

**HOUSE BILL NO. 1019**

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the parks and  
2 recreation department; to provide for a transfer; to amend and reenact section 10 of chapter 44  
3 of the 2019 Session Laws, relating to International Peace Garden capital projects; to repeal  
4 section 12 of chapter 44 of the 2019 Session Laws, relating to International Peace Garden  
5 capital projects; to provide for an exemption; to provide a report; and to declare an emergency.

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

7 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
8 as may be necessary, are appropriated out of any moneys in the general fund in the state  
9 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
10 other income, to the parks and recreation department for the purpose of defraying the expenses  
11 of the parks and recreation department and the Lewis and Clark interpretive center and for  
12 providing a grant to the International Peace Garden, for the biennium beginning July 1, 2021,  
13 and ending June 30, 2023, as follows:

14 Subdivision 1.

PARKS AND RECREATION DEPARTMENT

	<del>Governor's</del>		
	<del>Base Level</del>	<del>Recommendation</del>	<del>Appropriation</del>
Administration	<del>\$2,604,999</del>	<del>\$2,618,453</del>	<del>\$2,604,999</del>
Park operations and maintenance	<del>20,914,593</del>	<del>40,479,028</del>	<del>20,914,593</del>
Recreation	<del>9,023,560</del>	<del>30,608,957</del>	<del>9,023,560</del>
Total all funds	<del>\$32,543,152</del>	<del>\$73,706,438</del>	<del>\$32,543,152</del>
Less estimated income	<del>20,046,609</del>	<del>61,396,363</del>	<del>20,046,609</del>
Total general fund	<del>\$12,496,543</del>	<del>\$12,310,075</del>	<del>\$12,496,543</del>
Full-time equivalent positions	<del>61.50</del>	<del>57.75</del>	<del>61.50</del>

	Adjustments or		
	Base Level	Enhancements	Appropriation
Administration	\$2,604,999	\$408,440	\$3,013,439
Park operations and maintenance	20,914,593	7,737,582	28,652,175
Recreation	9,023,560	2,101,398	11,124,958
Total all funds	\$32,543,152	\$10,247,420	\$42,790,572
Less estimated income	20,046,609	10,053,084	30,099,693
Total general fund	\$12,496,543	\$194,336	\$12,690,879
Full-time equivalent positions	61.50	0.00	61.50

Subdivision 2.

INTERNATIONAL PEACE GARDEN

	<del>Governor's</del>		
	<del>Base Level</del>	<del>Recommendation</del>	<del>Appropriation</del>
International Peace Garden	<del>\$876,329</del>	<del>\$744,880</del>	<del>\$876,329</del>
Total general fund	<del>\$876,329</del>	<del>\$744,880</del>	<del>\$876,329</del>

	Adjustments or		
	Base Level	Enhancements	Appropriation
International Peace Garden	\$876,329	\$3,000,000	\$3,876,329
Total all funds	\$876,329	\$3,000,000	\$3,876,329
Less estimated income	0	3,000,000	3,000,000
Total general fund	\$876,329	\$0	\$876,329

Subdivision 3.

LEWIS AND CLARK INTERPRETIVE CENTER

	<del>Governor's</del>		
	<del>Base Level</del>	<del>Recommendation</del>	<del>Appropriation</del>
Lewis and Clark interpretive center	<del>\$1,304,375</del>	<del>\$14,382</del>	<del>\$1,304,375</del>
Total all funds	<del>\$1,304,375</del>	<del>\$14,382</del>	<del>\$1,304,375</del>
Less estimated income	<del>334,118</del>	<del>0</del>	<del>334,118</del>
Total general fund	<del>\$970,257</del>	<del>\$14,382</del>	<del>\$970,257</del>

	Adjustments or		
	Base Level	Enhancements	Appropriation
Lewis and Clark interpretive center	\$1,304,375	\$136,537	\$1,440,912

