

Sixty-ninth
Legislative Assembly
of North Dakota

**FIRST ENGROSSMENT
with Conference Committee Amendments
ENGROSSED 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 create and enact a new section to chapter 55-08 of the North Dakota
3 Century Code, relating to the creation and naming of state parks; to provide for a transfer; to
4 provide for a report; and to provide an exemption.

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

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
7 as may be necessary, are appropriated out of any moneys in the general fund in the state
8 treasury, not otherwise appropriated, and from other funds derived from special funds and
9 federal funds, to the parks and recreation department for the purpose of defraying the expenses
10 of the parks and recreation department and for providing a grant to the International Peace
11 Garden, for the biennium beginning July 1, 2025, and ending June 30, 2027, as follows:

12 Subdivision 1.

13 **PARKS AND RECREATION DEPARTMENT**

14			Adjustments or	
15		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
16	Administration	\$2,999,629	(\$219,225)	\$2,780,404
17	Parks operations and maintenance	24,128,685	19,088,428	43,217,113
18	Recreation	11,465,641	855,335	12,320,976
19	New and vacant FTE pool	<u>0</u>	<u>679,393</u>	<u>679,393</u>
20	Total all funds	\$38,593,955	\$20,403,931	\$58,997,886
21	Less other funds	<u>24,893,684</u>	<u>19,701,790</u>	<u>44,595,474</u>

1	Total general fund	\$13,700,271	\$702,141	\$14,402,412
2	Full-time equivalent positions	65.00	11.00	76.00
3	Subdivision 2.			

INTERNATIONAL PEACE GARDEN

5			Adjustments or	
6		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
7	International Peace Garden	<u>\$1,126,329</u>	<u>\$1,967,500</u>	<u>\$3,093,829</u>
8	Total all funds	\$1,126,329	\$1,967,500	\$3,093,829
9	Less other funds	<u>0</u>	<u>1,967,500</u>	<u>1,967,500</u>
10	Total general fund	\$1,126,329	\$0	\$1,126,329
11	Subdivision 3.			

SECTION 1 TOTAL

13			Adjustments or	
14		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
15	Grand total all funds	\$39,720,284	\$22,371,431	\$62,091,715
16	Less grand total other funds	<u>24,893,684</u>	<u>21,669,290</u>	<u>46,562,974</u>
17	Grand total general fund	\$14,826,600	\$702,141	\$15,528,741

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

SEVENTIETH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items included in the appropriation in section 1 of this Act which are not included in the entity's base budget for the 2027-29 biennium and which the entity shall report to the appropriations committees of the seventieth legislative assembly regarding the use of this funding:

23	<u>One-Time Funding Description</u>	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
24	Equipment	\$250,000	\$250,000	\$500,000
25	Deferred maintenance	0	12,500,000	12,500,000
26	State parks comfort stations	0	924,000	924,000
27	State parks technology enhancements	0	2,500,000	2,500,000
28	Lake Metigoshe state park sewer project	0	800,000	800,000
29	State parks matching grants	0	2,500,000	2,500,000
30	International Peace Garden music camp project	0	1,400,000	1,400,000
31	International Peace Garden sewer, water, and	0	250,000	250,000

1 irrigation master development plan

2 International Peace Garden conservatory project 0 317,500 317,500

3 Total \$250,000 \$21,441,500 \$21,691,500

4 **SECTION 3. NEW AND VACANT FTE POOL - LIMITATION - TRANSFER REQUEST.** The
5 parks and recreation department may not spend funds appropriated in the new and vacant FTE
6 pool line item in section 1 of this Act, but may request the office of management and budget to
7 transfer funds from the new and vacant FTE pool line item to other line items with salaries and
8 wages in accordance with the guidelines and reporting provisions included in House Bill
9 No. 1015, as approved by the sixty-ninth legislative assembly.

10 **SECTION 4. ADDITIONAL INCOME - APPROPRIATION - REPORTING.** In addition to the
11 amounts appropriated in section 1 of this Act, any additional federal or special funds that
12 become available are appropriated to the parks and recreation department, for the biennium
13 beginning July 1, 2025, and ending June 30, 2027. The department shall report any additional
14 income under this section to the office of management and budget and the legislative council.

15 **SECTION 5. TRANSFER - GAME AND FISH DEPARTMENT TO PARKS AND**
16 **RECREATION DEPARTMENT - GAME AND FISH OPERATING FUND - 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, which must be transferred to the parks and
21 recreation department for maintenance, operating, and extraordinary repairs expenses relating
22 to boat ramps at state parks, for the biennium beginning July 1, 2025, and ending June 30,
23 2027.

24 **SECTION 6. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.**
25 The other funds line item in section 1 of this Act includes \$19,941,500 from the strategic
26 investment and improvements fund, of which:

27 1. \$12,500,000 is for deferred maintenance at state parks, \$924,000 is for comfort
28 stations at state parks, \$2,500,000 is for state parks technology enhancements,
29 \$800,000 is for a Lake Metigoshe state park sewer infrastructure project, \$1,250,000
30 is for state parks matching funds, \$1,400,000 is for an international music camp
31 complex revitalization project at the International Peace Garden, \$250,000 is for a

sewer, water, and irrigation master development plan at the International Peace Garden, and \$317,500 is for a cactus conservatory project at the International Peace Garden.

2. The parks and recreation department may use funding appropriated for deferred maintenance at state parks for the purchase of buildings to replace currently owned buildings that are beyond feasible repair.

