

Sixty-seventh
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2021

Introduced by

Appropriations Committee

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

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, 2021,
10 and ending June 30, 2023.

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
11				
12				
13	Salaries and wages	\$81,374,501	\$22,303,093	\$103,677,594
14	Operating expenses	89,957,364	31,290,748	121,248,112
15	Capital assets	4,253,117	(809,208)	3,443,909
16	Statewide longitudinal data system	4,387,145	106,287	4,493,432
17	Edutech	9,645,773	55,493	9,701,266
18	K-12 wide area network	5,167,970	(485,481)	4,682,489
19	Geographic information system	1,052,629	50,425	1,103,054
20	Health information technology office	4,879,146	9,850,377	14,729,523
21	Statewide interoperable radio network	<u>12,330,000</u>	<u>1,864,902</u>	<u>14,194,902</u>
22	Total all funds	\$213,047,645	\$64,226,636	\$277,274,281
23	Less estimated income	<u>195,882,334</u>	<u>46,980,361</u>	<u>242,862,695</u>

1	Total general fund	\$17,165,311	\$17,246,275	\$34,411,586
2	Full-time equivalent positions	402.00	86.00	488.00

3 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
 4 **SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
 5 items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the
 6 one-time funding items included in the appropriation in section 1 of this Act:

7	<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
8	Cybersecurity	\$15,400,000	\$0
9	Statewide land parcel project	1,150,000	0
10	Statewide interoperable radio network	120,000,000	0
11	Health information technology office	0	<u>6,000,000</u>
12	Total all funds	\$136,550,000	\$6,000,000
13	Less estimated income	<u>125,150,000</u>	<u>6,000,000</u>
14	Total general fund	\$11,400,000	\$0

15 The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget
 16 for the 2023-25 biennium. The information technology department shall report to the
 17 appropriations committees of the sixty-eighth legislative assembly on the use of this one-time
 18 funding for the biennium beginning July 1, 2021, and ending June 30, 2023.

19 **SECTION 3. ESTIMATED INCOME - TRANSFER - HEALTH INFORMATION**
 20 **TECHNOLOGY PLANNING LOAN FUND TO INFORMATION TECHNOLOGY DEPARTMENT**
 21 **OPERATING SERVICE FUND - LEGISLATIVE INTENT - ONE-TIME FUNDING.**

22 Notwithstanding section 6-09-43, the estimated income line item in section 1 of this Act includes
 23 the sum of \$6,000,000, or so much of the sum as may be necessary, which the Bank of North
 24 Dakota shall transfer, as requested by the chief information officer, from the health information
 25 technology planning loan fund to the information technology department operating service fund
 26 for the purpose of defraying the expenses of the health information technology office and the
 27 health information network during the biennium beginning July 1, 2021, and ending June 30,
 28 2023. It is the intent of the sixty-seventh legislative assembly that funding be transferred only to
 29 the extent federal funding is not available to defray the expenses of the health information
 30 technology office and the health information network during the 2021-23 biennium. This funding
 31 is considered a one-time funding item.

1 **SECTION 4. EXEMPTION - LINE ITEM TRANSFERS.** Notwithstanding section 54-16-04,
2 the director of the office of management and budget shall make transfers of funds between line
3 items in section 1 of this Act for the information technology department as may be requested by
4 the chief information officer as determined necessary for the development and implementation
5 of information technology projects. The department shall notify the legislative council of any
6 transfers made pursuant to this section.

7 **SECTION 5. EXEMPTION - STATEWIDE INTEROPERABLE RADIO NETWORK.** The
8 \$20,000,000 appropriated from the strategic investment and improvements fund for the
9 statewide interoperable radio network in section 8 of chapter 293 of the 2019 Session Laws is
10 not subject to section 54-44.1-11 and is available for the statewide interoperable radio network
11 project during the biennium beginning July 1, 2021, and ending June 30, 2023.

12 **SECTION 6. LEGISLATIVE INTENT - 2019-21 BIENNIUM LEGACY FUND EARNINGS -**
13 **CYBERSECURITY.** It is the intent of the sixty-seventh legislative assembly that the
14 \$16,547,033 appropriated from the general fund for cybersecurity initiatives in section 1 of this
15 Act be derived from 2019-21 biennium legacy fund earnings, of which \$4,824,465 is in the
16 salaries and wages line item, \$11,591,534 is in the operating expenses line item, and \$131,034
17 is in the capital assets line item.