021, and ending June 30, 2023. Of this amount, the department shall use at least $10,000,000 for matching federal funds for township road and bridge projects.

3. There is appropriated from federal funds, the sum of $100,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of defraying the expenses of road and bridge construction

projects for the biennium beginning July 1, 2021, and ending June 30, 2023.

4. On June 30, 2023, the office of management and budget shall transfer any unexpended and unobligated funds transferred to the highway fund under subsection 1 to the general fund.

5. During the 2021-22 interim, the department of transportation shall provide quarterly reports to the budget section regarding the use of funds transferred from the general fund to the highway fund.

SECTION 14. LEGACY FUND EARNINGS ESTIMATE - 2019-21 BIENNIUM. For legislative council budget status reporting purposes, the sixty-seventh legislative assembly estimates $736,000,000 of earnings will be transferred from the legacy fund to the general fund at the end of the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 15. CONTINGENT APPROPRIATION - THEODORE ROOSEVELT PRESIDENTIAL LIBRARY - LOAN REPAYMENT - ONE-TIME FUNDING. Subject to the provisions of this section, there is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $17,500,000, or so much of the sum as may be necessary, to the Bank of North Dakota for the purpose of repaying the loan authorized in section 8 of chapter 26 of the 2019 Session Laws related to the Theodore Roosevelt presidential library, for the biennium beginning July 1, 2021, and ending June 30, 2023. The funding provided in this section is available only if the actual July 1, 2021, general fund balance exceeds the legislative estimate made at the close of the 2021 legislative session by at least $17,500,000, as determined by the office of management and budget. This funding is considered a one-time funding item.

SECTION 16. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO GENERAL FUND. The office of management and budget shall transfer the sum of $410,000,000 from the strategic investment and improvements fund to the general fund during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 17. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO CULTURAL ENDOWMENT FUND - INTENT. The office of management and budget shall transfer the sum of $1,000,000 from the strategic investment and improvements fund to the cultural endowment fund during the biennium beginning July 1, 2021, and ending June 30, 2023. It is the intent of the sixty-seventh legislative assembly that the council on the arts expend up to $50,000 annually from the cultural endowment fund pursuant to the appropriation authority provided in section 2 of Senate Bill No. 2010 during the 2021-23 biennium for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program. It is further the intent of the legislative assembly that the council on the arts continue to expend $50,000 annually from the cultural endowment fund for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program until the moneys derived from the strategic investment and improvements fund transfer authorized under this section and deposited in the fund have been fully expended."

Page 4, line 2, replace "$187,385,888" with "$187,223,092"

Page 4, line 11, replace "$2,268,800" with "$2,168,800"

Page 4, line 12, replace "$2,268,800" with "$2,168,800"

Page 4, line 14, replace "$600,000" with "$500,000"

Page 4, replace line 26 with:

"Statewide memberships and related expenses $642,089"

Page 5, line 10, remove "and a maximum of $250"

Page 5, line 11, remove "per month"

Page 5, line 11, replace "each" with "the first"

Page 5, line 11, after "biennium" insert "and are to average 2 percent per eligible employee for the second year of the biennium"

Page 5, line 15, remove "and maximum"

Page 5, after line 26, insert:

"**SECTION 25. AMENDMENT.** Subsection 1 of section 10-04-03 of the North Dakota Century Code is amended and reenacted as follows:

1. The state securities department is under the supervision of a chief officer designated as the securities commissioner. The securities commissioner must be appointed by the governor and confirmed by the senate and shall hold office for a term of four years, beginning on the first day of July following a national presidential election and continuing until a successor has been appointed, confirmed by the senate, and has qualified, unless removed as herein provided. If the senate is not in session, the governor may make an interim appointment, and the interim appointee ~~shall~~may hold office until the senate confirms or rejects the appointment. ~~The commissioner must be skilled in securities and may not be an incumbent of any other public office in the state.~~ The commissioner may not own or control any security required to be registered under this chapter, or any security which is exempt based on the approval of the securities department. The commissioner may not be an officer, director, or employee of any broker-dealer, agent, investment adviser, or investment adviser representative required to be registered under this chapter, or of a federal covered adviser required to be notice-filed under this chapter. The governor may remove from office any commissioner who fails to discharge faithfully the duties of office or who becomes disqualified under the provisions of this section.

It is the prime duty of the commissioner to administer the provisions of this chapter. The commissioner shall receive a salary within the amount appropriated for salaries by the legislative assembly. The commissioner shall use a seal with the words "securities commissioner, North Dakota" and such design as the commissioner may prescribe engraved thereon by which seal the commissioner may authenticate documents used in the administration of this chapter. The commissioner may employ such employees as are necessary for the administration of this chapter. In the absence or disability of the commissioner, the deputy or designee of the commissioner ~~shall~~may administer the provisions of this chapter as acting commissioner.

SECTION 26. A new section to chapter 10-04 of the North Dakota Century Code is created and enacted as follows:

Legacy fund investments - Notice filing.

1. Within thirty days of completion of the transaction, any issuer of securities in receipt of an investment from the legacy fund under paragraph 3 of subdivision a of subsection 3 of section 21-10-11 or under subdivision b of subsection 3 of section 21-10-11, as created by section 4 of House Bill No. 1425 as approved by the sixty-seventh legislative assembly, shall file electronically a notice on a form prescribed by the commissioner and containing information as required by the commissioner.

2. The notice filing requirement under this section does not exempt the issuer from or supersede any other provision of this chapter.

SECTION 27. A new section to chapter 24-02 of the North Dakota Century Code is created and enacted as follows:

Cooperative agreements - Federal transportation-related aid and safety and mobility.

The director may enter into cooperative agreements with any transferee under section 54-27-19 or any federal agency operating a national park and may expend highway fund moneys pursuant to legislative appropriations to match federal funds for the purposes of providing assistance with the assessment, design, and construction of projects to improve the safety and mobility of people or goods in the state.

SECTION 28. AMENDMENT. Section 54-09-05 of the North Dakota Century Code, as amended by section 4 of House Bill No. 1002, as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

54-09-05. Salary of secretary of state.

The annual salary of the secretary of state is one hundred twelve thousand two hundred forty-one dollars through June 30, ~~2021~~2022, and one hundred fourteen thousand four hundred eighty-six dollars thereafter.

SECTION 29. AMENDMENT. A new chapter to title 54 of the North Dakota Century Code, as created by section 3 of House Bill No. 1452 as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

Definitions.

As used in this chapter:

1. "Authority" means the clean sustainable energy authority.

2. "Clean" means a technology or concept that reduces emissions to the air, water, or land and meets or exceeds state and federal environmental regulations.

3. "Commission" means the industrial commission.

4. "Fund" means the clean sustainable energy fund.

5. "Program" means the clean sustainable energy program.

6. "Sustainable" means a technology or concept that allows the use of a natural resource to be maintained or enhanced through increased efficiency and life cycle benefits while either increasing or not adversely impacting energy security, affordability, reliability, resilience, or national security.

Clean sustainable energy authority - Purpose.

There is created the clean sustainable energy authority to support research, development, and technological advancements through partnerships and financial support for the large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery. The purpose of the financial support is to enhance the production of clean sustainable energy, to make the state a world leader in the production of clean sustainable energy, and to diversify and grow the state's economy.

Clean sustainable energy authority - Membership - Meetings.

1. The clean sustainable energy authority consists of sixteen members, including eight voting members and eight nonvoting technical advisors.

2. The eight voting members consist of:

   a. One member appointed by the legislative management to serve as chairman;

   b. Two members appointed by the lignite research council;

   c. Two members appointed by the oil and gas research council;

   d. Two members appointed by the renewable energy council; and

   e. One member appointed by the western Dakota energy association.

3. The eight nonvoting technical advisors consist of:

   a. One member appointed by the North Dakota outdoor heritage fund advisory board;

   b. The commissioner of commerce or the commissioner's designee;

   c. The director of the department of environmental quality or the director's designee;

   d. The director of mineral resources or the director's designee;

   e. The director of the North Dakota pipeline authority or the director's designee;

   f. The director of the North Dakota transmission authority or the director's designee;

   g. The director of the state energy research center or the director's designee; and

h. The president of the Bank of North Dakota or the president's designee~~;~~.

4. The term of office for the chairman is two years. The term of office for the other voting members is four years, and the other voting members may not serve more than two consecutive terms. The terms of office for the voting members commence on July first. The initial terms for the voting members of the authority must be staggered following a method determined by the authority.

5. The authority shall meet at least semiannually. The chairman shall call a meeting upon written request from three voting members of the authority. Five voting members is a quorum at any meeting.

6. The authority may not forward a recommendation to the commission unless the recommendation fulfills the purposes of this chapter and is approved by a majority of the voting members of the authority.

Clean sustainable energy authority - Duties - Report.

1. The authority shall make recommendations to the commission for program guidelines, including eligibility criteria for entities to receive funding under this chapter.

2. The nonvoting technical advisors shall develop a process to review and evaluate projects to determine the technical merits and feasibility of any application, including potential benefits of the development of low-emission technology, the expansion of the development of the state's natural resources or energy production, and the contribution to the economic diversity in the state.

3. The authority may develop a loan program or a loan guarantee program under the clean sustainable energy fund. The Bank of North Dakota shall administer the loan program or loan guarantee program. The interest rate of a loan under this program may not exceed two percent per year. The maximum term of a loan under this section must be approved by the commission based on a recommendation from the authority. The Bank shall review applications for loans or loan guarantees and shall consider the business plan, financial statements, and other information necessary to evaluate the application. To be eligible for a loan or loan guarantee, an entity shall agree to provide the Bank of North Dakota with information as requested. The Bank of North Dakota may develop policies for loan participation with local financial institutions.

4. The authority shall make recommendations to the commission for grant awards, loan approvals, or other financial assistance to provide funding to support research, development, and technological advancements for the large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery in accordance with this chapter. Any projects, processes, activities, and technologies selected by the commission for funding must have been recommended by the authority, must demonstrate feasibility based on a technical review conducted by the nonvoting technical advisors of the authority, must have other sources of financial support, and must achieve the priorities and

purposes of the program. At the request of the authority, the Bank of North Dakota shall provide a recommendation regarding the economic feasibility of a project, process, activity, or technology under consideration by the authority. The Bank shall review the business plan, financial statements, and other information necessary to provide a recommendation.

5. The authority may consult with any other state agency necessary to carry out the purposes under this chapter.

6. Each biennium, the authority shall provide a written report to the legislative management regarding its activities and the program's financial impact on state revenues and the state's economy.

Clean sustainable energy program - Powers and duties of the commission.

