

Department 140 - Office of Administrative Hearings
House Bill No. 1017

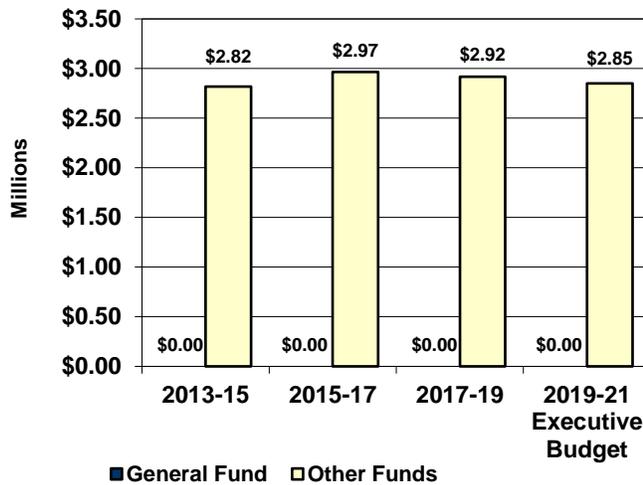
Executive Budget Comparison to Prior Biennium Appropriations

	FTE Positions	General Fund	Other Funds	Total
2019-21 Executive Budget	5.00	\$0	\$2,850,420	\$2,850,420
2017-19 Legislative Appropriations	5.00	0	2,918,634	2,918,634
Increase (Decrease)	0.00	\$0	(\$68,214)	(\$68,214)

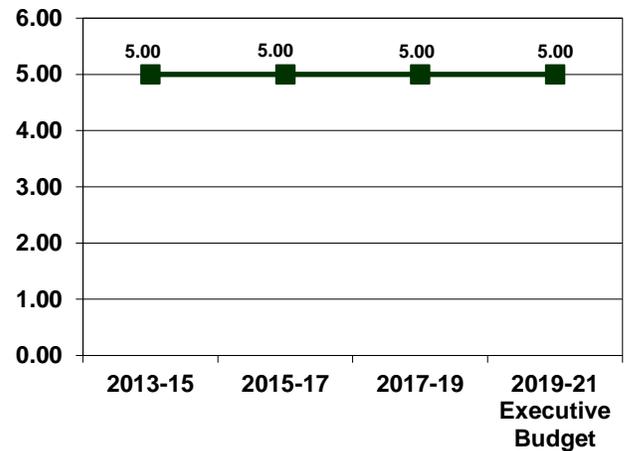
Ongoing and One-Time Other Funds Appropriations

	Ongoing Other Funds Appropriation	One-Time Other Funds Appropriation	Total Other Funds Appropriation
2019-21 Executive Budget	\$2,850,420	\$0	\$2,850,420
2017-19 Legislative Appropriations	2,918,634	0	2,918,634
Increase (Decrease)	(\$68,214)	\$0	(\$68,214)

Agency Funding



FTE Positions



Executive Budget Comparison to Base Level

	General Fund	Other Funds	Total
2019-21 Executive Budget	\$0	\$2,850,420	\$2,850,420
2019-21 Base Level	0	2,918,634	2,918,634
Increase (Decrease)	\$0	(\$68,214)	(\$68,214)

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. Adds funding for state employee salary and benefit increases, of which \$52,020 is for salary increases, \$18,893 is for health insurance increases, and \$6,806 is for retirement contribution increases. The House added funding for salary adjustments of 2 percent per year and increases in health insurance premiums from \$1,241 to \$1,427 per month. The House did not add funding for retirement contribution increases.	\$0	\$77,719	\$77,719
2. Adjusts operating expenses	\$0	(\$144,450)	(\$144,450)
3. The executive budget recommends transferring funding from the salaries and wages and operating expenses line items to a single	\$0	\$0	\$0

line item budget. **The House did not approve a single line item budget.**

Continuing Appropriations

Administrative hearings fund - North Dakota Century Code Section 54-57-07 - Appropriates funding received by the Office of Administrative Hearings for salaries, wages, benefits, operating expenses, and equipment for the purpose of providing requested administrative law judges to agencies, to any unit of local government in North Dakota, to any tribal government in North Dakota, or to the judicial branch.

