

**HOUSE BILL NO. 1015**

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions  
 2 under the supervision of the director of the office of management and budget; to provide for  
 3 transfers; to amend and reenact section 54-06-04.3 of the North Dakota Century Code, relating  
 4 to state agency publication fees; to provide an exemption; ~~and to provide a statement of~~  
 5 ~~legislative intent~~ to provide statements of legislative intent; to provide for a budget section report;  
 6 and to declare an emergency.

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

8 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
 9 as may be necessary, are appropriated out of any moneys in the general fund in the state  
 10 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
 11 other income, to the office of management and budget for the purpose of defraying the  
 12 expenses of the office of management and budget, for the biennium beginning July 1, 2017,  
 13 and ending June 30, 2019, as follows:

	Base Level	Adjustments or Enhancements	Appropriation
16 <del>Salaries and wages</del>	<del>\$19,798,254</del>	<del>\$0</del>	<del>\$19,798,254</del>
17 <del>Operating expenses</del>	<del>13,855,260</del>	<del>0</del>	<del>13,855,260</del>
18 <del>Emergency commission contingency fund</del>	<del>500,000</del>	<del>0</del>	<del>500,000</del>
19 <del>Capital assets</del>	<del>200,000</del>	<del>0</del>	<del>200,000</del>
20 <del>Grants</del>	<del>555,000</del>	<del>0</del>	<del>555,000</del>
21 <del>Guardianship grants</del>	<del>1,328,600</del>	<del>0</del>	<del>1,328,600</del>
22 <del>Prairie public broadcasting</del>	<del>1,600,000</del>	<del>0</del>	<del>1,600,000</del>
23 <del>State student internship program</del>	<del>200,000</del>	<del>0</del>	<del>200,000</del>
24 <del>Total all funds</del>	<del>\$38,037,114</del>	<del>\$0</del>	<del>\$38,037,114</del>

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1	<del>Less estimated income</del>	<del>7,210,390</del>	<del>0</del>	<del>7,210,390</del>
2	<del>Total general fund</del>	<del>\$30,826,724</del>	<del>\$0</del>	<del>\$30,826,724</del>
3	<del>Full-time equivalent positions</del>	<del>122.50</del>	<del>0</del>	<del>122.50</del>
4	Salaries and wages	\$19,798,254	\$1,379,254	\$21,177,508
5	Operating expenses	13,855,260	(945,272)	12,909,988
6	Emergency commission contingency fund	500,000	(150,000)	350,000
7	Capital assets	200,000	773,477	973,477
8	Grants	555,000	(501,000)	54,000
9	Guardianship grants	1,328,600	0	1,328,600
10	Prairie public broadcasting	1,600,000	(800,000)	800,000
11	State student internship program	200,000	(200,000)	0
12	Cybersecurity remediation pool	0	1,000,000	1,000,000
13	Total all funds	\$38,037,114	\$556,459	\$38,593,573
14	Less estimated income	7,210,390	3,228,087	10,438,477
15	Total general fund	\$30,826,724	(\$2,671,628)	\$28,155,096
16	Full-time equivalent positions	122.50	(7.50)	115.00

**SECTION 2. HEALTH INSURANCE INCREASE.** The salaries and wages line item in section 1 of this Act includes the sum of \$340,576, of which \$279,990 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,249 per month.

**SECTION 3. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-SIXTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-fourth legislative assembly for the 2015-17 biennium and the 2017-19 biennium one-time funding items included in the appropriation in section 1 of this Act:

	<u>One-Time Funding Description</u>	<u>2015-17</u>	<u>2017-19</u>
25	<del>Student internship</del>	<del>\$50,000</del>	<del>\$0</del>
26	<del>Facilities projects</del>	<del>205,000</del>	<del>0</del>
27	<del>Signage on the capitol grounds</del>	<del>1,400,000</del>	<del>0</del>
28	<del>West parking lot repair</del>	<del>50,000</del>	<del>0</del>
29	<del>Affordable Care Act health insurance pool</del>	<del>3,350,000</del>	<del>0</del>
30	<del>Facilities projects</del>	<del>1,475,303</del>	<del>0</del>
31	<del>Legislative electrical</del>	<del>310,000</del>	<del>0</del>

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1	Energy pool	7,965,000	0
2	Environmental impact committee - HB 1432	1,500,000	0
3	Total all funds	\$16,305,303	\$0
4	Less estimated income	9,775,000	0
5	Total general fund	\$6,530,303	\$0
6	Student internship	\$50,000	\$0
7	Facilities projects	205,000	0
8	Signage on the capitol grounds	1,400,000	0
9	West parking lot repair	50,000	0
10	Affordable Care Act health insurance pool	3,350,000	0
11	Facilities projects	1,475,303	0
12	Legislative electrical	310,000	0
13	Energy pool	7,965,000	0
14	Environmental impact committee - HB 1432	1,500,000	0
15	Cybersecurity remediation pool	0	1,000,000
16	Total all funds	\$16,305,303	\$1,000,000
17	Less estimated income	9,775,000	1,000,000
18	Total general fund	\$6,530,303	\$0

19 The 2017-19 biennium one-time funding amounts are not a part of the entity's base budget for  
 20 the 2019-21 biennium. The office of management and budget shall report to the appropriations  
 21 committees of the sixty-sixth legislative assembly on the use of this one-time funding for the  
 22 biennium beginning July 1, 2017, and ending June 30, 2019.

