

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the information  
2 technology department; to amend and reenact subsection 4 of section 54-59-05 of the North  
3 Dakota Century Code, relating to the powers and duties of the information technology  
4 department; and to declare an emergency.

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

6 **SECTION 1. BASE LEVEL FUNDING INFORMATION.** The amounts identified in this  
7 section represent the base level funding component appropriated to the information technology  
8 department in section 3 of this Act as follows:

9	Salaries and wages	\$25,715,694
10	Operating expenses	32,120,860
11	Capital assets	5,323,000
12	Division of independent study	5,625,480
13	Educational technology council	793,818
14	EduTech	2,540,348
15	Wide area network	7,436,223
16	Enterprise resource planning system (ConnectND)	20,000,000
17	Geographic information system	678,343
18	Prairie public broadcasting	1,337,138
19	Criminal justice information sharing	<u>4,741,200</u>
20	Total all funds - Base level	\$106,312,104
21	Less estimated income - Base level	<u>98,117,301</u>
22	Total general fund - Base level	\$8,194,803

23 **SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION.** The  
24 amounts identified in this section represent the funding adjustments or enhancements to the

Fifty-ninth  
Legislative Assembly

1	base funding level for the information technology department which are included in the	
2	appropriation in section 3 of this Act as follows:	
3	Salaries and wages	\$3,484,335
4	Operating expenses	16,792,816
5	Capital assets	5,038,163
6	Division of independent study	202,429
7	Educational technology council	961,371
8	EduTech	112,000
9	Wide area network	107,191
10	Enterprise resource planning system (ConnectND)	(20,000,000)
11	Geographic information system	8,863
12	Prairie public broadcasting	(1,337,138)
13	Criminal justice information sharing	<u>(2,041,200)</u>
14	Total all funds - Adjustments/enhancements	\$3,328,830
15	Less estimated income - Adjustments/enhancements	<u>713,274</u>
16	Total general fund - Adjustments/enhancements	\$2,615,556

17           **SECTION 3. APPROPRIATION.** The funds provided in this section, or so much of the  
18 funds as may be necessary, are appropriated out of any moneys in the general fund in the state  
19 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
20 other income, to the information technology department for the purpose of defraying the  
21 expenses of that agency, for the biennium beginning July 1, 2005, and ending June 30, 2007,  
22 as follows:

23	Salaries and wages	\$29,200,029
24	Operating expenses	48,913,676
25	Capital assets	10,361,163
26	Division of independent study	5,827,909
27	Educational technology council	1,755,189
28	EduTech	2,652,348
29	Wide area network	7,543,414
30	Geographic information system	687,206
31	Criminal justice information sharing	<u>2,700,000</u>

1	Total all funds	\$109,640,934
2	Less estimated income	<u>98,830,575</u>
3	Total general fund appropriation	\$10,810,359

4           **SECTION 4. TRANSFERS.** Notwithstanding section 54-16-04, the director of the office  
5 of management and budget and the state treasurer shall make transfers of funds between line  
6 items in section 3 of this Act for the information technology department as may be requested by  
7 the chief information officer as determined necessary for the development and implementation  
8 of the medicaid management information system. Any increase in full-time equivalent positions  
9 needed for this project must be reported to the director of the office of management and budget  
10 during the biennium beginning July 1, 2005, and ending June 30, 2007.

11           **SECTION 5. AMENDMENT.** Subsection 4 of section 54-59-05 of the North Dakota  
12 Century Code is amended and reenacted as follows:

13           4. May purchase, finance the purchase, or lease equipment, software, or  
14 implementation services or replace, including by trade or resale, equipment or  
15 software as may be necessary to carry out this chapter. An agreement to finance  
16 the purchase of software, equipment, or implementation services may not exceed a  
17 period of ~~three~~ five years. The department shall submit any intended financing  
18 proposal for the purchase of software, equipment, or implementation services  
19 under this subsection, which is in excess of one million dollars, to the budget  
20 section of the legislative council or the legislative assembly before executing a  
21 financing agreement. If the budget section or the legislative assembly does not  
22 approve the execution of a financing agreement, the department may not proceed  
23 with the proposed financing arrangement. The department may finance the  
24 purchase of software, equipment, or implementation services only to the extent the  
25 purchase amount does not exceed seven and one-half percent of the amount  
26 appropriated to the department during that biennium.

27           **SECTION 6. EMERGENCY.** Section 5 of this Act is declared to be an emergency  
28 measure.