

**Sixty-fourth Legislative Assembly of North Dakota
In Special Session Commencing Tuesday, August 2, 2016**

SENATE BILL NO. 2379
(Senators Wardner, Holmberg)
(Representatives Carlson, Delzer)
(Approved by the Delayed Bills Committee)

AN ACT to provide for the reduction of general fund appropriation authority; to authorize transfers from the budget stabilization fund and the Bank of North Dakota; to provide appropriations for the department of human services and the department of corrections and rehabilitation; to provide for reports; to provide legislative intent; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION REDUCTIONS - EXECUTIVE BRANCH. The amounts identified for the agencies and institutions in this section reflect a reduction to the 2015-17 biennium general fund appropriation authority enacted by the sixty-fourth legislative assembly for the respective agency or institution for the biennium ending June 30, 2017. The amounts identified in this section are the legislative recognition of the 4.05 percent budget allotment ordered by the governor in February 2016, and the 2.5 percent budget allotment ordered by the governor in August 2016.

<u>Agency or Institution</u>	<u>Original General Fund Authority</u>	<u>General Fund Reduction</u>	<u>Adjusted General Fund Authority</u>
Governor	\$4,499,475	(\$294,716)	\$4,204,759
Secretary of state	10,085,308	(660,588)	9,424,720
Office of management and budget, including House Bill No. 1432 appropriations	43,988,258	(2,881,231)	41,107,027
Information technology department	27,905,987	(1,827,842)	26,078,145
State auditor	10,461,832	(685,250)	9,776,582
State treasurer	260,057,355	(17,033,757)	243,023,598
Attorney general	55,376,870	(3,627,185)	51,749,685
Tax commissioner	58,769,918	(3,849,430)	54,920,488
Commission on legal counsel for indigents	18,304,103	(1,198,919)	17,105,184
Department of public instruction	1,820,982,952	(119,274,383)	1,701,708,569
North Dakota university system	154,629,019	(10,128,201)	144,500,818
Bismarck state college	38,155,826	(2,499,207)	35,656,619
Lake region state college	16,635,979	(1,089,657)	15,546,322
Williston state college	12,748,265	(835,011)	11,913,254
University of North Dakota	240,445,904	(15,749,207)	224,696,697
University of North Dakota school of medicine and health sciences	71,437,396	(4,679,149)	66,758,247
North Dakota state university	157,410,540	(10,310,390)	147,100,150
North Dakota state college of science	58,029,764	(3,800,950)	54,228,814
Dickinson state university	27,015,931	(1,769,543)	25,246,388
Mayville state university	16,739,145	(1,096,414)	15,642,731
Minot state university	48,758,181	(3,193,661)	45,564,520
Valley City state university	39,758,668	(2,604,193)	37,154,475
Dakota college at Bottineau	9,802,405	(642,058)	9,160,347
Forest service	5,007,844	(328,014)	4,679,830
State library	6,773,655	(443,674)	6,329,981
School for the deaf	9,140,590	(598,709)	8,541,881
North Dakota vision services - school for the blind	5,081,484	(332,837)	4,748,647
Department of career and technical	33,920,062	(2,221,764)	31,698,298

education			
State department of health	51,521,680	(3,374,670)	48,147,010
Veterans' home	8,697,725	(569,701)	8,128,024
Indian affairs commission	1,217,245	(79,730)	1,137,515
Department of veterans' affairs	1,612,495	(105,618)	1,506,877
Department of human services	1,332,202,833	(87,259,286)	1,244,943,547
Protection and advocacy project	3,034,111	(198,734)	2,835,377
Job service North Dakota	2,116,191	(138,611)	1,977,580
Industrial commission	34,966,173	(2,290,284)	32,675,889
Department of labor and human rights	2,511,761	(164,520)	2,347,241
Public service commission	7,935,207	(519,756)	7,415,451
Aeronautics commission	1,000,000	(65,500)	934,500
Securities department	2,237,326	(146,545)	2,090,781
Highway patrol	46,656,563	(3,056,005)	43,600,558
Department of corrections and rehabilitation	215,387,242	(14,107,864)	201,279,378
Adjutant general	33,033,118	(2,163,669)	30,869,449
Department of commerce	56,203,701	(3,681,342)	52,522,359
Agriculture commissioner	11,581,056	(758,559)	10,822,497
Upper great plains transportation institute	4,847,099	(317,485)	4,529,614
Branch research centers	20,073,447	(1,314,811)	18,758,636
North Dakota state university extension service	29,788,188	(1,951,126)	27,837,062
Northern crops institute	2,102,158	(137,691)	1,964,467
Main research center	59,067,612	(3,868,929)	55,198,683
State fair association	1,070,000	(70,085)	999,915
Racing commission	415,004	(27,183)	387,821
State historical society	21,592,039	(1,414,279)	20,177,760
Council on the arts	1,744,723	(114,279)	1,630,444
Parks and recreation department	33,294,213	(2,180,771)	31,113,442
Department of transportation	<u>656,375,558</u>	<u>(42,992,599)</u>	<u>613,382,959</u>
Total	\$5,904,207,184	(\$386,725,572)	\$5,517,481,612

