

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1304

Introduced by

Representatives Monson, Carlson, Glassheim, Skarphol

1 A BILL for an Act to amend and reenact section 54-27-21.1, subsection 8 of section 54-44.1-06,
2 and section 54-44.1-08 of the North Dakota Century Code, relating to cost/benefit reports to the
3 budget section for leasing arrangements, financing and leasing information in budget data
4 contents, and budget reports to the legislative assembly.

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

6 **SECTION 1. AMENDMENT.** Section 54-27-21.1 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **54-27-21.1. Documentation of asset acquisitions and leases of state land or**
9 **property - Report to budget section.** Any state agency or institution that acquires the use of
10 an asset as the result of a lease arrangement shall prepare a written analysis documenting the
11 decision to acquire the use of the asset. The agency or institution shall make the analysis
12 available to the auditor for review during the audit for the fiscal period during which the decision
13 was made. Any state agency or institution that acquires the use of an asset with a value of fifty
14 thousand dollars or more as the result of a lease arrangement or that leases state land or
15 property shall prepare a written cost/benefit analysis supporting the leasing arrangement and
16 present the analysis to the budget section of the legislative council.

17 **SECTION 2. AMENDMENT.** Subsection 8 of section 54-44.1-06 of the North Dakota
18 Century Code, as effective after June 30, 2005, is amended and reenacted as follows:

19 8. A detailed report on all state agency and institution financing or leasing
20 arrangements for the current biennium and financing or leasing arrangements
21 being recommended in the executive budget, including a list of every individual
22 asset or service, excluding real estate, with a value of at least fifty thousand dollars
23 and every group of assets and services comprising a single system with a
24 combined value of at least fifty thousand dollars acquired through a capital or

1 operating lease arrangement or debt financing arrangement by a state agency or
2 institution. ~~The list must include assets or services acquired in the current~~
3 ~~biennium and anticipated assets or services to be acquired in the next biennium.~~
4 The report must contain information on the purpose of the arrangement, the
5 original amount financed, current indebtedness, the length of the commitment,
6 payment amounts, interest rates, and the source of funding used to make current
7 and future payments.

8 **SECTION 3. AMENDMENT.** Section 54-44.1-08 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **54-44.1-08. Budget report - Contents - When submitted to legislative assembly.**

11 The official budget report must be transmitted by the governor to all holdover legislators and
12 legislators-elect not later than three days after the commencement of the session of the
13 legislative assembly. Such report is not a third-class item under section 46-02-05. The budget
14 director shall provide for the duplication or other satisfactory reproduction or printing of the
15 official budget report, so as to ensure delivery of same as provided in this section. Such
16 reports must contain the budget and revenue proposals recommended by the governor and the
17 information required in subsections 1, 2, 3, 5, ~~and 6,~~ and 8 of section 54-44.1-06 and all other
18 data and information as the governor shall decide. The budget director shall make available
19 any and all information regarding budget data to the governor, the legislative assembly and its
20 designees, legislators, and to the governor-elect as may be requested. The governor may
21 present any additional budget information in any manner to the legislative assembly as the
22 governor may desire.