23.0273.03000

Sixty-eighth
Legislative Assembly
of North Dakota

FIRST ENGROSSMENT
with House Amendments
ENGROSSED SENATE BILL NO. 2019

Introduced by

Appropriations Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the parks and recreation department; to provide for a transfer; to provide for a report to the legislative assembly; and to provide for an exemption.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the parks and recreation department for the purpose of defraying the expenses of the parks and recreation department and for providing a grant to the International Peace Garden, for the biennium beginning July 1, 2023, and ending June 30, 2025, as follows:

Subdivision 1.

PARKS AND RECREATION DEPARTMENT

	Base Level	Adjustments or Enhancements	Appropriation
Administration	$2,765,070	$189,761	$2,954,831
Park operations and maintenance	21,155,523	91,860,669	113,016,192
Recreation	11,126,162	16,308,081	27,434,243
Total all funds	$35,046,755	$108,358,511	$143,405,266
Less estimated income	22,599,593	90,667,122	113,266,715
Total general fund	$12,447,162	$17,691,389	$30,138,551
Full-time equivalent positions	57.75	7.25	65.00

Subdivision 2.

INTERNATIONAL PEACE GARDEN

	Base Level	Adjustments or Enhancements	Appropriation
International Peace Garden	$876,329	$1,050,000	$1,926,329
Total all funds	$876,329	$1,050,000	$1,926,329
Less estimated income	0	800,000	800,000
Total general fund	$876,329	$250,000	$1,126,329

Subdivision 3.

SECTION 1 TOTAL

	Base Level	Adjustments or Enhancements	Appropriation
Grand total general fund	$13,323,491	$17,941,389	$31,264,880
Grand total special funds	22,599,593	91,467,122	114,066,715
Grand total all funds	$35,923,084	$109,408,511	$145,331,595

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-NINTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the 2023-25 biennium one-time funding items included in the appropriation in section 1 of this Act:

One-Time Funding Description	2021-23	2023-25
Extraordinary repairs and capital projects	$7,900,000	$0
Local park district grants	5,000,000	0
International Peace Garden capital projects	3,000,000	0
Trail lease renewals	200,000	0
Fort Abraham Lincoln viewshed lease	50,000	0
Parks matching grant program	1,632,800	3,000,000
Deferred maintenance and capital projects	10,000,000	10,000,000
Cabin construction	0	2,400,000
Lake Metigoshe reimagined project	0	250,000
City, county, and tribal park system grants	0	750,000
Local park district grants	0	10,000,000
Pembina Gorge campground construction	0	7,000,000
Riverfront revitalization grants	0	2,000,000

International Peace Garden pavilion construction	0	800,000
Theodore Roosevelt presidential library project	0	70,000,000
Total all funds	$27,782,800	$106,200,000
Total other funds	27,532,800	89,200,000
Total general fund	$250,000	$17,000,000

The 2023-25 biennium one-time funding amounts are not a part of the entity's base budget for the 2025-27 biennium. The parks and recreation department shall report to the appropriations committees of the sixty-ninth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 3. LINE OF CREDIT - THEODORE ROOSEVELT PRESIDENTIAL LIBRARY PROJECT.

1. The Bank of North Dakota shall extend a line of credit not to exceed $70,000,000 to the parks and recreation department. The interest rate on the line of credit may not exceed the prevailing interest rate charged to North Dakota governmental entities.
2. The parks and recreation department may use the funds borrowed through the line of credit to support activities related to the Theodore Roosevelt presidential library project. The parks and recreation department shall require any entity receiving funds under this section to repay the funds to the department, including accrued interest.
3. The parks and recreation department may accept funds from participating entities and shall use the funds to repay the line of credit. If the amounts available are not anticipated to be sufficient to repay the line of credit by June 30, 2027, the department shall request a deficiency appropriation from the legislative assembly to repay the line of credit.
4. The department shall develop guidelines and rules for the use and repayment of this funding.

SECTION 4. GAME AND FISH OPERATING FUND - TRANSFER - BOAT RAMP OPERATION AND MAINTENANCE. The sum of $122,000, or so much of the sum as may be necessary, included in the park operations and maintenance line item in subdivision 1 of section 1 of this Act, is from the game and fish operating fund, or federal or other funds available to the game and fish department, which must be transferred to the parks and recreation department for maintenance, operating, and extraordinary repairs expenses relating

to boat ramps at state parks for the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 5. ADDITIONAL INCOME - APPROPRIATION - REPORTING. In addition to the amounts appropriated in section 1 of this Act, any additional federal or other funds that become available are appropriated to the parks and recreation department for the biennium beginning July 1, 2023, and ending June 30, 2025. The department shall report any additional income under this section to the office of management and budget and the legislative council.