SECTION 2. APPROPRIATION REDUCTIONS - LEGISLATIVE AND JUDICIAL BRANCHES. The amounts identified for the agencies in this section reflect a reduction to the 2015-17 biennium general fund appropriation authority enacted by the sixty-fourth legislative assembly for the respective branch and agency for the biennium ending June 30, 2017.

Agency or Branch	Original Appropriation	Adjustments or Enhancements	Appropriation
Legislative assembly	\$15,885,367	(\$1,040,492)	\$14,844,875
Legislative council	13,439,133	(880,263)	12,558,870
Judicial branch	<u>112,630,994</u>	<u>(7,377,330)</u>	<u>105,253,664</u>
Total	\$141,955,494	(\$9,298,085)	\$132,657,409

SECTION 3. TRANSFER - BUDGET STABILIZATION FUND TO GENERAL FUND. During the period beginning with the effective date of this Act and ending June 30, 2017, the director of the office of management and budget shall transfer the sum of \$572,485,452, or so much of the sum as may be necessary, from the budget stabilization fund to the general fund to provide for a positive balance in the general fund on June 30, 2017.

SECTION 4. CONTINGENT BANK OF NORTH DAKOTA TRANSFERS TO STATE GENERAL FUND. If, during the period beginning with the effective date of this Act and ending June 30, 2017, the director of the office of management and budget determines the state general fund will not have a projected positive June 30, 2017, balance, the industrial commission shall transfer \$100,000,000, or so much of the sum as may be necessary, from the earnings and accumulated and undivided profits of the Bank of North Dakota to the state general fund. The moneys must be transferred in amounts and at

such times as requested by the director of the office of management and budget. The sum of the amounts transferred may not exceed the lesser of \$100,000,000 or the amount necessary to provide for a positive June 30, 2017, general fund balance.

SECTION 5. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$33,305,071, or so much of the sum as may be necessary, to the department of human services for the purpose of offsetting a portion of the general fund reductions for the department of human services made in section 1 of this Act, for the period beginning with the effective date of this Act, and ending June 30, 2017.

SECTION 6. APPROPRIATION - DEPARTMENT OF CORRECTIONS AND REHABILITATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$3,230,809, or so much of the sum as may be necessary, to the department of corrections and rehabilitation for the purpose of offsetting a portion of the general fund reductions for the department of corrections and rehabilitation made in section 1 of this Act, for the period beginning with the effective date of this Act, and ending June 30, 2017.

SECTION 7. REPORT - AGENCY BUDGET REDUCTIONS. Before October 1, 2016, each branch, agency, or institution with a general fund appropriation reduction identified in section 1 or 2 of this Act shall provide a report to the office of management and budget and the legislative council regarding its plan for specific budget reductions made as a result of this Act. The report must include detail regarding the reductions made by line item, one-time appropriation item, and program. The report must identify for each line item, one-time appropriation item, and program:

1. The original funding amount based on 2015-17 biennium general fund appropriations, the reduction amount, and the funding amount remaining; and
2. Any changes to federal or special funding as a result of the reductions.

SECTION 8. LEGISLATIVE INTENT. It is the intent of the sixty-fourth legislative assembly that if additional revenues become available before the convening of the sixty-fifth legislative assembly, the sixty-fifth legislative assembly consider, early in the regular session, restoration of funding for behavioral health, autism, and long-term care services.

SECTION 9. EFFECTIVE DATE. This Act becomes effective upon its filing with the secretary of state.

Robert S. Exchele
President of the Senate

Wesley B. Bell
Speaker of the House

Chanda Morgan
Secretary of the Senate

Bruce J. Reid
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2379.

Senate Vote: Yeas 46 Nays 0 Absent 1

House Vote: Yeas 82 Nays 8 Absent 4

Chanda Morgan
Secretary of the Senate

Received by the Governor at 9:35 A.M. on August 4, 2016.

Approved at 9:55 A.M. on August 4, 2016.

Jack Dallymple
Governor

Filed in this office this 4th day of August, 2016,

at 10:15 o'clock A M.

Abin D. Jaeger
Secretary of State