

Sixty-sixth  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1021

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the information  
2 technology department; ~~and~~ to provide a report; to provide for a transfer; to provide an  
3 exemption; and to provide for a legislative management study.

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

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
6 as may be necessary, are appropriated out of any moneys in the general fund in the state  
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
8 other income, to the information technology department for the purpose of defraying the  
9 expenses of the information technology department, for the biennium beginning July 1, 2019,  
10 and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
13 <del>Salaries and wages</del>	<del>\$59,359,772</del>	<del>\$199,786</del>	<del>\$59,559,558</del>
14 <del>Operating expenses</del>	<del>69,552,998</del>	<del>19,538,649</del>	<del>89,091,647</del>
15 <del>Capital assets</del>	<del>8,295,000</del>	<del>(4,041,883)</del>	<del>4,253,117</del>
16 <del>Center for distance education</del>	<del>9,079,116</del>	<del>(9,079,116)</del>	<del>0</del>
17 <del>Statewide longitudinal data system</del>	<del>4,310,561</del>	<del>72,790</del>	<del>4,383,351</del>
18 <del>Educational technology council</del>	<del>1,121,472</del>	<del>(1,121,472)</del>	<del>0</del>
19 <del>Edutech</del>	<del>9,752,767</del>	<del>(132,729)</del>	<del>9,620,038</del>
20 <del>K-12 wide area network</del>	<del>4,534,278</del>	<del>631,674</del>	<del>5,165,952</del>
21 <del>Geographic information system</del>	<del>1,147,716</del>	<del>(95,688)</del>	<del>1,052,028</del>
22 <del>Health information technology office</del>	<del>5,315,509</del>	<del>(438,669)</del>	<del>4,876,840</del>
23 <del>Statewide interoperable radio network</del>	<del>13,700,000</del>	<del>(1,370,000)</del>	<del>12,330,000</del>
24 <del>Total all funds</del>	<del>\$186,169,189</del>	<del>\$4,163,342</del>	<del>\$190,332,531</del>

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1	<del>Less estimated income</del>	<del>165,636,855</del>	<del>1,526,094</del>	<del>167,162,949</del>
2	<del>Total general fund</del>	<del>\$20,532,334</del>	<del>\$2,637,248</del>	<del>\$23,169,582</del>
3	<del>Full-time equivalent positions</del>	<del>344.30</del>	<del>(41.30)</del>	<del>303.00</del>
4	Salaries and wages	\$59,359,772	\$22,014,729	\$81,374,501
5	Operating expenses	69,552,998	33,804,366	103,357,364
6	Capital assets	8,295,000	(4,041,883)	4,253,117
7	Center for distance education	9,079,116	(9,079,116)	0
8	Statewide longitudinal data system	4,310,561	76,584	4,387,145
9	Educational technology council	1,121,472	(1,121,472)	0
10	Edutech	9,752,767	(106,994)	9,645,773
11	K-12 wide area network	4,534,278	633,692	5,167,970
12	Geographic information system	1,147,716	1,054,913	2,202,629
13	Health information technology office	5,315,509	(436,363)	4,879,146
14	Statewide interoperable radio network	13,700,000	(1,370,000)	12,330,000
15	Total all funds	\$186,169,189	\$41,428,456	\$227,597,645
16	Less estimated income	165,636,855	33,395,479	199,032,334
17	Total general fund	\$20,532,334	\$8,032,977	\$28,565,311
18	Full-time equivalent positions	344.30	57.70	402.00

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

**SIXTY-SEVENTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium and the one-time funding items included in the appropriation in section 1 of this Act:

23	One-Time Funding Description	2017-19	2019-21
24	<del>Electronic payment processing system</del>	<del>\$375,000</del>	<del>\$0</del>
25	<del>Health information network expansion</del>	<del>43,555,133</del>	<del>0</del>
26	<del>Statewide interoperable network loan</del>	<del>15,000,000</del>	<del>0</del>
27	<del>Cybersecurity</del>	<del>0</del>	<del>8,100,000</del>
28	Total all funds	\$58,930,133	\$8,100,000
29	Less estimated income	58,930,133	0
30	Total general fund	\$0	\$8,100,000