1. The commission is granted all the powers necessary to carry out the purposes of this chapter, including the power to:

   a. Provide grants, loans, or other forms of financial assistance to qualified entities for the research, demonstration, development, and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and use energy sources derived from within the state. Other forms of financial assistance include venture capital investments and interest rate buydowns. The commission must require an entity to provide assurance of financial and other types of support that demonstrate a commitment to the project, process, activity, or technology. The commission may develop policies for the approval of loans or loan guarantees issued from the clean sustainable energy fund.

   b. Enter into contracts or agreements to carry out the purposes of this chapter, including contracting for the administration of the program.

   c. Keep accurate records of all financial transactions performed under this chapter.

   d. Cooperate with any private, local, state, or national organization to make contracts and agreements for programs that advance the mission of the program.

   e. Accept loan repayments, donations, grants, contributions, or gifts from any public or private source to carry out the purposes of this chapter, which must be deposited in the clean sustainable energy fund.

   f. Make guidelines necessary to carry out the purposes of this chapter, including guidelines relating to the ownership of intellectual property.

   g. Borrow from the Bank of North Dakota, as authorized by the legislative assembly, to make loans or loan guarantees under a loan program or loan guarantee program developed by the clean sustainable energy authority.

2. The commission may acquire, purchase, hold, use, lease, license, sell, transfer, or dispose of any interest in an asset necessary for clean sustainable energy technology development to facilitate the production,

transportation, distribution, or delivery of clean energy commodities produced in the state as a purchases of last resort.

3. The commission shall provide administrative support to the authority for the operation of the program, including the preparation of forms, review of applications, and ongoing review of any contracts. The commission may contract with a public or private entity to provide technical assistance necessary to implement the purposes of this chapter.

4. The commission is not subject to the reporting requirements under chapter 54-60.1.

Clean sustainable energy program - Access to records.

1. To the extent the commission or authority determines the materials or data consist of trade secrets or commercial, financial, or proprietary information of individuals or entities applying to or contracting with the commission or receiving commission services under this chapter, materials and data submitted to, made by, or received by the commission or authority, are not public records subject to section 44-04-18 and section 6 of article XI of the Constitution of North Dakota, and are subject to section 44-04-18.4.

2. A person or entity may file a request with the commission to have material designated as confidential under subsection 1. The request must contain any information required by the commission and must include at least the following:

   a. A general description of the nature of the information sought to be protected.

   b. An explanation of why the information derives independent economic value, actual or potential, from not being generally known to other persons.

   c. An explanation of why the information is not readily ascertainable by proper means of other persons.

   d. A general description of any person that may obtain economic value from disclosure or use of the information, and how the person may obtain this value.

   e. A description of the efforts used to maintain the secrecy of the information.

3. Any request under subsection 2 is confidential. The commission shall examine the request and determine whether the information is relevant to the matter at hand and is a trade secret under the definition in section 47-25.1-01 or 44-04-18.4. If the commission determines the information is either not relevant or not a trade secret, the commission shall notify the requester and the requester may ask for the return of the information and the request within ten days of the notice. If no return is sought, the information and request are public record.

4. The names or identities of independent technical reviewers on a project or program are confidential, may not be disclosed by the commission, and

are not public records subject to section 44-04-18 or section 6 of article XI of the Constitution of North Dakota.

Clean sustainable energy fund - Continuing appropriation - Line of credit - Loans - Repayments.

1. There is created in the state treasury the clean sustainable energy fund. The fund consists of all moneys transferred to the fund by the legislative assembly; loan proceeds; interest upon moneys in the fund; principal and interest payments to the fund; and donations, grants, and other contributions received by the commission for deposit in the fund. All moneys in the fund are appropriated to the commission on a continuing basis to provide grants, loans, and other financial assistance and for administrative and operating costs of the authority and program pursuant to the provisions under this chapter.

2. Any bond proceeds deposited in the fund must be used for loans or loan guarantees. The Bank of North Dakota shall deposit in the fund all principal and interest paid on the loans made from the fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay for administrative costs, not to exceed one-half of one percent of the amount of the interest payment. The Bank shall contract with a certified public accounting firm to audit the fund annually if the fund has any outstanding loans. The cost of the audit must be paid from the fund.

3. The Bank of North Dakota shall extend a line of credit to the industrial commission to support loans or loan guarantees issued from the clean sustainable energy fund. The line of credit may not exceed two hundred fifty million dollars, and the interest rate associated with the line of credit must be the prevailing interest rate charged to North Dakota governmental entities. The industrial commission shall repay the line of credit from moneys available in the clean sustainable energy fund derived from payments received on loans issued under this chapter or other sources. If the moneys available from the clean sustainable energy fund on June 30, 2025, are not sufficient to repay the line of credit, the industrial commission shall request from the legislative assembly a deficiency appropriation to repay the line of credit or the industrial commission may repay the line of credit from other funds, as appropriated by the legislative assembly.

4. The industrial commission may access the line of credit to the extent needed through June 30, 2025, to provide funding as authorized by the legislative assembly to support loans or loan guarantees issued from the clean sustainable energy fund. Any moneys borrowed from the Bank of North Dakota pursuant to this section must be transferred to the clean sustainable energy fund to support loans or loan guarantees.

SECTION 30. A new subsection to section 54-44-04 of the North Dakota Century Code is created and enacted as follows:

Shall prepare and submit a quarterly report to the legislative management of each executive branch agency that gives any full-time state employee salary increases between April 1, 2021, and June 30, 2023, which cumulatively are fifteen percent or more over the employee's base salary

as of March 31, 2021. The report must include the name of each employee receiving the increase and any relevant salary information.

SECTION 31. AMENDMENT. Subsection 3 of section 54-44-11 of the North Dakota Century Code is amended and reenacted as follows:

3. The office of management and budget shall establish a state personnel training and development operating fund to be used for the coordination of employee training and career development data, supplies, equipment, and services and for providing or arranging necessary training and development programs to state departments and agencies. Funds in the state personnel training and development operating fund are appropriated on a continuing basis to the office of management and budget and may be spent for the purposes identified in this subsection. Any surplus in this fund in excess of ~~twenty-five~~one hundred thousand dollars on June thirtieth of each year must be transferred to the state general fund."

Page 12, after line 12, insert:

"**SECTION 44. LEGISLATIVE MANAGEMENT STUDY - STATE EMPLOYEE COMPENSATION.** During the 2021-22 interim, the legislative management shall consider studying the classified state employee compensation system, including a review of the development and determination of pay grades and classifications. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 45. LEGISLATIVE MANAGEMENT STUDY - BIOLOGIC MANUFACTURING SALES TAX EXEMPTION. During the 2021-22 interim, the legislative management shall consider studying the fiscal impact of providing a sales tax exemption for raw materials critical to the manufacturing process used to support biologic product generation, product impurity removal, chemical or physical product alteration, and analysis of in-process to final deliverable products. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 46. EMERGENCY. The following are declared to be an emergency measure:

1. Sections 3, 6, 9, and 13 of this Act;

2. Section 3 of House Bill No. 1349, as approved by the sixty-seventh legislative assembly;

3. $12,000,000 appropriated from the federal coronavirus relief fund, of which $6,565,432 is in the operating expenses line item and $5,434,568 is in the grants line item in section 1 and identified in sections 2 and 8 of Senate Bill No. 2018, as approved by the sixty-seventh legislative assembly;

4. $100,000 appropriated from the general fund for a motion picture production and recruitment grant in the grants line item in section 1 and identified in section 2 of Senate Bill No. 2018, as approved by the sixty-seventh legislative assembly;

5. Senate Bill No. 2140, as approved by the sixty-seventh legislative assembly; and

6. Senate Bill No. 2317, as approved by the sixty-seventh legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Office of Management and Budget						
Total all funds	$41,662,367	$47,361,750	$1,413,062	$48,774,812	$48,824,813	($50,001)
Less estimated income	8,746,515	14,252,906	495,507	14,748,413	14,748,413	0
General fund	$32,915,852	$33,108,844	$917,555	$34,026,399	$34,076,400	($50,001)
FTE	112.00	112.00	(4.00)	108.00	108.00	0.00
State Treasurer						
Total all funds	$0	$8,100,000	$11,900,000	$20,000,000	$8,200,000	$11,800,000
Less estimated income	0	8,100,000	11,900,000	20,000,000	8,200,000	11,800,000
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Judicial Branch						
Total all funds	$0	$0	$392,847	$392,847	$157,600	$235,247
Less estimated income	0	0	157,600	157,600	157,600	0
General fund	$0	$0	$235,247	$235,247	$0	$235,247
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Public Instruction						
Total all funds	$0	$0	$5,900,000	$5,900,000	$5,900,000	$0
Less estimated income	0	0	5,900,000	5,900,000	5,900,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
University of North Dakota						
Total all funds	$0	$0	$9,000,000	$9,000,000	$9,000,000	$0
Less estimated income	0	0	5,000,000	5,000,000	5,000,000	0
General fund	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Dickinson State University						
Total all funds	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
Less estimated income	0	0	4,000,000	4,000,000	4,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Mayville State University						
Total all funds	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
Less estimated income	0	0	0	0	0	0
General fund	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Dept. of Career and Technical Education						
Total all funds	$0	$0	$70,000,000	$70,000,000	$78,000,000	($8,000,000)
Less estimated income	0	0	70,000,000	70,000,000	78,000,000	(8,000,000)

General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Highway Patrol						
Total all funds	$0	$0	$3,000,000	$3,000,000	$3,000,000	$0
Less estimated income	0	0	3,000,000	3,000,000	3,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Commerce						
Total all funds	$0	$0	$1,000,000	$1,000,000	$0	$1,000,000
Less estimated income	0	0	0	0	0	0
General fund	$0	$0	$1,000,000	$1,000,000	$0	$1,000,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Agriculture						
Total all funds	$0	$0	$0	$0	$5,000,000	($5,000,000)
Less estimated income	0	0	0	0	5,000,000	(5,000,000)
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Transportation						
Total all funds	$0	$0	$255,000,000	$255,000,000	$21,800,000	$233,200,000
Less estimated income	0	0	255,000,000	255,000,000	21,800,000	233,200,000
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Bill total						
Total all funds	$41,662,367	$55,461,750	$363,205,909	$418,667,659	$183,882,413	$234,785,246
Less estimated income	8,746,515	22,352,906	355,453,107	377,806,013	145,806,013	232,000,000
General fund	$32,915,852	$33,108,844	$7,752,802	$40,861,646	$38,076,400	$2,785,246
FTE	112.00	112.00	(4.00)	108.00	108.00	0.00