Sixty-seventh  
Legislative Assembly

1	Total all funds	\$1,304,375	\$136,537	\$1,440,912
2	Less estimated income	334,118	253,881	587,999
3	Total general fund	\$970,257	(\$117,344)	\$852,913

4 Subdivision 4.

TOTAL - SECTION 1

5	<u>Governor's</u>			
6		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
7	Grand total general fund	\$14,343,129	\$13,069,337	\$14,343,129
8	Grand total special funds	20,380,727	61,396,363	20,380,727
9	Grand total all funds	\$34,723,856	\$74,465,700	\$34,723,856
10	<u>Adjustments or</u>			
11		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
12	Grand total general fund	\$14,343,129	\$76,992	\$14,420,121
13	Grand total special funds	20,380,727	13,306,965	33,687,692
14	Grand total all funds	\$34,723,856	\$13,383,957	\$48,107,813

15 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**

16 **SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding  
17 items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the  
18 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

19	<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
20	<del>Extraordinary repairs</del>	<del>\$634,126</del>	<del>\$0</del>
21	Extraordinary repairs	\$634,126	\$7,500,000
22	Capital projects	1,755,000	0
23	<del>International Peace Garden capital projects</del>	<del>5,000,000</del>	<del>0</del>
24	International Peace Garden capital projects	5,000,000	3,000,000
25	Additional equipment	622,000	0
26	State park survey	150,000	0
27	Recreation mapping	75,000	0
28	<del>Traffic counters</del>	<del>75,000</del>	<del>0</del>
29	Total all funds	\$8,311,126	\$0
30	Less estimated income	8,311,126	0
31	Total general fund	\$0	\$0

1	Traffic counters	75,000	0
2	Trail lease renewals	0	200,000
3	Fort Abraham Lincoln viewshed lease	0	50,000
4	Total all funds	\$8,311,126	\$10,750,000
5	Less estimated income	8,311,126	10,500,000
6	Total general fund	\$0	\$250,000

7 The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget  
8 for the 2023-25 biennium. The parks and recreation department shall report to the  
9 appropriations committees of the sixty-eighth legislative assembly on the use of this one-time  
10 funding for the biennium beginning July 1, 2021, and ending June 30, 2023.

11 **SECTION 3. ADDITIONAL INCOME - APPROPRIATION - REPORTING.** In addition to the  
12 amounts appropriated in section 1 of this Act, any additional income from federal or other funds  
13 that become available are appropriated to the parks and recreation department for the biennium  
14 beginning July 1, 2021, and ending June 30, 2023. The department shall report any additional  
15 income under this section to the office of management and budget and the legislative council.

16 **SECTION 4. GAME AND FISH OPERATING FUND - TRANSFER - BOAT RAMP**  
17 **OPERATION AND MAINTENANCE.** The sum of \$122,000, or so much of the sum as may be  
18 necessary, included in the park operations and maintenance line item in subdivision 1 of  
19 section 1 of this Act, is from the game and fish operating fund, or federal or other funds  
20 available to the game and fish department, and must be transferred to the parks and recreation  
21 department as requested by the director of the parks and recreation department for  
22 maintenance, operating, and extraordinary repairs expenses relating to boat ramps at state  
23 parks for the biennium beginning July 1, 2021, and ending June 30, 2023.

24 **SECTION 5. ESTIMATED INCOME - DEPARTMENT OF TRANSPORTATION GRANT.**  
25 The estimated income line item in subdivision 3 of section 1 of this Act, includes \$100,000 of  
26 grant funding from the department of transportation for the purpose of defraying expenses for  
27 the Lewis and Clark interpretive center.

28 **SECTION 6. DEFERRED MAINTENANCE - STRATEGIC INVESTMENT AND**  
29 **IMPROVEMENTS FUND.** The park operations and maintenance line item in subdivision 1 of  
30 section 1 of this Act includes \$7,500,000 from the strategic investment and improvements fund  
31 for deferred maintenance for the biennium beginning July 1, 2021, and ending June 30, 2023.

