

Roll Call

Present: Sen. Breitling, Sen. Nesiba, Sen. Hunhoff, Rep. Duba, Rep. Gross, and Rep. Karr

OTHERS PRESENT: See Original Minutes

**The meeting was called to order by Representative Karr**

**HB 1281 : make an appropriation for matching funds to enhance research in manufacturing processes having lunar application and planetary use in tribal housing development and to declare an emergency.**

**MOTION: AMEND HB 1281**

1281C

On page 1, line 1, of the Senate Engrossed bill, delete "make an appropriation for matching funds to enhance research in manufacturing processes having lunar application and planetary use in tribal housing development and to declare an emergency" and insert "clarifying the contents of the general appropriations act for fiscal year 2023, pertaining to certain federal moneys and to declare an emergency"

On the Senate Engrossed bill, delete everything after the enacting clause and insert:

**Section 1.** A department or agency shall complete a base transfer of any appropriation for money received from the American Rescue Plan Act, Pub. L. 117-2; Infrastructure Investments and Jobs Act, Pub. L. 117-58; Coronavirus Aid, Relief, and Economic Security Act, Pub. L. 116-136; or Consolidated Appropriations Act, Pub. L. 116-220 contained in any budget unit in the general appropriations act for the fiscal year ending June 30, 2023, to the appropriate budget unit created by section 2 to 9, inclusive, of this Act.

**Section 2.** There is hereby created in the general appropriations act within the department of transportation budget for the fiscal year ending June 30, 2023, the following budget units:

(1) DOT Infrastructure Investments and Jobs Act, to carry out federal expenditure authority with moneys and grants provided to the department on behalf of the state through the Infrastructure Investments and Jobs Act, Pub. L. 117-58.

(2) DOT American Rescue Plan Act, to carry out federal expenditure authority for moneys and grants provided to the department on behalf of the state through the American Rescue Plan Act, Pub. L. 117-2

**Section 3.** There is hereby created in the general appropriations act within the department of public safety budget for the fiscal year ending June 30, 2023, the budget unit, DPS Infrastructure Investments and Jobs Act, to carry out federal expenditure authority with moneys and grants provided to the department on behalf of the state through the Infrastructure Investments and Jobs Act, Pub. L. 117-58

**Section 4.** There is hereby created in the general appropriations act within the department of agriculture and natural resources budget for the fiscal year ending June 30, 2023, the budget unit, DANR Infrastructure Investments and Jobs Act, to carry out federal expenditure authority with moneys and grants provided to the department on behalf of the state through the Infrastructure Investments and Jobs Act, Pub. L. 117-58.

**Section 5.** There is hereby created in the general appropriations act within the governor's office of economic development budget for the fiscal year ending June 30, 2023, the budget unit, GOED Infrastructure Investments and Jobs Act, to carry out federal expenditure authority with moneys and grants provided to the department on behalf of the state through the Infrastructure Investments and Jobs Act, Pub. L. 117-58.

**Section 6.** There is hereby created in the general appropriations act within the department of social services budget for the fiscal year ending June 30, 2023, the budget unit, DSS Infrastructure Investments and Jobs Act, to carry out federal expenditure authority with moneys and grants provided to the department on behalf of the state through the Infrastructure Investments and Jobs Act, Pub. L. 117-58.

**Section 7.** There is hereby created in the general appropriations act within the department of health budget for the fiscal year ending June 30, 2023, the budget unit, DOH Coronavirus Funding, to carry out federal expenditure authority with moneys and grants provided to the department on behalf of the state through the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. 116-136; Consolidated Appropriations Act, Pub. L. 116-220; American Rescue Plan Act, Pub. L. 117-2.

**Section 8.** There is hereby created in the general appropriations act within the department of education budget for the fiscal year ending June 30, 2023, the budget unit, DOE American Rescue Plan Act, to carry out federal expenditure authority with moneys and grants provided to the department on behalf of the state through the American Rescue Plan Act, Pub. L. 117-2.

**Section 9.** There is hereby created in the general appropriations act within the department of tourism budget for the fiscal year ending June 30, 2023, the budget unit, Tourism American Rescue Plan Act, to carry out federal expenditure authority with moneys and grants provided to the department on behalf of the state through the American Rescue Plan Act, Pub. L. 117-2.

**Section 10.** A planned expenditure for a current program that does not change current policy or require the implementation of an additional mandate does not need to be released for expenditure as required by this section.

Unless authorized by a special appropriations act, a department or agency may not expend moneys received from a federal act listed in section 1, for a new program or for a current program, if the planned expenditure for the current program commits a department or agency to change a policy or mandate, until the special committee, created pursuant to § 4-8A-2, releases the appropriated money for the new program or the change in policy or mandate for the current program.

Terms used in this section mean:

- ~~1.~~ (1) "New program," a unique activity, function, or service proposed to be carried out or administered by a budget unit that is not part of the base budget, has not been provided an appropriation by law, and is not currently being performed by a department or agency;
- ~~2.~~ (2) "Current program," a unique activity, function, or service carried out or administered by a budget unit that is part of the base budget; has received an appropriation by law for the unique activity, functions, or service; and is currently being performed by a department or agency;
- (3) "Base budget," the moneys appropriated by the general appropriations act for the ordinary and current expenses of a budget unit, as defined by 4-7-1.
- ~~3.~~ This section applies to the general appropriations act ending June 30, 2023.

**Section 11.** Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval."

Moved by: Gross

Second by: Breitling

Action: Prevailed by Majority Members Elect (6-0-0-0)

Voting Yes: Breitling, Nesiba, Hunhoff, Duba, Gross, and Karr

**MOTION: AMEND HB 1281**

1281D

On the previously adopted amendment (1281C), On page 1, line 3, after "emergency " delete "clarifying"

On the previously adopted amendment (1281C), On page 1, line 3, after "clarifying " insert "clarify "

Moved by: Nesiba

Second by: Duba

Action: Prevailed by voice vote

**MOTION: ADJOURN**

Moved by: Gross

Second by: Duba

Action: Prevailed by voice vote

Jean Denton, Committee Secretary

/s/ CHRIS KARR

Chris Karr, Chair

/s/ JEAN HUNHOFF

Jean Hunhoff, Chair