23 **SECTION 4. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO**  
 24 **GENERAL FUND.** The office of management and budget shall transfer the sum of  
 25 \$100,000,000 from the strategic investment and improvements fund to the general fund during  
 26 the period beginning with the effective date of this Act, and ending June 30, 2017.  
 27 **SECTION 5. TRANSFER - CYBERSECURITY REMEDIATION POOL.** The office of  
 28 management and budget may transfer appropriation authority from the cybersecurity  
 29 remediation pool line item in section 1 of this Act to each eligible agency during the biennium  
 30 beginning July 1, 2017, and ending June 30, 2019. Transfers may be made for the purpose of  
 31 providing remediation services resulting from an information technology security breach. The

1 office of management and budget shall notify the legislative council of any transfers made from  
2 the cybersecurity remediation pool.

3 **SECTION 6. EXEMPTION.** The amount appropriated for the fiscal management division, as  
4 contained in section 1 of chapter 49 of the 2015 Session Laws is not subject to the provisions of  
5 section 54-44.1-11. Any unexpended funds from this appropriation are available for continued  
6 development and operating costs of the statewide systems, including accounting, management,  
7 and payroll, during the biennium beginning July 1, 2017, and ending June 30, 2019.

8 ~~SECTION 6. ESTIMATED INCOME - CAPITOL BUILDING FUND.~~ The estimated income  
9 ~~line item in section 1 of this Act includes \$1,710,000 from the capitol building fund for repairs~~  
10 ~~and projects in the capitol building.~~

11 **SECTION 7. SURPLUS PROPERTY BUILDING - PROHIBITION.** The office of  
12 management and budget may not purchase or construct a new building for surplus property  
13 during the biennium beginning July 1, 2017, and ending June 30, 2019.

14 **SECTION 8. INTENT.** Within the authority included in section 1 of this Act are the following  
15 grants and special items:

16 <del>Boys and girls club work</del>	<del>\$53,000</del>
17 <del>State memberships and related expenses</del>	<del>\$611,000</del>
18 <del>Unemployment insurance</del>	<del>\$1,500,000</del>
19 <del>Capitol grounds planning commission</del>	<del>\$25,000</del>
20 <u>Boys and girls club work</u>	<u>\$53,000</u>
21 <u>Unemployment insurance</u>	<u>\$2,000,000</u>
22 <u>Capitol grounds planning commission</u>	<u>\$25,000</u>

23 **SECTION 9. AMENDMENT.** Section 54-06-04.3 of the North Dakota Century Code is  
24 amended and reenacted as follows:

25 **54-06-04.3. Joint publication and distribution of information by state agencies - Fees.**

26 Any state agency may cooperate with any other state agency to jointly publish and  
27 distribute information and may arrange to have the joint publication or distribution, or both,  
28 coordinated by a private entity. Any state agency may provide information it has collected or  
29 developed, including mailing lists, to each other or to any private entity for the purpose of  
30 distributing jointly or individually issued publications or other information. If a state agency  
31 publication is available on the agency's website or otherwise available in an electronic format

1 and a person requests a paper copy of the publication, the state agency may charge a  
2 reasonable fee for providing the paper copy and for mailing the paper copy of the publication.

3       **SECTION 10. SALARIES AND WAGES SAVINGS FROM VACANT POSITIONS AND**  
4 **EMPLOYEE TURNOVER - PROHIBITION - BUDGET SECTION REPORT.** Any salaries and  
5 wages savings resulting from vacant positions and employee turnover within 2017-19 biennium  
6 appropriations for executive branch state agencies and institutions may not be spent but must  
7 be retained and included as part of the agency or institution's unspent appropriation authority  
8 under section 54-44.1-11 for the biennium beginning July 1, 2017, and ending June 30, 2019.  
9 Each agency and institution, including institutions under the control of the state board of higher  
10 education, shall report its savings and supporting information to the office of management and  
11 budget. The office of management and budget shall report to each meeting of the budget  
12 section during the 2017-18 interim and to the appropriations committees of the sixty-sixth  
13 legislative assembly upon request regarding the number of vacant positions by agency and  
14 institution, the duration of each vacancy, and related salaries and wages savings by funding  
15 source for each agency and institution.

16       **SECTION 11. EMERGENCY.** Section 4 of this Act is declared to be an emergency  
17 measure.