

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 transfer;~~ to provide an exemption; and to provide for a
3 report.

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, 2023,
10 and ending June 30, 2025, as follows:

	<u>Governor's</u>		
	<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
13 Salaries and wages	\$101,734,629	\$120,200,318	\$101,734,629
14 Operating expenses	114,588,112	181,582,233	114,588,112
15 Capital assets	3,443,909	3,910,571	3,443,909
16 ARPA broadband	0	45,000,000	0
17 HJA broadband BEAD program	0	148,250,000	0
18 Statewide longitudinal data system	4,486,278	8,715,381	4,486,278
19 Edutech	9,691,939	11,784,825	9,691,939
20 K-12 wide area network	4,679,718	7,208,178	4,679,718
21 Geographic information system	1,101,806	1,230,596	1,101,806
22 Health information technology office	8,725,871	8,819,615	8,725,871
23 Statewide interoperable radio network	14,193,796	38,438,176	14,193,796
24 Total all funds	\$262,646,058	\$575,139,893	\$262,646,058

Sixty-eighth
Legislative Assembly

1	Less estimated income	233,670,105	513,670,072	233,670,105
2	Total general fund	\$28,975,953	\$61,469,821	\$28,975,953
3	Full-time equivalent positions	479.00	520.00	479.00
4			Adjustments or	
5		Base Level	Enhancements	Appropriation
6	Salaries and wages	\$101,734,629	\$13,403,736	\$115,138,365
7	Operating expenses	114,588,112	38,416,587	153,004,699
8	Capital assets	3,443,909	466,662	3,910,571
9	Statewide longitudinal data system	4,486,278	123,913	4,610,191
10	Edutech	9,691,939	1,297,519	10,989,458
11	K-12 wide area network	4,679,718	2,505,240	7,184,958
12	Geographic information system	1,101,806	123,641	1,225,447
13	Health information technology office	8,725,871	76,117	8,801,988
14	Statewide interoperable radio network	14,193,796	4,236,103	18,429,899
15	Broadband infrastructure	0	148,250,000	148,250,000
16	Total all funds	\$262,646,058	\$208,899,518	\$471,545,576
17	Less estimated income	233,670,105	188,005,063	421,675,168
18	Total general fund	\$28,975,953	\$20,894,455	\$49,870,408
19	Full-time equivalent positions	479.00	28.00	507.00

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

SIXTY-NINTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the one-time funding items included in the appropriation in section 1 of this Act:

	<u>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
24	Cybersecurity	\$6,500,000	\$0
25	Health information technology office	<del style="text-align: right;">6,000,000	<del style="text-align: right;">0
26	Health information technology office	6,000,000	3,000,000
27	Broadband infrastructure grants	45,000,000	0
28	North Dakota stockmen's association grant	<del style="text-align: right;">401,000	<del style="text-align: right;">0
29	Total special funds	\$57,901,000	\$0
30			

1	<u>North Dakota stockmen's association grant</u>	<u>401,000</u>	<u>0</u>
2	<u>Enterprise digitization project</u>	<u>0</u>	<u>10,000,000</u>
3	<u>Governance, risk, and compliance costs</u>	<u>0</u>	<u>5,456,876</u>
4	<u>Customer relationship management program</u>	<u>0</u>	<u>6,500,000</u>
5	<u>Universal vulnerability management project</u>	<u>0</u>	<u>3,000,000</u>
6	<u>Capitol security upgrade and fiber replacement project</u>	<u>0</u>	<u>2,499,467</u>
7	<u>Inflationary increases</u>	<u>0</u>	<u>7,825,000</u>
8	<u>Broadband, equity, access, and deployment program</u>	<u>0</u>	<u>148,250,000</u>
9	<u>Total all funds</u>	<u>\$57,901,000</u>	<u>\$186,531,343</u>
10	<u>Less estimated income</u>	<u>57,901,000</u>	<u>180,081,343</u>
11	<u>Total general fund</u>	<u>\$0</u>	<u>\$6,450,000</u>

12 The 2023-25 biennium one-time funding amounts are not a part of the entity's base budget
13 for the 2025-27 biennium. The information technology department shall report to the
14 appropriations committees of the sixty-ninth legislative assembly on the use of this one-time
15 funding for the biennium beginning July 1, 2023, and ending June 30, 2025.

16 **SECTION 3. ADDITIONAL INCOME - APPROPRIATION.** All federal funds received by the
17 information technology department in excess of those funds appropriated in section 1 of this Act
18 are appropriated to the information technology department for the biennium beginning July 1,
19 2023, and ending June 30, 2025.

20 **SECTION 4. ESTIMATED INCOME - TRANSFER - HEALTH INFORMATION**
21 **TECHNOLOGY PLANNING LOAN FUND TO ELECTRONIC HEALTH INFORMATION**
22 **EXCHANGE FUND.** Notwithstanding section 6-09-43, the estimated income line item in
23 section 1 of this Act includes the sum of \$3,000,000, or so much of the sum as may be
24 necessary, which the Bank of North Dakota shall transfer, as requested by the chief information
25 officer, from the health information technology planning loan fund to the electronic health
26 information exchange fund for the purpose of defraying the expenses of the health information
27 technology office and the health information network during the biennium beginning July 1,
28 2023, and ending June 30, 2025.

29 **SECTION 5. EXEMPTION - LINE ITEM TRANSFERS.** Notwithstanding section 54-16-04,
30 the director of the office of management and budget shall make transfers of funds between line
31 items in section 1 of this Act for the information technology department as may be requested by

1 the chief information officer as determined necessary for the development and implementation
2 of information technology projects. The department shall notify the legislative council of any
3 transfers made pursuant to this section.

4 **SECTION 6. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS**

5 **FUND.** The estimated income line item in section 1 of this Act includes the sum of \$16,500,000
6 from the strategic investment and improvements fund, of which \$10,000,000 is for the
7 enterprise digitization project and \$6,500,000 is for the customer relationship management
8 program.

9 **SECTION 7. ESTIMATED INCOME - FEDERAL STATE FISCAL RECOVERY FUND.** The

10 estimated income line item in section 1 of this Act includes the sum of \$2,499,467 from federal
11 funds derived from the state fiscal recovery fund for the capitol security software upgrade and
12 fiber replacement project.

13 **SECTION 8. EXEMPTION - BROADBAND INFRASTRUCTURE GRANTS.** The amount of

14 \$45,000,000 appropriated from federal funds derived from the coronavirus capital projects fund
15 for the broadband infrastructure grants program in section 9 of chapter 548 of the 2021 Special
16 Session Session Laws is not subject to section 54-44.1-11 and is available for the program
17 during the biennium beginning July 1, 2023, and ending June 30, 2025.

18 **SECTION 9. EXEMPTION - NORTH DAKOTA STOCKMEN'S ASSOCIATION BRANDING**

19 **INSPECTION SYSTEM.** The amount of \$401,000 appropriated from federal funds derived from
20 the state fiscal recovery fund for the purpose of providing a grant to the North Dakota
21 stockmen's association for conversion of a paper-based brand inspection program to an
22 electronic system in subsection 23 of section 1 of chapter 550 of the 2021 Special Session
23 Session Laws is not subject to section 54-44.1-11 and is available for the program during the
24 biennium beginning July 1, 2023, and ending June 30, 2025.