House Bill No. 1015 - Office of Management and Budget - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	$21,903,816	$22,797,003	($870,024)	$21,926,979	$21,926,979	
Operating expenses	14,937,426	15,430,128	883,086	16,313,214	16,313,214	
Capital assets	767,125	5,534,619		5,534,619	5,534,619	
Grants	54,000					
Emergency commission contingency fund	500,000	400,000		400,000	400,000	
Guardianship grants	1,950,000	2,050,000	400,000	2,450,000	2,450,000	
Prairie public broadcasting	1,200,000	800,000	400,000	1,200,000	1,200,001	($1)
Community service supervision grants	350,000	250,000	100,000	350,000	400,000	(50,000)
Student internship program		100,000		100,000	100,000	
Federal coronavirus capital projects			500,000	500,000	500,000	
Total all funds	$41,662,367	$47,361,750	$1,413,062	$48,774,812	$48,824,813	($50,001)
Less estimated income	8,746,515	14,252,906	495,507	14,748,413	14,748,413	0
General fund	$32,915,852	$33,108,844	$917,555	$34,026,399	$34,076,400	($50,001)
FTE	112.00	112.00	(4.00)	108.00	108.00	0.00

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

	Adjusts Funding for Salary Increases[1]	Transfers FTE Positions for IT Unification[2]	Adds Funding for Statewide Dues[3]	Adds Funding for Grants[4]	Total Conference Committee Changes
Salaries and wages	($23,477)	($846,547)			($870,024)
Operating expenses		866,061	$17,025		883,086
Capital assets					
Grants					
Emergency commission contingency fund					
Guardianship grants				$400,000	400,000
Prairie public broadcasting				400,000	400,000
Community service supervision grants				100,000	100,000
Student internship program					
Federal coronavirus capital projects				500,000	500,000
Total all funds	($23,477)	$19,514	$17,025	$1,400,000	$1,413,062
Less estimated income	(4,493)	0	0	500,000	495,507
General fund	($18,984)	$19,514	$17,025	$900,000	$917,555
FTE	0.00	(4.00)	0.00	0.00	(4.00)

[1] Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of $100, and 2 percent on July 1, 2022, the same as the Senate. The House provided salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of $100 and a maximum monthly increase of $250.

[2] Four FTE positions are transferred to the Information Technology Department for the IT unification project, reducing salaries and wages by $846,547 and increasing operating expenses by $866,061. The Senate included the IT unification project, but the House did not.

[3] Funding of $17,025 from the general fund is added for increased costs associated with statewide memberships and dues, the same as the Senate. The House did not increase funding for statewide memberships and dues.

[4] Funding of $1,400,000 is added as follows:

- $400,000 from the general fund for guardianship grants to provide a total of $2,450,000, the same as the Senate. The House provided a total of $2,050,000.
- $400,000 from the general fund for Prairie Public Broadcasting to provide a total of $1,200,000, a decrease of $1 from the Senate. The House provided a total of $800,000.
- $100,000 from the general fund for community service supervision grants to provide a total of $350,000. The House provided a total of $250,000, and the Senate provided a total of $400,000.
- $500,000 from federal funds derived from the federal Coronavirus Capital Projects Fund for a capital project grant for construction of a new medical center in Griggs County, the same as the Senate. The House did not include this funding.

This amendment also:

- Includes a section added by the Senate to appropriate funding from the federal Coronavirus Capital Projects Fund to various agencies for eligible capital projects. The House did not include this section.
- Transfers $1 million from the strategic investment and improvements fund to the cultural endowment fund for arts initiatives, the same as the Senate. The House did not include this transfer.
- Adjusts the transfer from the tax relief fund to the human service finance fund to provide $187,223,092, the same as the Senate. The House provided for a transfer of $187,385,888.
- Adjusts the funding identified from the Capitol building fund for extraordinary repairs to match the $500,000 appropriated in Section 1 of the bill, the same as the Senate. The House appropriated $500,000 for extraordinary repairs.
- Increases the amount of funding identified for statewide memberships and dues totaling $642,089. The Senate increased the funding for statewide memberships and dues. The House provided $625,064 for statewide memberships and dues.
- Adjusts the compensation guidelines to reflect an average increase of 1.5 percent with a monthly minimum of $100 in the 1st year of the biennium and an average increase of 2 percent in the 2nd year of the biennium, the same as the Senate. The House provided an average increase of 1.5 percent with a monthly minimum of $100

and a monthly maximum of $200 for both years of the biennium.

- Removes the requirement for the Securities Commissioner to be skilled in securities and removes the restriction that the Securities Commissioner may not hold any other public office. The Senate also removed this requirement, but the House did not include this change.
- Requires a notice filing for certain securities held as investments from the legacy fund, the same as the Senate. The House did not include this requirement.
- Authorizes the Bank of North Dakota to provide a line of credit of up to $250 million to support loans or loan guarantees under the clean sustainable energy fund, which was added by the Senate. The House did not authorize this line of credit.
- Adds a Legislative Management study of state employee compensation, the same as the Senate. The House did not include a study of state employee compensation.
- Provides an emergency clause for community service supervision fund grants, federal coronavirus capital projects, and Senate Bill No. 2140, relating to repayments under the professional student exchange program, the same as the Senate. The House did not include an emergency clause.

House Bill No. 1015 - State Treasurer - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Non-oil township grants		$8,100,000	$11,900,000	$20,000,000	$8,200,000	$11,800,000
Total all funds	$0	$8,100,000	$11,900,000	$20,000,000	$8,200,000	$11,800,000
Less estimated income	0	8,100,000	11,900,000	20,000,000	8,200,000	11,800,000
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 120 - State Treasurer - Detail of Conference Committee Changes

	Increases Funding for Grants[1]	Total Conference Committee Changes
Non-oil township grants	$11,900,000	$11,900,000
Total all funds	$11,900,000	$11,900,000
Less estimated income	11,900,000	11,900,000
General fund	$0	$0
FTE	0.00	0.00

[1] Funding for grants to non-oil-producing townships is increased by $11.9 million to provide a total of $20 million for township road and bridge projects. Of the $20 million, $8.2 million is from the state disaster relief fund and $11.8 million is from the tax relief fund. The State Treasurer is required to distribute $10 million as equal allocations to all the townships and $10 million based on road miles. The House provided $8.1 million from the disaster relief fund for township road and bridge projects. The Senate provided a total of $30 million for township road and bridge projects, including $8.2 million from the disaster relief fund, $11.8 million from the tax relief fund, and $10 million from the strategic investment and improvements fund.

House Bill No. 1015 - Judicial Branch - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$157,600	$157,600	$157,600	
Youth cultural achievement programs			90,000	90,000		$90,000
Veterans' Treatment Court			145,247	145,247		145,247
Total all funds	$0	$0	$392,847	$392,847	$157,600	$235,247
Less estimated income	0	0	157,600	157,600	157,600	0
General fund	$0	$0	$235,247	$235,247	$0	$235,247
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 180 - Judicial Branch - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Adds Funding for Veterans' Court[2]	Adds Funding for Youth Cultural Programs[3]	Total Conference Committee Changes
Federal coronavirus capital projects	$157,600			$157,600
Youth cultural achievement programs			$90,000	90,000
Veterans' Treatment Court		$145,247		145,247
Total all funds	$157,600	$145,247	$90,000	$392,847
Less estimated income	157,600	0	0	157,600
General fund	$0	$145,247	$90,000	$235,247
FTE	0.00	0.00	0.00	0.00

[1] One-time funding of $157,600 from the federal Coronavirus Capital Projects Fund is added for information technology equipment, the same as the Senate version. The House did not include this funding.

[2] Funding of $145,247 from the general fund, including $100,739 for temporary salaries and wages and $44,508 for operating expenses is added for a veterans' treatment court in the Northeast Central Judicial District.

[3] Funding of $90,000 from the general fund is added for youth cultural achievement programs.

House Bill No. 1015 - Department of Public Instruction - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$5,900,000	$5,900,000	$5,900,000	
Total all funds	$0	$0	$5,900,000	$5,900,000	$5,900,000	$0
Less estimated income	0	0	5,900,000	5,900,000	5,900,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 201 - Department of Public Instruction - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$5,900,000	$5,900,000
Total all funds	$5,900,000	$5,900,000
Less estimated income	5,900,000	5,900,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $5.9 million from the federal Coronavirus Capital Projects Fund is added for a grant to an entity for the development of a children's science center in Minot, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - University of North Dakota - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$5,000,000	$5,000,000	$5,000,000	
Space command initiative			4,000,000	4,000,000	4,000,000	
Total all funds	$0	$0	$9,000,000	$9,000,000	$9,000,000	$0
Less estimated income	0	0	5,000,000	5,000,000	5,000,000	0
General fund	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 230 - University of North Dakota - Detail of Conference Committee Changes

	Adds Funding for Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$5,000,000	$5,000,000
Space command initiative	4,000,000	4,000,000
Total all funds	$9,000,000	$9,000,000
Less estimated income	5,000,000	5,000,000
General fund	$4,000,000	$4,000,000
FTE	0.00	0.00

[1] One-time funding of $5 million from the federal Coronavirus Capital Projects Fund is added for reconstruction of the University of North Dakota's apron at the Grand Forks airport. One-time funding of $4 million from the general fund is added for a space command initiative. These items were also added by the Senate. The House did not include funding for these items.

House Bill No. 1015 - Dickinson State University - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$4,000,000	$4,000,000	$4,000,000	
Total all funds	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
Less estimated income	0	0	4,000,000	4,000,000	4,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 239 - Dickinson State University - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$4,000,000	$4,000,000
Total all funds	$4,000,000	$4,000,000
Less estimated income	4,000,000	4,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $4 million from the federal Coronavirus Capital Projects Fund is added for a Pulver Hall, meat processing laboratory, and other projects at Dickinson State University, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - Mayville State University - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Capital assets			$1,600,000	$1,600,000		$1,600,000
Total all funds	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
Less estimated income	0	0	0	0	0	0
General fund	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 240 - Mayville State University - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Capital assets	$1,600,000	$1,600,000
Total all funds	$1,600,000	$1,600,000
Less estimated income	0	0
General fund	$1,600,000	$1,600,000
FTE	0.00	0.00

[1] One-time funding of $1.6 million from the general fund is added for a boiler project at Mayville State University. Neither the House nor the Senate included this funding.

House Bill No. 1015 - Dept. of Career and Technical Education - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$70,000,000	$70,000,000	$78,000,000	($8,000,000)
Total all funds	$0	$0	$70,000,000	$70,000,000	$78,000,000	($8,000,000)
Less estimated income	0	0	70,000,000	70,000,000	78,000,000	(8,000,000)
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 270 - Dept. of Career and Technical Education - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$70,000,000	$70,000,000
Total all funds	$70,000,000	$70,000,000
Less estimated income	70,000,000	70,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $70 million from the federal Coronavirus Capital Projects Fund is added for a statewide area career center initiative grant program. The Senate provided $78 million from the federal Coronavirus Capital Projects fund, but the House did not include this funding.

