

**FIRST ENGROSSMENT
with Senate Amendments
ENGROSSED 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 an appropriation to the department of human services; to
3 provide for various transfers; and to amend and reenact section 7 of chapter 49 and section 8 of
4 chapter 519 of the 2009 Session Laws, relating to statewide longitudinal data system
5 expenditures and health information technology.

6 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

7 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
8 as may be necessary, are appropriated out of any moneys in the general fund in the state
9 treasury, not otherwise appropriated, and from special funds derived from federal funds and
10 other income, to the information technology department for the purpose of defraying the
11 expenses of that agency, for the biennium beginning July 1, 2011, and ending June 30, 2013, as
12 follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>	
13				
14				
15	Salaries and wages	\$42,564,943	\$7,094,443	\$49,659,386
16	Operating expenses	55,208,550	11,733,718	66,942,268
17	Capital assets	11,970,746	4,564,920	16,535,666
18	Center for distance education	6,187,917	461,321	6,649,238
19	Deferred maintenance	60,000	(60,000)	0
20	Statewide longitudinal data system	202,442	3,424,425	3,626,867
21	Educational technology council	974,986	100,417	1,075,403
22	EduTech	7,400,002	526,445	7,926,447
23	K-12 wide area network	4,776,970	299,022	5,075,992
24	Geographic information system	789,678	322,387	1,112,065

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1	Health information technology office	8,350,000	5,609,238	13,959,238
2	Criminal justice information sharing	3,339,491	(358,097)	2,981,394
3	Federal stimulus funds	<u>80,000,000</u>	<u>(72,000,000)</u>	<u>8,000,000</u>
4	Total all funds	\$221,825,725	(\$38,281,761)	\$183,543,964
5	Less estimated income	<u>206,907,171</u>	<u>(42,484,411)</u>	<u>164,422,760</u>
6	Total general fund	\$14,918,554	\$4,202,650	\$19,121,204
7	Full-time equivalent positions	328.20	8.10	336.30

8 **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general
9 fund in the state treasury, not otherwise appropriated, the sum of \$9,200,000, or so much of the
10 sum as may be necessary, and from special funds derived from federal funds and other income,
11 the sum of \$16,100,000, to the department of human services for the purpose of providing initial
12 funding for an eligibility system replacement project, for the biennium beginning July 1, 2011,
13 and ending June 30, 2013. The department of human services is authorized one new full-time
14 equivalent position for this project.

15 **SECTION 3. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
16 **SIXTY-THIRD LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
17 items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13
18 one-time funding items included in the appropriation in section 1 of this Act:

19	<u>One-Time Funding Description</u>	<u>2009-11</u>	<u>2011-13</u>
20	Criminal justice information sharing projects	\$269,748	\$200,000
21	K-12 wide area network	1,200,000	0
22	K-12 PowerSchool	353,600	0
23	Center for distance education	100,000	0
24	Statewide longitudinal database system	2,263,883	1,757,624
25	Federal fiscal stimulus	<u>2,263,883</u>	<u>8,000,000</u>
26	Total all funds	\$6,451,114	\$9,957,624
27	Less estimated income	<u>2,263,883</u>	<u>8,000,000</u>
28	Total general fund	\$4,187,231	\$1,957,624

29 The 2011-13 one-time funding amounts are not a part of the entity's base budget for the
30 2013-15 biennium. The information technology department shall report to the appropriations

1 committees of the sixty-third legislative assembly on the use of this one-time funding for the
2 biennium beginning July 1, 2011, and ending June 30, 2013.

3 **SECTION 4. TRANSFERS.** Notwithstanding section 54-16-04, the director of the office of
4 management and budget shall make transfers of funds between the salaries and wages,
5 operating expenses, and capital assets line items in section 1 of this Act for the information
6 technology department as may be requested by the chief information officer as determined
7 necessary for the development and implementation of information projects.

8 **SECTION 5. BANK OF NORTH DAKOTA TRANSFER.** The industrial commission shall
9 transfer, as requested by the health information technology office director, up to \$5,000,000
10 from the current earnings and accumulated profits of the Bank of North Dakota to the health
11 information technology planning loan fund or to the health information technology loan fund, for
12 the biennium beginning July 1, 2011, and ending June 30, 2013. The health information
13 technology office director shall request transfers from the Bank only as necessary to meet
14 cashflow needs of the fund and only upon certification by the health information technology
15 office director of a demonstrated need for health information technology planning loans.

16 **SECTION 6. AMENDMENT.** Section 7 of chapter 49 of the 2009 Session Laws is amended
17 and reenacted as follows:

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

19 **LONGITUDINAL DATA SYSTEM EXPENDITURES - APPROVAL.** The department of
20 public instruction may spend only the federal funds appropriated in House Bill
21 No. 1013 for costs associated with the statewide longitudinal data system upon
22 approval of the expenditures by the information technology department, for the
23 biennium beginning July 1, ~~2009~~2011, and ending June 30, ~~2011~~2013.

24 **SECTION 7. AMENDMENT.** Section 8 of chapter 519 of the 2009 Session Laws is
25 amended and reenacted as follows:

26 **SECTION 8. BANK OF NORTH DAKOTA TRANSFERS.** The industrial
27 commission shall transfer, during the period beginning with the effective date of this
28 Act and ending June 30, ~~2011~~2013, as requested by the health information technology
29 office director, up to \$8,000,000 from the current earnings and the accumulated
30 undivided profits of the Bank of North Dakota to the health information technology loan
31 fund to meet any required match for federal funds or to the electronic health

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1 information exchange fund to meet any required match for federal funds or for ongoing
2 operating expenditures of the health information exchange or as directed, a portion to
3 both funds to meet any required match for federal funds. ~~The health information-~~
4 ~~technology office director shall request fund transfers from the Bank only as necessary~~
5 ~~to comply with federal requirements and to meet cash flow needs of the funds.~~