1	<u>Electronic payment processing system</u>	<u>\$375,000</u>	<u>\$0</u>
2	<u>Health information network expansion</u>	<u>43,555,133</u>	<u>0</u>
3	<u>Statewide interoperable network loan</u>	<u>15,000,000</u>	<u>0</u>
4	<u>Cybersecurity</u>	<u>0</u>	<u>11,400,000</u>
5	<u>Legacy lift project</u>	<u>0</u>	<u>2,000,000</u>
6	<u>Statewide land parcel project</u>	<u>0</u>	<u>1,150,000</u>
7	<u>Total all funds</u>	<u>\$58,930,133</u>	<u>\$14,550,000</u>
8	<u>Less estimated income</u>	<u>58,930,133</u>	<u>3,150,000</u>
9	<u>Total general fund</u>	<u>\$0</u>	<u>\$11,400,000</u>

10 The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget  
11 for the 2021-23 biennium. The information technology department shall report to the  
12 appropriations committees of the sixty-seventh legislative assembly on the use of this one-time  
13 funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

14 **SECTION 3. EXCEPTION - LINE ITEM TRANSFERS.** Notwithstanding section 54-16-04,  
15 the director of the office of management and budget shall make transfers of funds between line  
16 items in section 1 of this Act for the information technology department as may be requested by  
17 the chief information officer as determined necessary for the development and implementation  
18 of information technology projects. The department shall notify the legislative council of any  
19 transfers made pursuant to this section.

20 **SECTION 4. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS**  
21 **FUND - INFORMATION TECHNOLOGY PROJECTS.** The estimated income line item in  
22 section 1 of this Act includes the sum of \$3,150,000 from the strategic investment and  
23 improvements fund for information technology projects, of which \$2,000,000 is for a legacy lift  
24 project and \$1,150,000 is for a geographic information system statewide land parcel project.

25 **SECTION 5. EXEMPTION.** The sum of \$43,555,133 of federal and other funds  
26 appropriated to the information technology department for the development of the health  
27 information network and care coordination project in chapter 46 of the 2017 Session Laws is not  
28 subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation  
29 are available for the completion of the health information network and care coordination project  
30 during the biennium beginning July 1, 2019, and ending June 30, 2021.

1       **SECTION 6. LEGISLATIVE MANAGEMENT STUDY - DEVELOPMENT OF A LAND**

2       **ACCESS DATABASE.** During the 2019-20 interim, the legislative management shall consider  
3 studying access to land for hunting and trapping and the development of a land access  
4 database. If selected by the legislative management, the study must be conducted by a new  
5 committee established by the legislative management to study access to public and private  
6 lands for hunting, trapping, and related issues, including the development of a hunters access  
7 database with the capability for landowners to provide electronic information regarding the  
8 availability of the landowner's property for hunters and trappers. The voting members of the  
9 committee must consist of the following, who must be appointed by the legislative management:

- 10       1. Two members representing agriculture organizations;
- 11       2. Two members representing sportsmen organizations; and
- 12       3. Five members of the legislative assembly, one of whom must be selected by the  
13       committee as chairman of the committee, including:
- 14           a. One member of the majority party in the house of representatives;
- 15           b. One member of the minority party in the house of representatives;
- 16           c. One member of the majority party in the senate;
- 17           d. One member of the minority party in the senate; and
- 18           e. One member from either party in either chamber.

19       The nonvoting members of the committee are:

- 20       1. A representative of the North Dakota association of counties;
- 21       2. The agriculture commissioner or the commissioner's designee;
- 22       3. The director of the game and fish department or the director's designee; and
- 23       4. The chief information officer or the officer's designee.

24       A member of the committee who is not a state employee is entitled to reimbursement for  
25 mileage and expenses as provided by law for state officers and employees, to be paid by the  
26 legislative council. A state employee who is a member of the committee is entitled to receive  
27 that employee's regular salary and is entitled to reimbursement for mileage and expenses to be  
28 paid by the employing agency. A member of the committee who is a member of the legislative  
29 assembly is entitled to receive per diem compensation at the rate provided under section  
30 54-35-10 for each day performing official duties of the committee. The legislative council shall  
31 pay the per diem compensation and reimbursement for travel and expenses as provided by law

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1 for any member of the committee who is a member of the legislative assembly. The committee  
2 may establish a prototype hunters access database in select counties prior to August 1, 2020.  
3 The legislative management shall report its findings and recommendations, together with any  
4 legislation required to implement the recommendations, to the sixty-seventh legislative  
5 assembly.