House Bill No. 1015 - Highway Patrol - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$3,000,000	$3,000,000	$3,000,000	
Total all funds	$0	$0	$3,000,000	$3,000,000	$3,000,000	$0
Less estimated income	0	0	3,000,000	3,000,000	3,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 504 - Highway Patrol - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$3,000,000	$3,000,000
Total all funds	$3,000,000	$3,000,000
Less estimated income	3,000,000	3,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $3 million from the federal Coronavirus Capital Projects Fund is added for a law enforcement training center remodel project, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - Department of Commerce - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Discretionary funds			$1,000,000	$1,000,000		$1,000,000
Total all funds	$0	$0	$1,000,000	$1,000,000	$0	$1,000,000
Less estimated income	0	0	0	0	0	0
General fund	$0	$0	$1,000,000	$1,000,000	$0	$1,000,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 601 - Department of Commerce - Detail of Conference Committee Changes

	Adds Funding for Discretionary Grants[1]	Total Conference Committee Changes
Discretionary funds	$1,000,000	$1,000,000
Total all funds	$1,000,000	$1,000,000
Less estimated income	0	0
General fund	$1,000,000	$1,000,000
FTE	0.00	0.00

[1] One-time funding of $1 million from the general fund is added for discretionary grants by the Department of Commerce to provide total discretionary funding of $3.15 million. Neither the House nor the Senate included this funding.

House Bill No. 1015 - Department of Agriculture - Conference Committee Action

The Conference Committee did not add the funding for the grasslands grazing grant program included in the Senate version. The funding was included in House Bill No. 1009, the budget for the Agriculture Commissioner.

House Bill No. 1015 - Department of Transportation - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Capital assets			$255,000,000	$255,000,000		$255,000,000
Township road projects					$21,800,000	(21,800,000)
Total all funds	$0	$0	$255,000,000	$255,000,000	$21,800,000	$233,200,000
Less estimated income	0	0	255,000,000	255,000,000	21,800,000	233,200,000
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 801 - Department of Transportation - Detail of Conference Committee Changes

	Adds Funding for Road and Bridge Projects[1]	Adds Funding for Match Funding[2]	Total Conference Committee Changes
Capital assets	$55,000,000	$200,000,000	$255,000,000
Township road projects			
Total all funds	$55,000,000	$200,000,000	$255,000,000
Less estimated income	55,000,000	200,000,000	255,000,000
General fund	$0	$0	$0
FTE	0.00	0.00	0.00

[1] Funding of $55 million from federal funds is added as matching funds for road and bridge projects, of which $35 million is to match funding provided through bonding in House Bill No. 1431 and $20 million is to match funding allocated to townships. Neither the House nor the Senate included this funding.

[2] Funding of $100 million is transferred from the general fund to the highway fund at the end of the 2019-21 biennium to match additional federal discretionary funds that may become available during the 2021-23 biennium. Funding of $100 million from the highway fund along with $100 million of federal match funding is appropriated to the Department of Transportation for road and bridge projects, including at least $10 million of funding from the highway fund that must be used to match federal funds for township road and bridge projects.

House Bill No. 1015 - Other Changes - Conference Committee Action

Other changes in this amendment, which were not included by the House or Senate, include:

- Transfers $410 million from the strategic investment and improvements fund to the general fund.
- Recognizes an additional $100 million of general fund estimated revenues from 2019-21 biennium legacy fund earnings transferred to the general fund reflecting a total estimate of $736 million.
- Provides a contingent appropriation of $17.5 million from the general fund to the Bank of North Dakota to repay a loan related to the Theodore Roosevelt Presidential Library and Museum endowment fund. The funding is available only if the July 1, 2021, general fund balance exceeds the legislative estimate by at least $17.5 million.
- Authorizes the Department of Transportation to create cooperative agreements for matching federal funds.
- Amends North Dakota Century Code Section 54-09-05, as amended by House Bill No. 1002, to correct the effective date for the salary increase of the Secretary of State.
- Requires executive branch agencies to report cumulative salary increases during the biennium exceeding 15 percent.
- Increases the amount authorized to be retained in the state personnel training and development operating fund from $25,000 to $100,000.
- Adds a statement of legislative intent regarding future funding for operating and maintenance costs associated with new area career centers.
- Adds a Legislative Management study regarding a sales tax exemption related to biologic manufacturing.
- Adds an emergency clause for $1.6 million from the general fund for a boiler project at Mayville State University; a section in House Bill No. 1349 relating to electronic access to public meetings; $12 million from the federal Coronavirus Relief Fund in Senate Bill No. 2018; $100,000 from the general fund for a motion picture production and recruitment grant in Senate Bill No. 2018; and Senate Bill No. 2317, relating to capital assets as collateral for coal power plant bonding.

Date: 4/26/2021
Roll Call Vote #: "Enter Vote #"

2021 HOUSE CONFERENCE COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. HB 1015 engrossed

House Appropriations Committee

Action Taken
- ☐ **HOUSE accede to Senate Amendments**
- ☐ **HOUSE accede to Senate Amendments and further amend**
- ☐ **SENATE recede from Senate amendments**
- ☒ **SENATE recede from Senate amendments and amend as follows**

☐ **Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Representative Boschee Seconded by: Representative Pollert

Representatives	4/29			Yes	No		Senators	4/29			Yes	No
Delzer	P			X			Holmberg	P			X	
Pollert	P			X			Wardner	P			X	
Boschee	P			X			Heckaman	P			X	
Total Rep. Vote	3	0	0				Total Senate Vote	3	0	0		

Vote Count Yes: 6 No: 0 Absent: 0

House Carrier Chairman Delzer Senate Carrier Senator Holmberg

LC Number 21.0274 . 02053 of amendment

LC Number 21.0274 . 04000 of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

Insert LC: 21.0274.02053
House Carrier: Delzer
Senate Carrier: Holmberg

REPORT OF CONFERENCE COMMITTEE

HB 1015, as engrossed: Your conference committee (Sens. Holmberg, Wardner, Heckaman and Reps. Delzer, Pollert, Boschee) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1589-1605, adopt amendments as follows, and place HB 1015 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1866-1883 of the House Journal and pages 1589-1605 of the Senate Journal and that Engrossed House Bill No. 1015 be amended as follows:

Page 1, line 3, after the semicolon insert "to provide an appropriation to the department of career and technical education, the department of public instruction, the university of North Dakota, Dickinson state university, the highway patrol, the judicial branch, the department of transportation, the department of commerce, and Mayville state university; to provide a contingent appropriation to the Bank of North Dakota; to create and enact a new section to chapter 10-04, a new section to chapter 24-02, and a new subsection to section 54-44-04 of the North Dakota Century Code, relating to notice filing for certain legacy fund investments, cooperative transportation agreements, and state employee salary increases;"

Page 1, line 3, after "reenact" insert "subsection 1 of section 10-04-03, section 54-09-05, as amended by section 4 of House Bill No. 1002, as approved by the sixty-seventh legislative assembly, a new chapter to title 54, as created by section 3 of House Bill No. 1452, as approved by the sixty-seventh legislative assembly, subsection 3 of section 54-44-11"

Page 1, line 5, after "to" insert "qualifications of the securities commissioner, the salary of the secretary of state, the clean sustainable energy authority, the balance of the state personnel training and development operating fund,"

Page 1, line 10, after "exemption" insert "; to provide a statement of legislative intent"

Page 1, line 11, remove "and"

Page 1, line 11, after "report" insert "; and to declare an emergency"

Page 1, remove lines 21 through 24

Page 2, replace lines 1 through 9 with:

"Salaries and wages	$21,903,816	$23,163	$21,926,979
Operating expenses	14,937,426	1,375,788	16,313,214
Emergency commission contingency fund	500,000	(100,000)	400,000
Capital assets	767,125	4,767,494	5,534,619
Grants	54,000	(54,000)	0
Guardianship grants	1,950,000	500,000	2,450,000
Prairie public broadcasting	1,200,000	0	1,200,000
Community service supervision grants	350,000	0	350,000
State student internship program	0	100,000	100,000
Total all funds	$41,662,367	$6,612,445	$48,274,812
Less estimated income	8,746,515	5,501,898	14,248,413
Total general fund	$32,915,852	$1,110,547	$34,026,399
Full-time equivalent positions	112.00	(4.00)	108.00"

Page 3, line 8, replace "biennium beginning July 1, 2021" with "period beginning with the effective date of this Act"

Page 3, line 10, after "**FUND**" insert "**- TAX RELIEF FUND**"

Page 3, line 11, after the boldfaced period insert:

"1. a."

Page 3, line 14, replace "$8,100,000" with "$8,200,000"

Page 3, line 15, after the comma insert "and out of any moneys in the tax relief fund in the state treasury, not otherwise appropriated, the sum of $1,800,000, or so much of the sum as may be necessary,"

Page 3, line 18, after the period insert:

"b."

Page 3, line 18, replace "$8,100,000" with "$10,000,000"

Page 3, line 21, after "an" insert "equal"

Page 3, line 21, remove "of $5,000"

Page 3, line 22, after the period insert:

"c."

Page 3, line 23, replace "section" with "subsection"

Page 3, line 24, replace "section" with "subsection"

Page 3, line 25, after the period insert:

"d."

Page 3, line 25, replace "section" with "subsection"

Page 3, line 27, replace "section" with "subsection"

Page 3, line 28, after the period insert:

"e."

Page 3, after line 31, insert:

"2. a. There is appropriated out of any moneys in the tax relief fund in the state treasury, not otherwise appropriated, the sum of $10,000,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of providing distributions to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county, for the biennium beginning July 1, 2021, and ending June 30, 2023.

b. In August 2021, the state treasurer shall distribute $10,000,000, or so much of the sum as may be necessary, to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county. The distribution to each non-oil-producing county must provide for an allocation to each organized and unorganized township that is proportional to the number of township road miles in each organized and unorganized township relative to the combined total township road miles in all the organized and unorganized townships in all the non-oil-producing

counties. The township road miles must be based on certifications provided to the state treasurer using roadway mileage criteria from the department of transportation.

c. The amount allocated to organized townships under this subsection must be paid by the county treasurer to each organized township. The amount allocated to unorganized townships under this subsection must be credited by the county treasurer to a special fund for unorganized township roads.

d. The distributions under this subsection must be used for the maintenance and improvement of township paved and unpaved roads and bridges.

e. For the purposes of this subsection, a "non-oil-producing county" means a county that has received no allocation of funding or a total allocation of funding under subsection 2 of section 57-51-15 of less than $5,000,000 for the period beginning September 1, 2019, and ending August 31, 2020.

SECTION 5. APPROPRIATION - FEDERAL FUNDS - DEPARTMENT OF TRANSPORTATION. There is appropriated out of any moneys derived from federal funds, not otherwise appropriated, the sum of $55,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of road and bridge projects, for the biennium beginning July 1, 2021, and ending June 30, 2023. Of the $55,000,000, $35,000,000 is federal funds that may be matched by funding appropriated in section 10 of House Bill No. 1431, as approved by the sixty-seventh legislative assembly, for road and bridge projects, and $20,000,000 is federal funds that may be matched by funding appropriated in section 4 of this Act for township road and bridge projects pursuant to cooperative agreements.