Significant Audit Findings

There are no significant audit findings for this agency.

Major Related Legislation

House Bill No. 1064 - Workforce Safety and Insurance Hearings - Creates a new section to Chapter 54-57 to require the Office of Administrative Hearings to adopt case processing standards for Workforce Safety and Insurance hearings to provide for decisions to be issued within 215 days from a hearing.

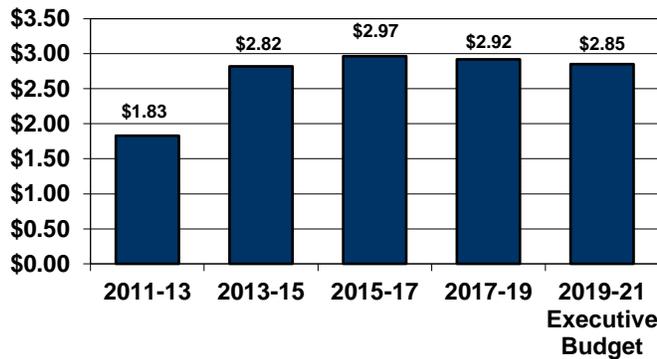
House Bill No. 1521 - Disqualification of hearing officers - Amends Section 28-32-27 to self-disqualify a hearing officer in which a reasonable, disinterested observer would believe the hearing officer is biased due to a contribution by one of the parties supporting the hearing officer's most recent campaign for public office; or, an ownership interest, other than investment in a mutual fund, of the hearing officer in one of the parties to the proceeding if the ownership interest is not shared by the general public.

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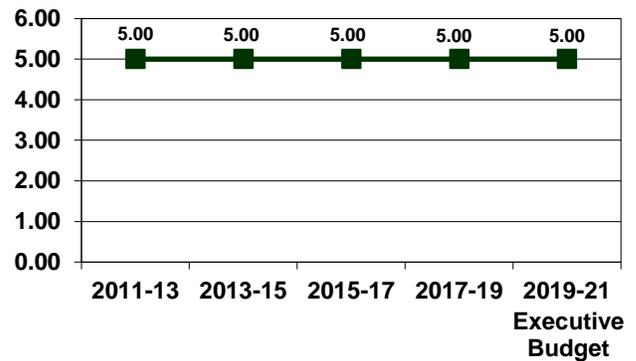
Historical Appropriations Information

Total Other Funds Appropriations Since 2011-13

Agency Funding (in Millions)



FTE Positions



Total Other Funds Appropriations					
	2011-13	2013-15	2015-17	2017-19	2019-21 Executive Budget
Total other funds appropriations	\$1,827,199	\$2,818,896	\$2,965,651	\$2,918,634	\$2,850,420
Increase (decrease) from previous biennium	N/A	\$991,697	\$146,755	(\$47,017)	(\$68,214)
Percentage increase (decrease) from previous biennium	N/A	54.3%	5.2%	(1.6%)	(2.3%)
Cumulative percentage increase (decrease) from 2009-11 biennium	N/A	54.3%	62.3%	59.7%	56.0%

Major Increases (Decreases) in Total Other Funds Appropriations

2011-13 Biennium

1. Added funding for professional services due to increased caseload \$239,300
2. Added funding for rent increase \$17,600

2013-15 Biennium

1. Added funding for professional fees due to increased caseload \$900,006

2015-17 Biennium

1. Added funding for Information Technology Department desktop support services \$17,600

2017-19 Biennium

1. No major changes

2019-21 Biennium (Executive Budget)

1. Operating budget adjustments (\$144,450)

**GOVERNOR'S RECOMMENDATION FOR THE
OFFICE OF ADMINISTRATIVE HEARINGS 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 from special funds derived from income, to the office of administrative hearings for the purpose of defraying the expenses of the office of administrative hearings, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$1,191,850	(\$1,191,850)	\$0
Operating expenses	1,726,784	(\$1,726,784)	0
Administrative Hearings	<u>0</u>	<u>2,850,420</u>	<u>2,850,420</u>
Total special funds	\$2,965,651	(\$68,214)	\$2,850,420
Full-time equivalent positions	5.00	0.00	5.00