SECTION 6. ESTIMATED INCOME - LEGACY EARNINGS FUND - PARK CABIN CONSTRUCTION. The estimated income line item in section 1 of this Act includes $2,400,000 from the legacy earnings fund for cabin construction at a state park selected by the director of the parks and recreation department.

SECTION 7. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - PARKS AND RECREATION. The estimated income line item in section 1 of this Act includes $15,300,000 from the strategic investment and improvements fund, of which $10,000,000 is for deferred maintenance and capital projects, $250,000 is for the Lake Metigoshe reimagined project, $1,500,000 is for state park matching grants, $2,000,000 is for riverfront revitalization grants, $800,000 is for the construction of a pavilion at the International Peace Garden, and $750,000 is for city, county, and tribal park system grants.

SECTION 8. CITY, COUNTY, AND TRIBAL GRANT PROGRAM - GRANT LIMITATION. With the funding provided for the city, county, and tribal grant program, the parks and recreation department may not award more than $100,000 to an entity.

SECTION 9. LOCAL PARK DISTRICT GRANT - MATCHING REQUIREMENTS. Prior to the parks and recreation department awarding a local park district grant as appropriated in section 1 of this Act, the grant recipient must certify to the department that it has at least:

1. One dollar of matching funds from the local park district for each one dollar to be received from the department; and
2. Fifty cents of matching funds from private sources for each one dollar to be received from the department.

The parks and recreation department may not award more than $3,000,000 to one park district.

SECTION 10. RIVERFRONT REVITALIZATION GRANT - MATCHING REQUIREMENTS. Prior to the parks and recreation department awarding a riverfront revitalization grant as appropriated in section 1 of this Act, the grant recipient must certify to the department that it has at least $2,000,000 of matching funds from nonstate sources for the riverfront revitalization project.

SECTION 11. INTERNATIONAL PEACE GARDEN PAVILION CONSTRUCTION GRANT - MATCHING REQUIREMENTS. The International Peace Garden line item in subdivision 2 of section 1 of this Act includes $800,000 for construction of a pavilion at the International Peace Garden. Expenditure of these funds is subject to one-to-one matching funds being raised from nonstate sources.

SECTION 12. EXEMPTION - UNEXPENDED APPROPRIATIONS. The following appropriations are not subject to the provisions of section 54-44.1-11 and may be continued into the biennium beginning July 1, 2023, and ending June 30, 2025:

1. Any funds remaining in the International Peace Garden line item for repair of the peace tower at the International Peace Garden in subdivision 2 of section 30 of chapter 15 of the 2013 Session Laws are available for capital projects and extraordinary repairs and equipment. Funding available for use by the International Peace Garden in this section is subject to the International Peace Garden raising dollar-for-dollar matching funds from nonstate sources;
2. Any funds remaining for trail lease renewals and construction or purchasing trail easements in subdivision 1 of section 1 of chapter 19 of the 2021 Session Laws are available for trail lease renewals and construction and repairs and purchasing trail easements;
3. Any funds remaining for extraordinary repairs in subdivision 1 of section 1 of chapter 44 of the 2019 Session Laws;
4. Any funds remaining for parks capital projects and International Peace Garden capital projects in subdivision 1 of section 1 of chapter 44 of the 2019 Session Laws are available for any capital projects and equipment;
5. Any funds remaining for the Fort Abraham Lincoln viewshed lease in subdivision 1 of section 1 of chapter 19 of the 2021 Session Laws are available for plantings to improve the viewshed;

6. Any funds remaining for extraordinary repairs and capital projects in subdivision 1 of section 1 of chapter 19 of the 2021 Session Laws;
7. Any funds remaining for deferred maintenance and capital projects from the federal state fiscal recovery fund in subsection 9 of section 1 of chapter 550 of the 2021 Special Session Session Laws;
8. Any funds remaining for grants to local park districts to renovate and upgrade existing facilities from the federal state fiscal recovery fund in subsection 5 of section 1 of chapter 550 of the 2021 Special Session Session Laws; and
9. Any funds remaining from the federal state fiscal recovery fund in section 7 of chapter 19 of the 2021 Session Laws as amended by section 4 of chapter 548 of the 2021 Special Session Session Laws for capital projects improvements at state parks, subject to the department obtaining matching funds from nonstate sources for each project on a dollar-for-dollar basis.
10. Any funds remaining from the federal state fiscal recovery fund in section 6 of chapter 19 of the 2021 Session Laws as amended by section 3 of chapter 548 of the 2021 Special Session Session Laws for deferred maintenance and capital projects.