SECTION 6. APPROPRIATION - FEDERAL CORONAVIRUS CAPITAL PROJECTS FUND - MATCHING FUNDS - ONE-TIME FUNDING.

1. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $70,000,000, or so much of the sum as may be necessary, to the department of career and technical education for the purpose of a statewide area career center initiative grant program for the period beginning with the effective date of this Act, and ending June 30, 2023. The department of career and technical education shall establish the application process and develop eligibility requirements for the grant program that must include:

   a. Funding may be used only for career and technical education projects involving construction, addition, maintenance, and equipment for new and existing area career centers;

   b. Grants awarded to each recipient must be at least $500,000, but may not exceed $10,000,000;

   c. Grants may be awarded only to the extent a school district has secured matching funds from nonstate sources on a dollar-for-dollar basis;

   d. An applicant identifying sufficient future nonstate sources of funding for ongoing operating and maintenance costs associated with a new or expanded area career center;

e. The application period for the grant program begins with the effective date of this Act and ends on June 30, 2022. Any funding not committed by December 31, 2022, may not be spent and must be canceled at the end of the 2021-23 biennium in accordance with section 54-44.1-11;

f. Preference must be given to school districts that collaborate with other school districts for a regional area career center facility or to school districts to create a new area career center or use an existing area career center to positively affect that region of the state; and

g. Preference must be given to school districts that will promote postsecondary education and workforce training education in conjunction with secondary education.

2. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $5,900,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing a grant to an entity for the development of a children's science center for the period beginning with the effective date of this Act, and ending June 30, 2023.

3. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $5,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of reconstruction of the university's apron at the Grand Forks airport for the period beginning with the effective date of this Act, and ending June 30, 2023.

4. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $4,000,000, or so much of the sum as may be necessary, to Dickinson state university for the purpose of a Pulver hall project, a meat processing laboratory remodel, and other projects for the period beginning with the effective date of this Act, and ending June 30, 2023.

5. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $3,000,000, or so much of the sum as may be necessary, to the highway patrol for the purpose of a law enforcement training center remodel project for the period beginning with the effective date of this Act, and ending June 30, 2023.

6. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $500,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of providing a grant for the construction of a new medical center located in the county seat of Griggs County for the period beginning with the effective date of this Act, and ending June 30, 2023.

7. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of $157,600, or so much of the sum as may be necessary, to the judicial branch for the purpose of purchasing information technology equipment for the period beginning with the effective date of this Act, and ending June 30, 2023.

8. If the federal government distributes funding derived from the federal coronavirus capital projects fund to the state in more than one funding round, the office of management and budget shall prioritize the amounts received in the first funding round as follows:

   a. $19,763,000 to the department of career and technical education;

   b. $11,716,400 to the parks and recreation department;

   c. $5,900,000 to the department of public instruction;

   d. $5,000,000 to the university of North Dakota;

   e. $4,200,000 to the state historical society;

   f. $4,000,000 to Dickinson state university;

   g. $3,000,000 to the highway patrol;

   h. $2,000,000 to the agriculture commissioner;

   i. $500,000 to the office of management and budget; and

   j. $157,600 to the judicial branch.

9. The funding provided under this section may be spent only to the extent the director of the office of management and budget, in consultation with the budget section, determines the use of the funding complies with federal guidance for the federal coronavirus capital projects fund. The funding provided under this section is considered a one-time funding item.

SECTION 7. LEGISLATIVE INTENT - AREA CAREER CENTERS - FUTURE COSTS. It is the intent of the sixty-seventh legislative assembly that school districts:

1. Prepare to provide for any future operating and maintenance costs relating to new or expanded area career centers resulting from the expenditure of federal coronavirus capital projects funds because state funds will not be provided to replace these federal funds; and

2. Prepare to provide increased local support for area career centers since state grant funding is limited and may not be available to support any increased future costs related to new or expanded area career centers completed with these federal funds.

SECTION 8. APPROPRIATION - UNIVERSITY OF NORTH DAKOTA - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $4,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of a space command initiative and related technical programs, including equipment, renovation costs, a sensitive compartmental information facility, and other expenses for the biennium beginning July 1, 2021, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 9. APPROPRIATION - MAYVILLE STATE UNIVERSITY - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $1,600,000, or so much of the sum as may be necessary, to Mayville state university for a natural gas boiler

project, for the period beginning with the effective date of this Act, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 10. APPROPRIATION - DEPARTMENT OF COMMERCE - DISCRETIONARY FUNDS - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $1,000,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of providing discretionary funds, for the biennium beginning July 1, 2021, and ending June 30, 2023. This funding is considered a one-time funding item.

SECTION 11. APPROPRIATION - JUDICIAL BRANCH - VETERANS' COURT. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $145,247, or so much of the sum as may be necessary, to the judicial branch for the purpose of establishing a veterans' treatment court in the northeast central judicial district, for the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 12. APPROPRIATION - JUDICIAL BRANCH - YOUTH CULTURAL ACHIEVEMENT PROGRAMS. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $90,000, or so much of the sum as may be necessary, to the judicial branch for youth cultural achievement programs, for the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 13. 2019-21 BIENNIUM APPROPRIATION - TRANSFER - GENERAL FUND TO HIGHWAY FUND - 2021-23 BIENNIUM APPROPRIATION - HIGHWAY FUND AND FEDERAL FUNDS - REPORT.

1. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $100,000,000, which the office of management and budget shall transfer to the highway fund during the period beginning with the effective date of this Act, and ending June 30, 2021. The funds transferred to the highway fund must be maintained and reported separately from other funds in the highway fund.

2. There is appropriated out of any moneys in the highway fund, not otherwise appropriated, the sum of $100,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of matching federal discretionary funds received in excess of the regular federal funding amounts included in the department's 2021-23 biennium budget, for the biennium beginning July 1, 2021, and ending June 30, 2023. Of this amount, the department shall use at least $10,000,000 for matching federal funds for township road and bridge projects.

3. There is appropriated from federal funds, the sum of $100,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of defraying the expenses of road and bridge construction projects for the biennium beginning July 1, 2021, and ending June 30, 2023.

4. On June 30, 2023, the office of management and budget shall transfer any unexpended and unobligated funds transferred to the highway fund under subsection 1 to the general fund.

5. During the 2021-22 interim, the department of transportation shall provide quarterly reports to the budget section regarding the use of funds transferred from the general fund to the highway fund.

SECTION 14. LEGACY FUND EARNINGS ESTIMATE - 2019-21 BIENNIUM. For legislative council budget status reporting purposes, the sixty-seventh legislative assembly estimates $736,000,000 of earnings will be transferred from the legacy fund to the general fund at the end of the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 15. CONTINGENT APPROPRIATION - THEODORE ROOSEVELT PRESIDENTIAL LIBRARY - LOAN REPAYMENT - ONE-TIME FUNDING. Subject to the provisions of this section, there is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $17,500,000, or so much of the sum as may be necessary, to the Bank of North Dakota for the purpose of repaying the loan authorized in section 8 of chapter 26 of the 2019 Session Laws related to the Theodore Roosevelt presidential library, for the biennium beginning July 1, 2021, and ending June 30, 2023. The funding provided in this section is available only if the actual July 1, 2021, general fund balance exceeds the legislative estimate made at the close of the 2021 legislative session by at least $17,500,000, as determined by the office of management and budget. This funding is considered a one-time funding item.

SECTION 16. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO GENERAL FUND. The office of management and budget shall transfer the sum of $410,000,000 from the strategic investment and improvements fund to the general fund during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 17. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO CULTURAL ENDOWMENT FUND - INTENT. The office of management and budget shall transfer the sum of $1,000,000 from the strategic investment and improvements fund to the cultural endowment fund during the biennium beginning July 1, 2021, and ending June 30, 2023. It is the intent of the sixty-seventh legislative assembly that the council on the arts expend up to $50,000 annually from the cultural endowment fund pursuant to the appropriation authority provided in section 2 of Senate Bill No. 2010 during the 2021-23 biennium for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program. It is further the intent of the legislative assembly that the council on the arts continue to expend $50,000 annually from the cultural endowment fund for the maintenance of the public arts projects constructed as part of the North Dakota creative placemaking program until the moneys derived from the strategic investment and improvements fund transfer authorized under this section and deposited in the fund have been fully expended."

Page 4, line 2, replace "$187,385,888" with "$187,223,092"

Page 4, line 11, replace "$2,268,800" with "$2,168,800"

Page 4, line 12, replace "$2,268,800" with "$2,168,800"

Page 4, line 14, replace "$600,000" with "$500,000"

Page 4, replace line 26 with:

"Statewide memberships and related expenses $642,089"

Page 5, line 10, remove "and a maximum of $250"

Page 5, line 11, remove "per month"

Page 5, line 11, replace "each" with "the first"

Page 5, line 11, after "biennium" insert "and are to average 2 percent per eligible employee for the second year of the biennium"

Page 5, line 15, remove "and maximum"

Page 5, after line 26, insert:

"**SECTION 25. AMENDMENT.** Subsection 1 of section 10-04-03 of the North Dakota Century Code is amended and reenacted as follows:

1. The state securities department is under the supervision of a chief officer designated as the securities commissioner. The securities commissioner must be appointed by the governor and confirmed by the senate and shall hold office for a term of four years, beginning on the first day of July following a national presidential election and continuing until a successor has been appointed, confirmed by the senate, and has qualified, unless removed as herein provided. If the senate is not in session, the governor may make an interim appointment, and the interim appointee ~~shall~~may hold office until the senate confirms or rejects the appointment. ~~The commissioner must be skilled in securities and may not be an incumbent of any other public office in the state.~~ The commissioner may not own or control any security required to be registered under this chapter, or any security which is exempt based on the approval of the securities department. The commissioner may not be an officer, director, or employee of any broker-dealer, agent, investment adviser, or investment adviser representative required to be registered under this chapter, or of a federal covered adviser required to be notice-filed under this chapter. The governor may remove from office any commissioner who fails to discharge faithfully the duties of office or who becomes disqualified under the provisions of this section.

   It is the prime duty of the commissioner to administer the provisions of this chapter. The commissioner shall receive a salary within the amount appropriated for salaries by the legislative assembly. The commissioner shall use a seal with the words "securities commissioner, North Dakota" and such design as the commissioner may prescribe engraved thereon by which seal the commissioner may authenticate documents used in the administration of this chapter. The commissioner may employ such employees as are necessary for the administration of this chapter. In the absence or disability of the commissioner, the deputy or designee of the commissioner ~~shall~~may administer the provisions of this chapter as acting commissioner.

SECTION 26. A new section to chapter 10-04 of the North Dakota Century Code is created and enacted as follows:

Legacy fund investments - Notice filing.

