

HOUSE BILL NO. 1395

Introduced by

Representatives Delzer, Boschee, Pollert

Senators Heckaman, Holmberg, Wardner

1 A BILL for an Act to adjust state agency spending authority approved by the emergency
2 commission and budget section; to provide a statement of legislative intent; to provide an
3 appropriation; to provide an exemption; to provide for retroactive application; and to declare an
4 emergency.

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

6 **SECTION 1. EMERGENCY COMMISSION AUTHORIZATION ADJUSTMENTS -**

7 **APPROPRIATION.** The amounts identified in the emergency commission authorization column
8 below represent the federal coronavirus relief fund spending authority approved for each
9 agency or institution by the emergency commission and budget section under section
10 54-16-04.1 for the biennium ending June 30, 2021. The director of the office of management
11 and budget shall adjust the federal coronavirus relief fund spending authorization amount for
12 each agency and institution to the amounts shown in the appropriation column which are
13 appropriated from federal funds derived from the federal coronavirus relief fund to the agency or
14 institution listed for the purpose of defraying expenses relating to the COVID-19 pandemic for
15 the period beginning ~~June 18~~ May 15, 2020, and ending June 30, 2021.

16 Emergency Commission

17 <u>Agency or Institution</u>	<u>Authorization</u>	<u>Adjustment</u>	<u>Appropriation</u>
18 Governor	\$18,083	0	\$18,083
19 Secretary of state	49,216	0	49,216
20 Office of management and budget	7,003,055	0	7,003,055
21 Information technology department	62,368,226	0	62,368,226
22 <u>Office of management and budget</u>	<u>7,003,055</u>	<u>18,315</u>	<u>7,021,370</u>
23 <u>Information technology department</u>	<u>61,868,226</u>	<u>0</u>	<u>61,868,226</u>
24 State auditor	10,866	0	10,866

Sixty-seventh
Legislative Assembly

1	<u>State treasurer</u>	<u>122,757,062</u>	<u>523,194</u>	<u>123,280,256</u>
2	Tax commissioner	28,601	0	28,601
3	Office of administrative hearings	522	0	522
4	Legislative assembly	3,100,000	0	3,100,000
5	Legislative council	100,000	0	100,000
6	Judicial branch	312,212	0	312,212
7	Department of public instruction	63,816,217	0	63,816,217
8	Department of trust lands	94,135	0	94,135
9	<u>Department of public instruction</u>	<u>64,316,217</u>	<u>0</u>	<u>64,316,217</u>
10	<u>Department of trust lands</u>	<u>94,135</u>	<u>1,505</u>	<u>95,640</u>
11	North Dakota university system office	1,468,787	0	1,468,787
12	Bismarck state college	4,210,745	0	4,210,745
13	Lake region state college	880,813	0	880,813
14	Williston state college	1,712,364	0	1,712,364
15	University of North Dakota	20,984,766	0	20,984,766
16	North Dakota state university	18,671,414	0	18,671,414
17	<u>North Dakota state university</u>	<u>18,671,414</u>	<u>(52,750)</u>	<u>18,618,664</u>
18	North Dakota state college of science	5,107,897	0	5,107,897
19	Dickinson state university	2,346,239	0	2,346,239
20	Mayville state university	2,206,656	0	2,206,656
21	Minot state university	2,454,439	0	2,454,439
22	Valley City state university	740,353	0	740,353
23	Dakota college at Bottineau	804,631	0	804,631
24	Department of career and technical	470,980	0	470,980
25	education			
26	State department of health	174,115,929	0	174,115,929
27	<u>State department of health</u>	<u>174,115,929</u>	<u>(72,542,160)</u>	<u>101,573,769</u>
28	Department of environmental quality	745,000	0	745,000
29	Veterans' home	462,040	0	462,040
30	Indian affairs commission	20,915	0	20,915

