11.8153.01000

Sixty-second
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1021

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the information

2 technology department; to provide for various transfers; and to amend and reenact section 7 of

3 chapter 49 and section 8 of chapter 519 of the 2009 Session Laws, relating to statewide

4 longitudinal data system expenditures and health information technology.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6   **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds

7 as may be necessary, are appropriated out of any moneys in the general fund in the state

8 treasury, not otherwise appropriated, and from special funds derived from federal funds and

9 other income, to the information technology department for the purpose of defraying the

10 expenses of that agency, for the biennium beginning July 1, 2011, and ending June 30, 2013, as

11 follows:

12			Adjustments or	
13		Base Level	Enhancements	Appropriation
14	Salaries and wages	$42,564,943	$3,038,443	$45,603,386
15	Operating expenses	55,208,550	(2,056,359)	53,152,191
16	Capital assets	11,970,746	3,064,920	15,035,666
17	Center for distance education	6,187,917	688,289	6,876,206
18	Deferred maintenance	60,000	(60,000)	0
19	Statewide longitudinal data system	202,442	3,424,425	3,626,867
20	Educational technology council	974,986	100,417	1,075,403
21	EduTech	7,400,002	526,445	7,926,447
22	K-12 wide area network	4,776,970	299,022	5,075,992
23	Geographic information system	789,678	322,387	1,112,065
24	Health information technology office	8,350,000	5,609,238	13,959,238

1	Criminal justice information sharing	3,339,491	(358,097)	2,981,394
2	Federal stimulus funds	80,000,000	(72,000,000)	8,000,000
3	Total all funds	$221,825,725	($57,400,870)	$164,424,855
4	Less estimated income	206,907,171	(61,603,520)	145,303,651
5	Total general fund	$14,918,554	$4,202,650	$19,121,204
6	Full-time equivalent positions	328.20	0.00	328.20

7   **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**

8   **SIXTY-THIRD LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding

9   items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13

10   one-time funding items included in the appropriation in section 1 of this Act:

	One-Time Funding Description	2009-11	2011-13
11	One-Time Funding Description	2009-11	2011-13
12	Criminal justice information sharing projects	$269,748	$200,000
13	K-12 wide area network	1,200,000	0
14	K-12 PowerSchool	353,600	0
15	Center for distance education	100,000	0
16	Statewide longitudinal database system	2,263,883	1,757,624
17	Federal fiscal stimulus	2,263,883	8,000,000
18	Total all funds	$6,451,114	$9,957,624
19	Less estimated income	2,263,883	8,000,000
20	Total general fund	$4,187,231	$1,957,624

21   The 2011-13 one-time funding amounts are not a part of the entity's base budget for the

22   2013-15 biennium. The information technology department shall report to the appropriations

23   committees of the sixty-third legislative assembly on the use of this one-time funding for the

24   biennium beginning July 1, 2011, and ending June 30, 2013.

25   **SECTION 3. TRANSFERS.** Notwithstanding section 54-16-04, the director of the office of

26   management and budget shall make transfers of funds between the salaries and wages,

27   operating expenses, and capital assets line items in section 1 of this Act for the information

28   technology department as may be requested by the chief information officer as determined

29   necessary for the development and implementation of information projects.

30   **SECTION 4. BANK OF NORTH DAKOTA TRANSFER.** The industrial commission shall

31   transfer, as requested by the health information technology office director, up to $5,000,000

1 from the current earnings and accumulated undivided profits of the Bank of North Dakota to the

2 health information technology planning loan fund or to the health information technology loan

3 fund, for the biennium beginning July 1, 2011, and ending June 30, 2013. The health

4 information technology office director shall request transfers from the Bank only as necessary to

5 meet cashflow needs of the fund and only upon certification by the health information

6 technology office director of a demonstrated need for health information technology planning

7 loans.

8   **SECTION 5. AMENDMENT.** Section 7 of chapter 49 of the 2009 Session Laws is amended

9 and reenacted as follows:

10   **SECTION 7. DEPARTMENT OF PUBLIC INSTRUCTION - STATEWIDE**

11   **LONGITUDINAL DATA SYSTEM EXPENDITURES - APPROVAL.** The department of

12   public instruction may spend only the federal funds appropriated in House Bill

13   No. 1013 for costs associated with the statewide longitudinal data system upon

14   approval of the expenditures by the information technology department, for the

15   biennium beginning July 1, ~~2009~~2011, and ending June 30, ~~2011~~2013.

16   **SECTION 6. AMENDMENT.** Section 8 of chapter 519 of the 2009 Session Laws is

17 amended and reenacted as follows:

18   **SECTION 8. BANK OF NORTH DAKOTA TRANSFERS.** The industrial

19   commission shall transfer, during the period beginning with the effective date of this

20   Act and ending June 30, ~~2011~~2013, as requested by the health information technology

21   office director, up to $8,000,000 from the current earnings and the accumulated

22   undivided profits of the Bank of North Dakota to the health information technology loan

23   fund to meet any required match for federal funds or to the electronic health

24   information exchange fund to meet any required match for federal funds <u>or for ongoing</u>

25   <u>operating expenditures of the health information exchange</u> or as directed, a portion to

26   both funds to meet any required match for federal funds. ~~The health information~~

27   ~~technology office director shall request fund transfers from the Bank only as necessary~~

28   ~~to comply with federal requirements and to meet cash flow needs of the funds.~~