1. Within thirty days of completion of the transaction, any issuer of securities in receipt of an investment from the legacy fund under paragraph 3 of subdivision a of subsection 3 of section 21-10-11 or under subdivision b of subsection 3 of section 21-10-11, as created by section 4 of House Bill No. 1425 as approved by the sixty-seventh legislative assembly, shall file electronically a notice on a form prescribed by the commissioner and containing information as required by the commissioner.

2. The notice filing requirement under this section does not exempt the issuer from or supersede any other provision of this chapter.

SECTION 27. A new section to chapter 24-02 of the North Dakota Century Code is created and enacted as follows:

Cooperative agreements - Federal transportation-related aid and safety and mobility.

The director may enter into cooperative agreements with any transferee under section 54-27-19 or any federal agency operating a national park and may expend highway fund moneys pursuant to legislative appropriations to match federal funds for the purposes of providing assistance with the assessment, design, and construction of projects to improve the safety and mobility of people or goods in the state.

SECTION 28. AMENDMENT. Section 54-09-05 of the North Dakota Century Code, as amended by section 4 of House Bill No. 1002, as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

54-09-05. Salary of secretary of state.

The annual salary of the secretary of state is one hundred twelve thousand two hundred forty-one dollars through June 30, ~~2021~~2022, and one hundred fourteen thousand four hundred eighty-six dollars thereafter.

SECTION 29. AMENDMENT. A new chapter to title 54 of the North Dakota Century Code, as created by section 3 of House Bill No. 1452 as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

Definitions.

As used in this chapter:

1. "Authority" means the clean sustainable energy authority.
2. "Clean" means a technology or concept that reduces emissions to the air, water, or land and meets or exceeds state and federal environmental regulations.
3. "Commission" means the industrial commission.
4. "Fund" means the clean sustainable energy fund.
5. "Program" means the clean sustainable energy program.
6. "Sustainable" means a technology or concept that allows the use of a natural resource to be maintained or enhanced through increased efficiency and life cycle benefits while either increasing or not adversely impacting energy security, affordability, reliability, resilience, or national security.

Clean sustainable energy authority - Purpose.

There is created the clean sustainable energy authority to support research, development, and technological advancements through partnerships and financial support for the large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery. The purpose of the financial support is to enhance the production of clean sustainable energy, to make the state a world leader in the production of clean sustainable energy, and to diversify and grow the state's economy.

Clean sustainable energy authority - Membership - Meetings.

1. The clean sustainable energy authority consists of sixteen members, including eight voting members and eight nonvoting technical advisors.

2. The eight voting members consist of:

   a. One member appointed by the legislative management to serve as chairman;

   b. Two members appointed by the lignite research council;

   c. Two members appointed by the oil and gas research council;

   d. Two members appointed by the renewable energy council; and

   e. One member appointed by the western Dakota energy association.

3. The eight nonvoting technical advisors consist of:

   a. One member appointed by the North Dakota outdoor heritage fund advisory board;

   b. The commissioner of commerce or the commissioner's designee;

   c. The director of the department of environmental quality or the director's designee;

   d. The director of mineral resources or the director's designee;

   e. The director of the North Dakota pipeline authority or the director's designee;

   f. The director of the North Dakota transmission authority or the director's designee;

   g. The director of the state energy research center or the director's designee; and

   h. The president of the Bank of North Dakota or the president's designee;.

4. The term of office for the chairman is two years. The term of office for the other voting members is four years, and the other voting members may not serve more than two consecutive terms. The terms of office for the voting members commence on July first. The initial terms for the voting members of the authority must be staggered following a method determined by the authority.

5. The authority shall meet at least semiannually. The chairman shall call a meeting upon written request from three voting members of the authority. Five voting members is a quorum at any meeting.

6. The authority may not forward a recommendation to the commission unless the recommendation fulfills the purposes of this chapter and is approved by a majority of the voting members of the authority.

Clean sustainable energy authority - Duties - Report.

1. The authority shall make recommendations to the commission for program guidelines, including eligibility criteria for entities to receive funding under this chapter.

2. The nonvoting technical advisors shall develop a process to review and evaluate projects to determine the technical merits and feasibility of any application, including potential benefits of the development of low-emission technology, the expansion of the development of the state's natural resources or energy production, and the contribution to the economic diversity in the state.

3. The authority may develop a loan program or a loan guarantee program under the clean sustainable energy fund. The Bank of North Dakota shall administer the loan program or loan guarantee program. The interest rate of a loan under this program may not exceed two percent per year. The maximum term of a loan under this section must be approved by the commission based on a recommendation from the authority. The Bank shall review applications for loans or loan guarantees and shall consider the business plan, financial statements, and other information necessary to evaluate the application. To be eligible for a loan or loan guarantee, an entity shall agree to provide the Bank of North Dakota with information as requested. The Bank of North Dakota may develop policies for loan participation with local financial institutions.

4. The authority shall make recommendations to the commission for grant awards, loan approvals, or other financial assistance to provide funding to support research, development, and technological advancements for the large scale development and commercialization of projects, processes, activities, and technologies that reduce environmental impacts and increase sustainability of energy production and delivery in accordance with this chapter. Any projects, processes, activities, and technologies selected by the commission for funding must have been recommended by the authority, must demonstrate feasibility based on a technical review conducted by the nonvoting technical advisors of the authority, must have other sources of financial support, and must achieve the priorities and purposes of the program. At the request of the authority, the Bank of North Dakota shall provide a recommendation regarding the economic feasibility of a project, process, activity, or technology under consideration by the authority. The Bank shall review the business plan, financial statements, and other information necessary to provide a recommendation.

5. The authority may consult with any other state agency necessary to carry out the purposes under this chapter.

6. Each biennium, the authority shall provide a written report to the legislative management regarding its activities and the program's financial impact on state revenues and the state's economy.

Clean sustainable energy program - Powers and duties of the commission.

1. The commission is granted all the powers necessary to carry out the purposes of this chapter, including the power to:

   a. Provide grants, loans, or other forms of financial assistance to qualified entities for the research, demonstration, development, and

commercialization of projects, processes, activities, and technologies that reduce environmental impacts and use energy sources derived from within the state. Other forms of financial assistance include venture capital investments and interest rate buydowns. The commission must require an entity to provide assurance of financial and other types of support that demonstrate a commitment to the project, process, activity, or technology. The commission may develop policies for the approval of loans or loan guarantees issued from the clean sustainable energy fund.

b. Enter into contracts or agreements to carry out the purposes of this chapter, including contracting for the administration of the program.

c. Keep accurate records of all financial transactions performed under this chapter.

d. Cooperate with any private, local, state, or national organization to make contracts and agreements for programs that advance the mission of the program.

e. Accept loan repayments, donations, grants, contributions, or gifts from any public or private source to carry out the purposes of this chapter, which must be deposited in the clean sustainable energy fund.

f. Make guidelines necessary to carry out the purposes of this chapter, including guidelines relating to the ownership of intellectual property.

g. Borrow from the Bank of North Dakota, as authorized by the legislative assembly, to make loans or loan guarantees under a loan program or loan guarantee program developed by the clean sustainable energy authority.

2. The commission may acquire, purchase, hold, use, lease, license, sell, transfer, or dispose of any interest in an asset necessary for clean sustainable energy technology development to facilitate the production, transportation, distribution, or delivery of clean energy commodities produced in the state as a purchases of last resort.

3. The commission shall provide administrative support to the authority for the operation of the program, including the preparation of forms, review of applications, and ongoing review of any contracts. The commission may contract with a public or private entity to provide technical assistance necessary to implement the purposes of this chapter.

4. The commission is not subject to the reporting requirements under chapter 54-60.1.

Clean sustainable energy program - Access to records.

1. To the extent the commission or authority determines the materials or data consist of trade secrets or commercial, financial, or proprietary information of individuals or entities applying to or contracting with the commission or receiving commission services under this chapter, materials and data submitted to, made by, or received by the commission or authority, are not public records subject to section 44-04-18 and section 6 of article XI of the Constitution of North Dakota, and are subject to section 44-04-18.4.

2. A person or entity may file a request with the commission to have material designated as confidential under subsection 1. The request must contain any information required by the commission and must include at least the following:

   a. A general description of the nature of the information sought to be protected.

   b. An explanation of why the information derives independent economic value, actual or potential, from not being generally known to other persons.

   c. An explanation of why the information is not readily ascertainable by proper means of other persons.

   d. A general description of any person that may obtain economic value from disclosure or use of the information, and how the person may obtain this value.

   e. A description of the efforts used to maintain the secrecy of the information.

3. Any request under subsection 2 is confidential. The commission shall examine the request and determine whether the information is relevant to the matter at hand and is a trade secret under the definition in section 47-25.1-01 or 44-04-18.4. If the commission determines the information is either not relevant or not a trade secret, the commission shall notify the requester and the requester may ask for the return of the information and the request within ten days of the notice. If no return is sought, the information and request are public record.

4. The names or identities of independent technical reviewers on a project or program are confidential, may not be disclosed by the commission, and are not public records subject to section 44-04-18 or section 6 of article XI of the Constitution of North Dakota.

Clean sustainable energy fund - Continuing appropriation - Line of credit - Loans - Repayments.

1. There is created in the state treasury the clean sustainable energy fund. The fund consists of all moneys transferred to the fund by the legislative assembly; loan proceeds; interest upon moneys in the fund; principal and interest payments to the fund; and donations, grants, and other contributions received by the commission for deposit in the fund. All moneys in the fund are appropriated to the commission on a continuing basis to provide grants, loans, and other financial assistance and for administrative and operating costs of the authority and program pursuant to the provisions under this chapter.

2. Any bond proceeds deposited in the fund must be used for loans or loan guarantees. The Bank of North Dakota shall deposit in the fund all principal and interest paid on the loans made from the fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay for administrative costs, not to exceed one-half of one percent of the amount of the interest payment. The Bank shall contract with a certified public accounting firm to audit the fund annually if the fund has any outstanding loans. The cost of the audit must be paid from the fund.

3. The Bank of North Dakota shall extend a line of credit to the industrial commission to support loans or loan guarantees issued from the clean sustainable energy fund. The line of credit may not exceed two hundred fifty million dollars, and the interest rate associated with the line of credit must be the prevailing interest rate charged to North Dakota governmental entities. The industrial commission shall repay the line of credit from moneys available in the clean sustainable energy fund derived from payments received on loans issued under this chapter or other sources. If the moneys available from the clean sustainable energy fund on June 30, 2025, are not sufficient to repay the line of credit, the industrial commission shall request from the legislative assembly a deficiency appropriation to repay the line of credit or the industrial commission may repay the line of credit from other funds, as appropriated by the legislative assembly.

4. The industrial commission may access the line of credit to the extent needed through June 30, 2025, to provide funding as authorized by the legislative assembly to support loans or loan guarantees issued from the clean sustainable energy fund. Any moneys borrowed from the Bank of North Dakota pursuant to this section must be transferred to the clean sustainable energy fund to support loans or loan guarantees.