1       **SECTION 7. INTERNATIONAL PEACE GARDEN - STRATEGIC INVESTMENT AND**  
2 **IMPROVEMENTS FUND.** The International Peace Garden line item in subdivision 2 of section 1  
3 of this Act includes the sum of \$3,000,000, from the strategic investment and improvements  
4 fund for International Peace Garden capital projects or the repayment of any outstanding loan  
5 from the Bank of North Dakota authorized in section 12 of chapter 44 of the 2019 Session  
6 Laws, for the period beginning with the effective date of this Act, and ending June 30, 2023.  
7 Expenditure of the funds appropriated for this purpose is subject to the province of Manitoba  
8 providing funding equal to fifty percent of the total cost of any project paid with the funding  
9 referenced in this section.

10       **SECTION 8. AMENDMENT.** Section 10 of chapter 44 of the 2019 Session Laws is  
11 amended and reenacted as follows:

12               **SECTION 10. REQUIREMENTS - MATCHING FUNDS - INTERNATIONAL**  
13 **PEACE GARDEN CAPITAL PROJECTS.** The International Peace Garden line item in  
14 subdivision 2 of section 1 of this Act includes \$2,000,000 for capital projects.  
15 Expenditure of ~~thesethese~~ funds appropriated for this purpose is subject to ~~one-to-one-~~  
16 ~~matching funds being raised from nonstate sources~~the province of Manitoba providing  
17 funding equal to fifty percent of the total cost of any project paid with funding  
18 referenced in this section. The parks and recreation department shall review and  
19 accept engineering proposals and specifications before committing funds to projects  
20 and shall assist with bidding and construction of any work associated with this section.  
21 The International Peace Garden shall report quarterly to the parks and recreation  
22 department regarding the expenditure of these funds along with the the source of the  
23 matching funds. The funds appropriated in this section are not subject to section  
24 54-44.1-11, and may be continued into the biennium beginning July 1, 2021, and  
25 ending June 30, 2023, for capital projects.

26       **SECTION 9. REPEAL.** Section 12 of chapter 44 of the 2019 Session Laws is repealed.

27       **SECTION 10. EXEMPTION - INTERNATIONAL PEACE GARDEN - REQUIREMENTS.**  
28 Any funds remaining in the International Peace Garden line item for repair of the peace tower in  
29 section 30 of chapter 15 of the 2013 Session Laws are not subject to section 54-44.1-11, and  
30 any unexpended funds are available for capital projects during the biennium beginning July 1,  
31 2021, and ending June 30, 2023. Funding available for use by the International Peace Garden

1 in this section is subject to the International Peace Garden raising one-to-one matching funds  
2 from nonstate sources of North Dakota sources consistent with the 2013 North Dakota  
3 legislative language. The parks and recreation department shall review and accept engineering  
4 proposals and specifications before committing additional funds to the project and shall assist  
5 with bidding and construction of any work associated with this section.

6 **SECTION 11. EXEMPTION - PARK ENHANCEMENTS.** Any funds remaining for park  
7 enhancements in subdivision 1 of section 1 of chapter 53 of the 2015 Session Laws are not  
8 subject to section 54-44.1-11, and any unexpended funds are available for park enhancement  
9 projects during the biennium beginning July 1, 2021, and ending June 30, 2023.

10 **SECTION 12. EXEMPTION - EXTRAORDINARY REPAIRS.** Of the funds appropriated in  
11 the parks operation and maintenance line item for extraordinary repairs, \$675,000 in  
12 subdivision 1 of section 1 of chapter 18 of the 2017 Sessions Laws is not subject to section  
13 54-44.111, and any unexpended funds are available for extraordinary repairs during the  
14 biennium beginning July 1, 2021, and ending June 30, 2023.

15 **SECTION 13. EMERGENCY.** The \$3,000,000 from the strategic investment and  
16 improvements fund appropriated for the International Peace Garden in subdivision 2 of  
17 section 1 of this Act and sections 7, 8, and 9 of this Act are declared to be an emergency  
18 measure.