

SUMMARY OF THE BILL DRAFT RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE BUDGET SECTION

At the September 7, 2005, meeting of the Budget Section, the committee passed a motion requesting the Legislative Council staff to prepare a bill draft to amend North Dakota Century Code sections to eliminate certain references to the Budget Section.

Pursuant to that request, bill draft 70012.0100 has been prepared to amend the following sections of the North Dakota Century Code:

- **Section 1 - 4-05.1-19 - Duties of the State Board of Agricultural Research and Education.** This section is amended to eliminate the requirement that the board present a status report to the Budget Section. The Budget Section has received these status reports since this responsibility was enacted during the 2001-03 biennium.
- **Section 2 - 4-19-01.2 - State Forester reserve account.** This section is amended to eliminate the requirement that the Budget Section approve the use of money in the State Forester reserve account. With this amendment, the State Forester may use the reserve account within limits of legislative appropriations for expenses relating to nursery seedling losses or other unanticipated events requiring additional funding as determined necessary by the State Forester without requiring Budget Section approval. This duty has never required Budget Section action since it was enacted during the 1991-93 biennium.
- **Section 3 - 15.1-02-14 - State tuition fund duplicative payments, transfer, and distribution.** This section is amended to eliminate the requirement that the Superintendent of Public Instruction report annually to the Budget Section regarding any transfers of money to the state tuition fund in which federal or other money was received to pay programmatic administrative expenses for which the Superintendent received a state general fund appropriation. The Budget Section has received these annual reports since this responsibility was enacted during the 2001-03 biennium; however, there has never been any transfers to report.
- **Section 4 - 49-21-31 - Performance assurance fund.** This section is amended to eliminate the requirement that the Public Service Commission report annually to the Budget Section with respect to payments received under the performance assurance plan and the expenditures from the performance assurance fund. The Budget Section has received these annual reports since this responsibility was enacted during the 2003-05 biennium.
- **Section 5 - 54-56-03 - Functions of the Children's Services Coordinating Committee.** This section is amended to eliminate the requirement that the Budget Section approve the distribution of Children's Services Coordinating Committee grants. With this amendment, Legislative Assembly approval would still be required for the distribution of the Children's Services Coordinating Committee grant funds to children's services organizations and programs. This duty was enacted during the 1997-99 biennium and required Budget Section action during the 1997-99 and 1999-2001 bienniums.
- **Section 6 - 54-59-19 - Information Technology Department annual report.** This section is amended to eliminate the requirement that the Information Technology Department present a summary of its annual report to the Budget Section. With this amendment, the department would still be required to present the annual report to the Information Technology Department and present a summary of the annual report to the Legislative Audit and Fiscal Review Committee. The Budget Section has received a summary of the Information Technology Department's annual report since this responsibility was enacted during the 2001-03 biennium.
- **Section 7 - 54-60-10 - Department of Commerce Internet web site for career guidance and job opportunities.** This section is amended to eliminate the requirement that the Department of Commerce report annually to the Budget Section regarding money spent to administer an Internet web site that provides career guidance and job opportunity services. The Budget Section has received these annual reports from the Department of Commerce since this responsibility was enacted during the 2003-05 biennium.

Money deposited in the department's operating fund for subscriptions, commissions, fees, or other revenue from the Internet web site, up to \$130,000 per biennium, are appropriated to the Department of Commerce on a continuing basis for payment of expenses related to administration of the web site. With

this amendment, the Department of Commerce will still be required to obtain legislative appropriations or Budget Section approval to spend any amounts deposited in the operating fund that exceed the continuing appropriation amount of \$130,000 per biennium.

- **Section 8 - 65-02-05.1 - Workforce Safety and Insurance building maintenance account.** This section is amended to eliminate the requirement that Workforce Safety

and Insurance report to the Budget Section on a biennial basis on all revenues deposited into and expenditures from the Workforce Safety and Insurance building maintenance account. This responsibility of the Budget Section was enacted during the 2001-03 biennium and the Budget Section received a biennial report from Workforce Safety and Insurance during the 2003-05 biennium.