SECTION 30. A new subsection to section 54-44-04 of the North Dakota Century Code is created and enacted as follows:

Shall prepare and submit a quarterly report to the legislative management of each executive branch agency that gives any full-time state employee salary increases between April 1, 2021, and June 30, 2023, which cumulatively are fifteen percent or more over the employee's base salary as of March 31, 2021. The report must include the name of each employee receiving the increase and any relevant salary information.

SECTION 31. AMENDMENT. Subsection 3 of section 54-44-11 of the North Dakota Century Code is amended and reenacted as follows:

3. The office of management and budget shall establish a state personnel training and development operating fund to be used for the coordination of employee training and career development data, supplies, equipment, and services and for providing or arranging necessary training and development programs to state departments and agencies. Funds in the state personnel training and development operating fund are appropriated on a continuing basis to the office of management and budget and may be spent for the purposes identified in this subsection. Any surplus in this fund in excess of ~~twenty-five~~one hundred thousand dollars on June thirtieth of each year must be transferred to the state general fund."

Page 12, after line 12, insert:

"**SECTION 44. LEGISLATIVE MANAGEMENT STUDY - STATE EMPLOYEE COMPENSATION.** During the 2021-22 interim, the legislative management shall consider studying the classified state employee compensation system, including a review of the development and determination of pay grades and classifications. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 45. LEGISLATIVE MANAGEMENT STUDY - BIOLOGIC MANUFACTURING SALES TAX EXEMPTION. During the 2021-22 interim, the

legislative management shall consider studying the fiscal impact of providing a sales tax exemption for raw materials critical to the manufacturing process used to support biologic product generation, product impurity removal, chemical or physical product alteration, and analysis of in-process to final deliverable products. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 46. EMERGENCY. The following are declared to be an emergency measure:

1. Sections 3, 6, 9, and 13 of this Act;

2. Section 3 of House Bill No. 1349, as approved by the sixty-seventh legislative assembly;

3. $12,000,000 appropriated from the federal coronavirus relief fund, of which $6,565,432 is in the operating expenses line item and $5,434,568 is in the grants line item in section 1 and identified in sections 2 and 8 of Senate Bill No. 2018, as approved by the sixty-seventh legislative assembly;

4. $100,000 appropriated from the general fund for a motion picture production and recruitment grant in the grants line item in section 1 and identified in section 2 of Senate Bill No. 2018, as approved by the sixty-seventh legislative assembly;

5. Senate Bill No. 2140, as approved by the sixty-seventh legislative assembly; and

6. Senate Bill No. 2317, as approved by the sixty-seventh legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Office of Management and Budget						
Total all funds	$41,662,367	$47,361,750	$1,413,062	$48,774,812	$48,824,813	($50,001)
Less estimated income	8,746,515	14,252,906	495,507	14,748,413	14,748,413	0
General fund	$32,915,852	$33,108,844	$917,555	$34,026,399	$34,076,400	($50,001)
FTE	112.00	112.00	(4.00)	108.00	108.00	0.00
State Treasurer						
Total all funds	$0	$8,100,000	$11,900,000	$20,000,000	$8,200,000	$11,800,000
Less estimated income	0	8,100,000	11,900,000	20,000,000	8,200,000	11,800,000
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Judicial Branch						
Total all funds	$0	$0	$392,847	$392,847	$157,600	$235,247
Less estimated income	0	0	157,600	157,600	157,600	0
General fund	$0	$0	$235,247	$235,247	$0	$235,247
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Public Instruction						

Total all funds	$0	$0	$5,900,000	$5,900,000	$5,900,000	$0
Less estimated income	0	0	5,900,000	5,900,000	5,900,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
University of North Dakota						
Total all funds	$0	$0	$9,000,000	$9,000,000	$9,000,000	$0
Less estimated income	0	0	5,000,000	5,000,000	5,000,000	0
General fund	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Dickinson State University						
Total all funds	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
Less estimated income	0	0	4,000,000	4,000,000	4,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Mayville State University						
Total all funds	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
Less estimated income	0	0	0	0	0	0
General fund	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Dept. of Career and Technical Education						
Total all funds	$0	$0	$70,000,000	$70,000,000	$78,000,000	($8,000,000)
Less estimated income	0	0	70,000,000	70,000,000	78,000,000	(8,000,000)
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Highway Patrol						
Total all funds	$0	$0	$3,000,000	$3,000,000	$3,000,000	$0
Less estimated income	0	0	3,000,000	3,000,000	3,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Commerce						
Total all funds	$0	$0	$1,000,000	$1,000,000	$0	$1,000,000
Less estimated income	0	0	0	0	0	0
General fund	$0	$0	$1,000,000	$1,000,000	$0	$1,000,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Agriculture						
Total all funds	$0	$0	$0	$0	$5,000,000	($5,000,000)
Less estimated income	0	0	0	0	5,000,000	(5,000,000)
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Transportation						
Total all funds	$0	$0	$255,000,000	$255,000,000	$21,800,000	$233,200,000
Less estimated income	0	0	255,000,000	255,000,000	21,800,000	233,200,000
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Bill total						
Total all funds	$41,662,367	$55,461,750	$363,205,909	$418,667,659	$183,882,413	$234,785,246
Less estimated income	8,746,515	22,352,906	355,453,107	377,806,013	145,806,013	232,000,000
General fund	$32,915,852	$33,108,844	$7,752,802	$40,861,646	$38,076,400	$2,785,246
FTE	112.00	112.00	(4.00)	108.00	108.00	0.00

House Bill No. 1015 - Office of Management and Budget - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	$21,903,816	$22,797,003	($870,024)	$21,926,979	$21,926,979	
Operating expenses	14,937,426	15,430,128	883,086	16,313,214	16,313,214	
Capital assets	767,125	5,534,619		5,534,619	5,534,619	
Grants	54,000					
Emergency commission contingency fund	500,000	400,000		400,000	400,000	
Guardianship grants	1,950,000	2,050,000	400,000	2,450,000	2,450,000	
Prairie public broadcasting	1,200,000	800,000	400,000	1,200,000	1,200,001	($1)
Community service supervision grants	350,000	250,000	100,000	350,000	400,000	(50,000)
Student internship program		100,000		100,000	100,000	
Federal coronavirus capital projects			500,000	500,000	500,000	
Total all funds	$41,662,367	$47,361,750	$1,413,062	$48,774,812	$48,824,813	($50,001)
Less estimated income	8,746,515	14,252,906	495,507	14,748,413	14,748,413	0
General fund	$32,915,852	$33,108,844	$917,555	$34,026,399	$34,076,400	($50,001)
FTE	112.00	112.00	(4.00)	108.00	108.00	0.00

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

	Adjusts Funding for Salary Increases[1]	Transfers FTE Positions for IT Unification[2]	Adds Funding for Statewide Dues[3]	Adds Funding for Grants[4]	Total Conference Committee Changes
Salaries and wages	($23,477)	($846,547)			($870,024)
Operating expenses		866,061	$17,025		883,086
Capital assets					
Grants					
Emergency commission contingency fund					
Guardianship grants				$400,000	400,000
Prairie public broadcasting				400,000	400,000
Community service supervision grants				100,000	100,000
Student internship program					
Federal coronavirus capital projects				500,000	500,000
Total all funds	($23,477)	$19,514	$17,025	$1,400,000	$1,413,062
Less estimated income	(4,493)	0	0	500,000	495,507
General fund	($18,984)	$19,514	$17,025	$900,000	$917,555
FTE	0.00	(4.00)	0.00	0.00	(4.00)

[1] Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of $100, and 2 percent on July 1, 2022, the same as the Senate. The House provided salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of $100 and a maximum monthly increase of $250.

[2] Four FTE positions are transferred to the Information Technology Department for the IT unification project, reducing salaries and wages by $846,547 and increasing operating expenses by $866,061. The Senate included the IT unification project, but the House did not.

[3] Funding of $17,025 from the general fund is added for increased costs associated with statewide memberships and dues, the same as the Senate. The House did not increase funding for statewide memberships and dues.

[4] Funding of $1,400,000 is added as follows:

- $400,000 from the general fund for guardianship grants to provide a total of $2,450,000, the same as the Senate. The House provided a total of $2,050,000.
- $400,000 from the general fund for Prairie Public Broadcasting to provide a total of

$1,200,000, a decrease of $1 from the Senate. The House provided a total of $800,000.

- $100,000 from the general fund for community service supervision grants to provide a total of $350,000. The House provided a total of $250,000, and the Senate provided a total of $400,000.
- $500,000 from federal funds derived from the federal Coronavirus Capital Projects Fund for a capital project grant for construction of a new medical center in Griggs County, the same as the Senate. The House did not include this funding.

This amendment also:

- Includes a section added by the Senate to appropriate funding from the federal Coronavirus Capital Projects Fund to various agencies for eligible capital projects. The House did not include this section.
- Transfers $1 million from the strategic investment and improvements fund to the cultural endowment fund for arts initiatives, the same as the Senate. The House did not include this transfer.
- Adjusts the transfer from the tax relief fund to the human service finance fund to provide $187,223,092, the same as the Senate. The House provided for a transfer of $187,385,888.
- Adjusts the funding identified from the Capitol building fund for extraordinary repairs to match the $500,000 appropriated in Section 1 of the bill, the same as the Senate. The House appropriated $500,000 for extraordinary repairs.
- Increases the amount of funding identified for statewide memberships and dues totaling $642,089. The Senate increased the funding for statewide memberships and dues. The House provided $625,064 for statewide memberships and dues.
- Adjusts the compensation guidelines to reflect an average increase of 1.5 percent with a monthly minimum of $100 in the 1st year of the biennium and an average increase of 2 percent in the 2nd year of the biennium, the same as the Senate. The House provided an average increase of 1.5 percent with a monthly minimum of $100 and a monthly maximum of $200 for both years of the biennium.
- Removes the requirement for the Securities Commissioner to be skilled in securities and removes the restriction that the Securities Commissioner may not hold any other public office. The Senate also removed this requirement, but the House did not include this change.
- Requires a notice filing for certain securities held as investments from the legacy fund, the same as the Senate. The House did not include this requirement.
- Authorizes the Bank of North Dakota to provide a line of credit of up to $250 million to support loans or loan guarantees under the clean sustainable energy fund, which was added by the Senate. The House did not authorize this line of credit.
- Adds a Legislative Management study of state employee compensation, the same as the Senate. The House did not include a study of state employee compensation.
- Provides an emergency clause for community service supervision fund grants, federal coronavirus capital projects, and Senate Bill No. 2140, relating to repayments under the professional student exchange program, the same as the Senate. The House did not include an emergency clause.