3. The parks and recreation department shall use the \$800,000 identified in this section for the Lake Metigoshe state park sewer infrastructure project to provide a grant to a local sewer district to replace or repair the sewer infrastructure system servicing Lake Metigoshe state park and surrounding areas. Grant funding awarded under this section may not exceed twenty percent of the total project cost to replace or repair the sewer infrastructure system.

SECTION 7. INTERNATIONAL PEACE GARDEN. The International Peace Garden line item in section 1 of this Act includes \$1,967,500 for projects at the International Peace Garden, which the parks and recreation department may provide only to the extent the funds are matched by the province of Manitoba at a value equal to the United States dollar exchange rate on July 1, 2025.

SECTION 8. A new section to chapter 55-08 of the North Dakota Century Code is created and enacted as follows:

Creation and naming of state parks.

Notwithstanding any other provision of law, a state agency or official may not create a new state park or rename an existing state park without prior approval from the legislative assembly.

SECTION 9. 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, 2025, and ending June 30, 2027:

1. The sum of \$634,126 appropriated from the parks and recreation fund for extraordinary repairs in subdivision 1 of section 1 of chapter 44 of the 2019 Session Laws, continued into the 2021-23 biennium in section 13 of chapter 19 of the 2021 Session Laws, and continued into the 2023-25 biennium in section 9 of chapter 51 of the 2023 Session Laws.

2. The sum of \$200,000 appropriated from the general fund for trail lease renewals and construction or purchasing trail easements in subdivision 1 of section 1 of chapter 19 of the 2021 Session Laws and continued into the 2023-25 biennium in section 9 of chapter 51 of the 2023 Session Laws.
3. The sum of \$50,000 appropriated from the general fund for the Fort Abraham Lincoln viewshed lease in subdivision 1 of section 1 of chapter 19 of the 2021 Session Laws and continued into the 2023-25 biennium in section 9 of chapter 51 of the 2023 Session Laws for plantings to improve the viewshed.
4. The sum of \$10,000,000 appropriated from the federal state fiscal recovery fund for deferred maintenance and capital projects in subsection 9 of section 1 of chapter 550 of the 2021 Special Session Session Laws and continued into the 2023-25 biennium in section 9 of chapter 51 of the 2023 Session Laws.
5. The sum of \$5,000,000 appropriated from the state fiscal recovery fund for the grants to local park districts to renovate and upgrade existing facilities in subsection 5 of section 1 of chapter 550 of the 2021 Special Session Session Laws and continued into the 2023-25 biennium in section 9 of chapter 51 of the 2023 Session Laws.
6. The sum of \$1,632,800 appropriated from the state fiscal recovery fund and local matching funds for capital project improvements at state parks, subject to the parks and recreation department obtaining matching funds from nonstate sources for each project on a dollar-for-dollar basis in section 7 of chapter 19 of the 2021 Session Laws as amended in section 4 of chapter 548 of the 2021 Special Session Session Laws and continued into the 2023-25 biennium in section 9 of chapter 51 of the 2023 Session Laws.
7. The sum of \$7,900,000 appropriated from the state fiscal recovery fund for the deferred maintenance and capital projects 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 and continued into the 2023-25 biennium in section 9 of chapter 51 of the 2023 Session Laws.
8. The sum of \$800,000 appropriated from the strategic investment and improvements fund for a pavilion construction project at the International Peace Garden in subdivision 1 of section 1 of chapter 51 of the 2023 Session Laws.

- 1 9. The sum of \$10,000,000 appropriated from the strategic investment and
2 improvements fund for deferred maintenance and capital projects in subdivision 1 of
3 section 1 of chapter 51 of the 2023 Session Laws.
- 4 10. The sum of \$2,400,000 appropriated from the strategic investment and improvements
5 fund for a cabin construction project in subdivision 1 of section 1 of chapter 51 of the
6 2023 Session Laws.
- 7 11. The sum of \$250,000 appropriated from the strategic investment and improvements
8 fund for a Lake Metigoshe reimagined project in subdivision 1 of section 1 of
9 chapter 51 of the 2023 Session Laws.
- 10 12. The sum of \$6,000,000 appropriated from the strategic investment and improvements
11 fund for city, county, and tribal park system grants in subdivision 1 of section 1 of
12 chapter 51 of the 2023 Session Laws.
- 13 13. The sum of \$70,000,000 appropriated from special funds derived from a Bank of North
14 Dakota line of credit for the Theodore Roosevelt presidential library project in
15 subdivision 1 of section 1 of chapter 51 of the 2023 Session Laws, which may be used
16 only for providing reimbursement of construction costs associated with building the
17 Theodore Roosevelt presidential library, including fixtures, furnishings, exhibit
18 structures, supplies, and materials.
- 19 14. The sum of \$6,000,000 appropriated from the strategic investment and improvements
20 fund for a Pembina Gorge campground project in subdivision 1 of section 1 of
21 chapter 51 of the 2023 Session Laws.
- 22 15. The sum of \$3,000,000 appropriated from the strategic investment and improvements
23 fund and matching funds for state park matching grants subject to the parks and
24 recreation department obtaining matching funds from nonstate sources for each
25 project on a dollar-for-dollar basis in subdivision 1 of section 1 of chapter 51 of the
26 2023 Session Laws.
- 27 16. The sum of \$2,000,000 appropriated from grant funds from the state water
28 commission for sovereign land grants in subdivision 1 of section 1 of chapter 51 of the
29 2023 Session Laws. The department may use up to \$450,000 of this funding for
30 deferred maintenance projects at state parks and for the purchase of equipment. All
31 other remaining funding under this subsection must be used for sovereign land grants.