Sixty-seventh
Legislative Assembly

1	Department of veterans' affairs	2,860	0	2,860
2	Department of human services	61,103,911	0	61,103,911
3	Job service North Dakota	372,381,213	0	372,381,213
4	Industrial commission	65,476,513	0	65,476,513
5	Bank of North Dakota	70,000,000	0	70,000,000
6	<u>Department of human services</u>	<u>61,103,911</u>	<u>(582,942)</u>	<u>60,520,969</u>
7	<u>Job service North Dakota</u>	<u>372,381,213</u>	<u>(1,427,906)</u>	<u>370,953,307</u>
8	<u>Industrial commission</u>	<u>65,476,513</u>	<u>4,000,000</u>	<u>69,476,513</u>
9	<u>Bank of North Dakota</u>	<u>70,000,000</u>	<u>(1,322,817)</u>	<u>68,677,183</u>
10	Mill and elevator association	116,690	0	116,690
11	Workforce safety and insurance	1,018,052	0	1,018,052
12	Highway patrol	13,919,094	0	13,919,094
13	Department of corrections and	11,170,709	0	11,170,709
14	—rehabilitation			
15	Adjutant general	16,148,260	0	16,148,260
16	Department of commerce	109,179,000	0	109,179,000
17	Agriculture commissioner	13,556,000	0	13,556,000
18	<u>Highway patrol</u>	<u>13,919,094</u>	<u>(11,091)</u>	<u>13,908,003</u>
19	<u>Department of corrections and</u>	<u>11,170,709</u>	<u>(1,505)</u>	<u>11,169,204</u>
20	<u> rehabilitation</u>			
21	<u>Adjutant general</u>	<u>16,148,260</u>	<u>(4,951,480)</u>	<u>11,196,780</u>
22	<u>Department of commerce</u>	<u>109,179,000</u>	<u>(27,000,000)</u>	<u>82,179,000</u>
23	<u>Agriculture commissioner</u>	<u>13,556,000</u>	<u>(148,450)</u>	<u>13,407,550</u>
24	State seed department	6,117	0	6,117
25	Upper great plains transportation institute	45,095	0	45,095
26	<u>Upper great plains transportation institute</u>	<u>45,095</u>	<u>(3,477)</u>	<u>41,618</u>
27	Branch research centers	831,007	0	831,007
28	North Dakota state university extension	855,400	0	855,400
29	service			
30	Northern crops institute	115,586	0	115,586

Sixty-seventh
Legislative Assembly

1	North Dakota state university main	1,164,967	0	1,164,967
2	research center			
3	State fair association	105,272	0	105,272
4	Racing commission	1,000	0	1,000
5	State historical society	20,000	0	20,000
6	State historical society	20,000	(1,000)	19,000
7	Council on the arts	800,000	0	800,000
8	Parks and recreation department	250,985	0	250,985
9	Department of transportation	14,670,106	0	14,670,106
10	Total	\$1,127,242,938	0	\$1,127,242,938
11	Total	\$1,250,000,000	(\$103,502,564)	\$1,146,497,436

SECTION 2. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated from federal funds to the state departments and institutions of the state of North Dakota listed below for the purpose of defraying COVID-19 and other expenses for the period beginning with the effective date of this Act, and ending June 30, 2023, as follows:

Subdivision 1.

STATE TREASURER

19	Local fiscal relief fund allocations	\$50,160,000
20	Total federal funds	\$50,160,000

Subdivision 2.

DEPARTMENT OF PUBLIC INSTRUCTION

23	Elementary and secondary school emergency education relief	\$305,266,879
24	Assistance to nonpublic schools	4,151,371
25	Individuals with disabilities education act grant	8,632,569
26	Total federal funds	\$318,050,819

Subdivision 3.

STATE LIBRARY

29	COVID-19 salaries and wages	\$86,669
30	COVID-19 operating expenses	1,580,057

1	COVID-19 grants	<u>500,000</u>
2	Total federal funds	\$2,166,726
3	Subdivision 4.	
4	STATE DEPARTMENT OF HEALTH	
5	COVID-19 response	<u>\$87,290,597</u>
6	Total federal funds	\$87,290,597
7	Subdivision 5.	
8	VETERANS' HOME	
9	COVID-19 response	<u>\$1,300,000</u>
10	Total federal funds	\$1,300,000
11	Subdivision 6.	
12	DEPARTMENT OF HUMAN SERVICES	
13	COVID-19 operating expenses	\$16,863,309
14	COVID-19 grants	<u>174,826,531</u>
15	Total federal funds	\$191,689,840
16	Subdivision 7.	
17	ADJUTANT GENERAL	
18	COVID-19 response	<u>\$887,873</u>
19	Total federal funds	\$887,873
20	Subdivision 8.	
21	COUNCIL ON THE ARTS	
22	COVID-19 funding	<u>\$759,060</u>
23	Total federal funds	\$759,060
24	Subdivision 9.	
25	DEPARTMENT OF TRANSPORTATION	
26	COVID-19 grants	\$1,609,357
27	COVID-19 capital assets	<u>317,000,000</u>
28	Total federal funds	\$318,609,357
29	Subdivision 10.	
30	TOTAL - SECTION 2	
31	Grand total federal funds	\$970,914,272

1 **SECTION 3. LEGISLATIVE INTENT - STATE FISCAL RECOVERY FUND.** It is the intent of
2 the sixty-seventh legislative assembly that state fiscal recovery funds received through
3 H.R. 1319 of the 117th Congress, also known as the federal American Rescue Plan Act, be
4 appropriated by the legislative assembly during future regular and special legislative sessions.

5 **SECTION 4. EXEMPTION.** The funding appropriated in section 1 of this Act is not subject to
6 the provisions of section 54-44.1-11 and may be continued into the biennium beginning July 1,
7 2021, and ending June 30, 2023.

8 **SECTION 5. RETROACTIVE APPLICATION.** Section 1 of this Act applies retroactively to
9 ~~June 18~~ May 15, 2020.

10 **SECTION 6. EMERGENCY.** This Act is declared to be an emergency measure.