House Bill No. 1015 - State Treasurer - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Non-oil township grants		$8,100,000	$11,900,000	$20,000,000	$8,200,000	$11,800,000
Total all funds	$0	$8,100,000	$11,900,000	$20,000,000	$8,200,000	$11,800,000
Less estimated income	0	8,100,000	11,900,000	20,000,000	8,200,000	11,800,000
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 120 - State Treasurer - Detail of Conference Committee Changes

	Increases Funding for Grants[1]	Total Conference Committee Changes
Non-oil township grants	$11,900,000	$11,900,000
Total all funds	$11,900,000	$11,900,000
Less estimated income	11,900,000	11,900,000
General fund	$0	$0
FTE	0.00	0.00

[1] Funding for grants to non-oil-producing townships is increased by $11.9 million to provide a total of $20 million for township road and bridge projects. Of the $20 million, $8.2 million is from the state disaster relief fund and $11.8 million is from the tax relief fund. The State Treasurer is required to distribute $10 million as equal allocations to all the townships and $10 million based on road miles. The House provided $8.1 million from the disaster relief fund for township road and bridge projects. The Senate provided a total of $30 million for township road and bridge projects, including $8.2 million from the disaster relief fund, $11.8 million from the tax relief fund, and $10 million from the strategic investment and improvements fund.

House Bill No. 1015 - Judicial Branch - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$157,600	$157,600	$157,600	
Youth cultural achievement programs			90,000	90,000		$90,000
Veterans' Treatment Court			145,247	145,247		145,247
Total all funds	$0	$0	$392,847	$392,847	$157,600	$235,247
Less estimated income	0	0	157,600	157,600	157,600	0
General fund	$0	$0	$235,247	$235,247	$0	$235,247
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 180 - Judicial Branch - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Adds Funding for Veterans' Court[2]	Adds Funding for Youth Cultural Programs[3]	Total Conference Committee Changes
Federal coronavirus capital projects	$157,600			$157,600
Youth cultural achievement programs			$90,000	90,000
Veterans' Treatment Court		$145,247		145,247
Total all funds	$157,600	$145,247	$90,000	$392,847
Less estimated income	157,600	0	0	157,600
General fund	$0	$145,247	$90,000	$235,247
FTE	0.00	0.00	0.00	0.00

[1] One-time funding of $157,600 from the federal Coronavirus Capital Projects Fund is added

for information technology equipment, the same as the Senate version. The House did not include this funding.

[2] Funding of $145,247 from the general fund, including $100,739 for temporary salaries and wages and $44,508 for operating expenses is added for a veterans' treatment court in the Northeast Central Judicial District.

[3] Funding of $90,000 from the general fund is added for youth cultural achievement programs.

House Bill No. 1015 - Department of Public Instruction - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$5,900,000	$5,900,000	$5,900,000	
Total all funds	$0	$0	$5,900,000	$5,900,000	$5,900,000	$0
Less estimated income	0	0	5,900,000	5,900,000	5,900,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 201 - Department of Public Instruction - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$5,900,000	$5,900,000
Total all funds	$5,900,000	$5,900,000
Less estimated income	5,900,000	5,900,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $5.9 million from the federal Coronavirus Capital Projects Fund is added for a grant to an entity for the development of a children's science center in Minot, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - University of North Dakota - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$5,000,000	$5,000,000	$5,000,000	
Space command initiative			4,000,000	4,000,000	4,000,000	
Total all funds	$0	$0	$9,000,000	$9,000,000	$9,000,000	$0
Less estimated income	0	0	5,000,000	5,000,000	5,000,000	0
General fund	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 230 - University of North Dakota - Detail of Conference Committee Changes

	Adds Funding for Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$5,000,000	$5,000,000
Space command initiative	4,000,000	4,000,000
Total all funds	$9,000,000	$9,000,000
Less estimated income	5,000,000	5,000,000
General fund	$4,000,000	$4,000,000
FTE	0.00	0.00

[1] One-time funding of $5 million from the federal Coronavirus Capital Projects Fund is added for reconstruction of the University of North Dakota's apron at the Grand Forks airport. One-time funding of $4 million from the general fund is added for a space command initiative. These items were also added by the Senate. The House did not include funding for these items.

House Bill No. 1015 - Dickinson State University - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$4,000,000	$4,000,000	$4,000,000	
Total all funds	$0	$0	$4,000,000	$4,000,000	$4,000,000	$0
Less estimated income	0	0	4,000,000	4,000,000	4,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 239 - Dickinson State University - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$4,000,000	$4,000,000
Total all funds	$4,000,000	$4,000,000
Less estimated income	4,000,000	4,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $4 million from the federal Coronavirus Capital Projects Fund is added for a Pulver Hall, meat processing laboratory, and other projects at Dickinson State University, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - Mayville State University - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Capital assets			$1,600,000	$1,600,000		$1,600,000
Total all funds	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
Less estimated income	0	0	0	0	0	0
General fund	$0	$0	$1,600,000	$1,600,000	$0	$1,600,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 240 - Mayville State University - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Capital assets	$1,600,000	$1,600,000
Total all funds	$1,600,000	$1,600,000
Less estimated income	0	0
General fund	$1,600,000	$1,600,000
FTE	0.00	0.00

[1] One-time funding of $1.6 million from the general fund is added for a boiler project at Mayville State University. Neither the House nor the Senate included this funding.

House Bill No. 1015 - Dept. of Career and Technical Education - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$70,000,000	$70,000,000	$78,000,000	($8,000,000)
Total all funds	$0	$0	$70,000,000	$70,000,000	$78,000,000	($8,000,000)
Less estimated income	0	0	70,000,000	70,000,000	78,000,000	(8,000,000)
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 270 - Dept. of Career and Technical Education - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$70,000,000	$70,000,000
Total all funds	$70,000,000	$70,000,000
Less estimated income	70,000,000	70,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $70 million from the federal Coronavirus Capital Projects Fund is added for a statewide area career center initiative grant program. The Senate provided $78 million from the federal Coronavirus Capital Projects fund, but the House did not include this funding.

House Bill No. 1015 - Highway Patrol - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Federal coronavirus capital projects			$3,000,000	$3,000,000	$3,000,000	
Total all funds	$0	$0	$3,000,000	$3,000,000	$3,000,000	$0
Less estimated income	0	0	3,000,000	3,000,000	3,000,000	0
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 504 - Highway Patrol - Detail of Conference Committee Changes

	Adds Funding for Capital Projects[1]	Total Conference Committee Changes
Federal coronavirus capital projects	$3,000,000	$3,000,000
Total all funds	$3,000,000	$3,000,000
Less estimated income	3,000,000	3,000,000
General fund	$0	$0
FTE	0.00	0.00

[1] One-time funding of $3 million from the federal Coronavirus Capital Projects Fund is added for a law enforcement training center remodel project, the same as the Senate version. The House did not include this funding.

House Bill No. 1015 - Department of Commerce - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Discretionary funds			$1,000,000	$1,000,000		$1,000,000
Total all funds	$0	$0	$1,000,000	$1,000,000	$0	$1,000,000
Less estimated income	0	0	0	0	0	0
General fund	$0	$0	$1,000,000	$1,000,000	$0	$1,000,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 601 - Department of Commerce - Detail of Conference Committee Changes

	Adds Funding for Discretionary Grants[1]	Total Conference Committee Changes
Discretionary funds	$1,000,000	$1,000,000
Total all funds	$1,000,000	$1,000,000
Less estimated income	0	0
General fund	$1,000,000	$1,000,000
FTE	0.00	0.00

[1] One-time funding of $1 million from the general fund is added for discretionary grants by the Department of Commerce to provide total discretionary funding of $3.15 million. Neither the House nor the Senate included this funding.

House Bill No. 1015 - Department of Agriculture - Conference Committee Action

The Conference Committee did not add the funding for the grasslands grazing grant program included in the Senate version. The funding was included in House Bill No. 1009, the budget for the Agriculture Commissioner.

House Bill No. 1015 - Department of Transportation - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Capital assets			$255,000,000	$255,000,000		$255,000,000
Township road projects					$21,800,000	(21,800,000)
Total all funds	$0	$0	$255,000,000	$255,000,000	$21,800,000	$233,200,000
Less estimated income	0	0	255,000,000	255,000,000	21,800,000	233,200,000
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 801 - Department of Transportation - Detail of Conference Committee Changes

	Adds Funding for Road and Bridge Projects[1]	Adds Funding for Match Funding[2]	Total Conference Committee Changes
Capital assets	$55,000,000	$200,000,000	$255,000,000
Township road projects			
Total all funds	$55,000,000	$200,000,000	$255,000,000
Less estimated income	55,000,000	200,000,000	255,000,000
General fund	$0	$0	$0
FTE	0.00	0.00	0.00

[1] Funding of $55 million from federal funds is added as matching funds for road and bridge projects, of which $35 million is to match funding provided through bonding in House Bill No. 1431 and $20 million is to match funding allocated to townships. Neither the House nor the Senate included this funding.

[2] Funding of $100 million is transferred from the general fund to the highway fund at the end of the 2019-21 biennium to match additional federal discretionary funds that may become available during the 2021-23 biennium. Funding of $100 million from the highway fund along with $100 million of federal match funding is appropriated to the Department of Transportation for road and bridge projects, including at least $10 million of funding from the highway fund that must be used to match federal funds for township road and bridge projects.

House Bill No. 1015 - Other Changes - Conference Committee Action

Other changes in this amendment, which were not included by the House or Senate, include:

- Transfers $410 million from the strategic investment and improvements fund to the general fund.
- Recognizes an additional $100 million of general fund estimated revenues from 2019-21 biennium legacy fund earnings transferred to the general fund reflecting a total estimate of $736 million.
- Provides a contingent appropriation of $17.5 million from the general fund to the Bank of North Dakota to repay a loan related to the Theodore Roosevelt Presidential Library and Museum endowment fund. The funding is available only if the July 1, 2021, general fund balance exceeds the legislative estimate by at least $17.5 million.
- Authorizes the Department of Transportation to create cooperative agreements for matching federal funds.
- Amends North Dakota Century Code Section 54-09-05, as amended by House Bill No. 1002, to correct the effective date for the salary increase of the Secretary of State.
- Requires executive branch agencies to report cumulative salary increases during the biennium exceeding 15 percent.
- Increases the amount authorized to be retained in the state personnel training and development operating fund from $25,000 to $100,000.
- Adds a statement of legislative intent regarding future funding for operating and maintenance costs associated with new area career centers.
- Adds a Legislative Management study regarding a sales tax exemption related to biologic manufacturing.
- Adds an emergency clause for $1.6 million from the general fund for a boiler project at Mayville State University; a section in House Bill No. 1349 relating to electronic access to public meetings; $12 million from the federal Coronavirus Relief Fund in

Senate Bill No. 2018; $100,000 from the general fund for a motion picture production and recruitment grant in Senate Bill No. 2018; and Senate Bill No. 2317, relating to capital assets as collateral for coal power plant bonding.

Engrossed HB 1015 was placed on the Seventh order of business on the calendar.